CITY OF ST AUGUSTINE EST. 1565

CITY OF ST. AUGUSTINE CITY COMMISSION

REGULAR MEETING AGENDA

MONDAY, APRIL 27, 2020 - 10:00 AM

ALCAZAR ROOM

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1. CALL TO ORDER

- Roll Call
- Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- Modification and Approval of REGULAR AGENDA

2.A. Reminder of how to participate and present public comment.

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

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

- 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

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

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

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

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

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

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.A.1. Ordinance 2020-21: Amends Sections 28-127 of the Code of the City of St. Augustine to modify the number of members and to revise the minimum qualification criteria for members of the Corridor Review Committee. *(I. Lopez, City Attorney)*

9.B. Resolutions

9.B.1. Resolution 2020-12: Authorizes the execution of an agreement between Florida Department of Transportation and the City to install landscaping. *(R. Franklin, Director, Public Works)*

9.B.2. Resolution 2020-15 provides for curb ramp construction, maintenance and access to property known as State Road No. 5A (King Street). *(R. Franklin, Director, Public Works)*

9.B.3. Resolution 2020-16: Amends and restated Resolution 2020-13 to include the use of communication media technology. *(I. Lopez, City Attorney)*

10. STAFF REPORTS AND PRESENTATIONS

10.A. Authorization for the construction and maintenance of the existing crosswalks located on Malaga Street and the mid-block crossing on Valencia Street between the city of St. Augustine and Flagler College. *(R. Franklin, Director, Public Works)*

10.B. March 2020 financial update. *(M. Simpson, Interim Director, Finance)*

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

12.A. Request appointment of one applicant to the Historic Architectural Review Board. *(D. Galambos)*

12.B. Request for three appointments to the Corridor Review Committee. *(D. Galambos, City Clerk)*

13. ITEMS BY CITY MANAGER

13.A. Update on the current status of COVID-19 will be given. *(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 - APRIL 27, 2020

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON MAY 11, 2020:

- Ordinance 2020-18
- Ordinance 2020-19
- Ordinance 2020-20

CA.3. Reminder of Upcoming Meetings :

- April 30, 2020, HARB Meeting
- May 5, 2020, PZB Meeting
- May 11, 2020, Regular Commission Meeting
- May 25, 2020 Meeting Cancelled - Memorial Day Weekend
- June 8, 2020, Regular Commission Meeting
- June 22, 2020, Regular Commission Meeting

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

- February 19, 2020, City Commission Special Workshop Meeting
- February 24, 2020, City Commission Regular Meeting

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

A BLVD LLC - 300 Anastasia Boulevard
Celia Leo, Teodoro A. Leo and Gregory G. Leo, Jr. - 21 Davis Street
Lisa Lewis and Takila Anderson - 780 John Street

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.

CA.8. Authorization to accept federal funding assistance from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amounts of $18,961.00 and $4,756.00. *(B. Fox, Chief, St. Augustine Police Department)*

CA.9. Invoice in the amount of $4,990.79 dated February 28, 2020 from CavendishPartners,P.A.for services regarding the Marlowe v. City of St. Augustine matter. *(I. Lopez, CityAttorney)*
Invoice in the amount of $8,376.65 dated February 28, 2020 from Cavendish Partners, P.A. for services regarding the Seavin, Inc. v. City of St. Augustine matter. *(I. Lopez, City Attorney)*

End of Consent Agenda

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: April 20, 2020

RE: **ORDINANCE 2020-21: MEMBERSHIP AND QUALIFICATION FOR CORRIDOR REVIEW COMMITTEE**

Please find attached Ordinance 2020-20 regarding amendments to the membership and minimum qualification criteria for the Corridor Review Committee. This amendment would reduce the required number for architects or landscape architects to one board member, and provide that the other two members be tenants or owners on the corridors, however, if there are insufficient numbers of tenants or owners available, the Commission could appoint a second architect or landscape architect to maintain a three person board. This board has proven to be challenging in terms of obtaining the right mix of members for appointment, and this amendment attempts to find more flexibility for the Commission.

Please place Ordinance 2020-20 on the CMT City Commission agenda for first reading on April 27, 2020.

Thank you.

Isabelle C. Lopez
City Attorney

Attachment

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

Agenda Title:

Amending Sections 28-127 of the Code of the City of St. Augustine to modify the number of members and to revise the minimum qualification criteria for members of the Corridor Review Committee.

ORDINANCE NO. 2020-21

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, ARTICLE II, DIVISION 5, SECTION 28-127 OF THE CODE OF THE CITY OF ST. AUGUSTINE REVISING THE MINIMUM QUALIFICATIONS FOR MEMBERS OF THE CORRIDOR REVIEW COMMITTEE BY PROVIDING FOR ONE ARCHITECT OR LANDSCAPE ARCHITECT SEAT AND PROVIDING THAT THE OTHER TWO SEATS BE DESIGNATED FOR PROPERTY OWNERS OR TENANTS OF PROPERTIES LOCATED WITHIN THE RESPECTIVE ENTRY CORRIDORS OR MAY BE ASSIGNED TO ANOTHER ARCHITECT OR LANDSCAPE ARCHITECT; 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 has approved updates to its Design Standards for Entry Corridors (DSEC); and

WHEREAS, with the adoption of new DSEC regulations, a Corridor Review Committee should be tasked with its interpretation; and

WHEREAS, design standards rely on experienced professional interpretations to maintain consistent application of the rules; and

WHEREAS, the limited number of different property owners or tenants along the entry corridors has caused difficulty in obtaining a full membership panel, as has the limited availability of design professionals (architect or landscape architect) caused difficulty in obtaining the ideal mixture of board members; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety and general welfare that the following sections be adopted;

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

Section 1. Amending Chapter 28, Article II, Division 5, Section 28-127. Chapter 28, Article II, Division 5, Section 28-127 of the Code of the City of St. Augustine is hereby amended, as follows:

Sec. 28-127 – Minimum qualifications criteria.

One~~Two~~ (1~~2~~) seat~~s~~ 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 two~~one~~ (2~~1~~) seats for property owners or tenants of properties located within the respective entry corridors as defined in the City's adopted design standards for entry corridors. If insufficient qualified applicants for the property owner or tenant seats are received by the Clerk, the City Commission may appoint another licensed or retired architect or landscape architect to be seated in order to maintain the three (3) person board. The City Commission shall have final authority over the evaluation of qualifications received and appointment of board members.

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 re-lettered 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 ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2020.

_____
Tracy W. Upchurch, Mayor-Commissioner

ATTEST:

_____
Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: April 16, 2020

RE: Agenda Item for April 27, 2020 City Commission Meeting;
Resolution 2020-12 Construction, Maintenance and Reimbursement Agreement

Request consideration and approval of the proposed resolution authorizing the execution of the Construction, Maintenance and Reimbursement Agreement between the Florida Department of Transportation and the City of St. Augustine to install various landscaping for the intersection of San Marco Avenue/Business US 1/State Road A1A and East San Carlos Avenue.

The City of St Augustine shall maintain all turf and landscaped areas within the Intersection of US 1, including mow, cut and trim all grass and turf as well as remove grass and turf clippings from the roadway/curb/sidewalk. COSA will routinely remove dead plants and will keep litter removed from the Intersection of US 1.

The City of St. Augustine shall operate, maintain and repair the Improvements at its sole cost and expense, with the FDOT's maximum participation up to and not to exceed Two-Hundred Thousand Dollars ($200,000.00). Installation contract to be let on or before June 30, 2022, with Construction to be completed on or before December 31, 2023.

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

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

cc: City Attorney & Department Heads

Attachment: Construction, Maintenance and Reimbursement Agreement

RESOLUTION 2020-12

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA AUTHORIZING THE EXECUTION OF THE CONSTRUCTION, MAINTENANCE AND REIMBURSEMENT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LANDSCAPING IMPROVEMENTS AT SAN MARCO AVENUE, BUSINESS US 1, STATE ROAD A1A, AND EAST SAN CARLOS AVENUE; AND AUTHORIZING EXECUTION OF SAID AGREEMENT BY THE CITY MANAGER.

WHEREAS, the State of Florida Department of Transportation (the "FDOT") will be constructing improvements at the intersection of San Marco Avenue/Business US 1/State Road A1A ("A1A") and East San Carlos Avenue ("Intersection Project"); and

WHEREAS, the improvements shall include the design, installation, and construction engineering & inspection ("CEI") of landscaping.; and

WHEREAS, the City of St. Augustine shall own, operate, maintain and repair the Improvements at its sole cost and expense.

WHEREAS, the City Commission finds upon completion of the Project, the City shall continue to own, operate, maintain and repair the Maintained Property and all Improvements via a Map Transfer or other means of conveyance, and as identified in Exhibit A within the Agreement, at its sole cost and expense;

WHEREAS, proceeding with the IMPROVEMENTS requires that the CITY execute and deliver to the FDOT the agreement identified as CONSTRUCTION, MAINTENANCE AND REIMBURSEMENT AGREEMENT (the "Agreement");

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

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

Section 2. The City Commission hereby authorizes the City Manager to execute the Agreement and to deliver the Agreement to the FDOT.

Section 3. The City Commission hereby directs the City Clerk to prepare a certified copy of this Resolution and to forward same to the FDOT along with the executed Agreement.

PASSED IN REGULAR SESSION of the City Commission of the City of St. Augustine, Florida, this 13th day of April 2020.

Tracy W. Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: April 20, 2020

RE: Agenda Item for April 27, 2020 City Commission Meeting;
FDOT City Quitclaim Deed and City Resolution 2020-15

The State of Florida Department of Transportation proposes to construct and maintain improvements on the property known as State Road No. 5A (King Street), Section No. 78010, Parcel No. 801.3, and has made application for the City of St. Augustine to execute and deliver a deed to the FDOT conveying all rights, title and interest that the City has in and to said lands, for the specific purpose of curb ramp construction, maintenance and access.

The application of the State of Florida Department of Transportation for a deed is for transportation purposes which are in the public or community interest and for public welfare. The land needed for transportation purposes is not needed for City purposes.

The two locations of the proposed FDOT improvements are a 300 square foot area at the southeast corner of the intersection of King Street and Granada Street; and, a 20 square foot area at the southwest corner of the intersection of King Street and Cordova Street.

Attached are the FDOT City Quitclaim Deed and City Resolution 2020-15, to be reviewed and executed by the City Commission for the aforementioned purpose.

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

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

cc: City Attorney & Department Heads

Attachment: FDOT City Quitclaim Deed
City Resolution 2020-15

QCD.14-Date: December 5, 2019

This instrument prepared by or under the direction of: Isabelle C. Lopez, City Attorney

PARCEL NO. 801.3
SECTION NO. 78010
F.P. NO. 4308971
STATE ROAD NO. 5A (King Street)
COUNTY OF St. Johns

RESOLUTION 2020-15

ON MOTION of Commissioner_____, seconded by Commissioner _____ , the following Resolution was adopted; and

WHEREAS, the State of Florida Department of Transportation purposes to construct or improve State Road No. 5A (King Street), Section No. 78010, F. P. No. 4308971 in St. Johns County, Florida; and

WHEREAS, it is necessary that certain interest now owned by the City of St. Augustine, Florida be acquired by the State of Florida Department of Transportation; and

WHEREAS, said property is not needed for City purposes; and

WHEREAS, the State of Florida Department of Transportation has made application to said City to execute and deliver to the State of Florida Department of Transportation a deed, or deeds, in favor of the State of Florida Department of Transportation, conveying all rights, title and interest that said City has in and to said lands required for transportation purposes, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of St. Augustine, Florida, that the application of the State of Florida Department of Transportation for a deed, or deeds, is for transportation purposes which are in the public or community interest and for public welfare and the land needed for transportation purposes is not needed for City purposes; that a deed, or deeds, in favor of the State of Florida Department of Transportation conveying all right, title and interest of City of St. Augustine, Florida in St. Johns County in and to said lands should be drawn and executed by this Board of City Commissioners. Consideration shall be $__.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Lake City, Florida.

STATE OF FLORIDA
CITY OF ST. AUGUSTINE

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Board of City Commissioners of The City of St. Augustine, Florida at a meeting held on the _____ day of _____, 20

_____
Clerk, Board of City Commissioners
City of St. Augustine, Florida

04-QCD.14-Date: December 5, 2019

This instrument prepared by
or under the direction of:
David M. Robertson
Chief Counsel District Two
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 801.3
SECTION NO. 78010
F.P. NO. 4308971
STATE ROAD NO. 5A (King Street)
COUNTY OF St. Johns

CITY QUITCLAIM DEED

THIS QUITCLAIM DEED, Made this _____ day of _____, 20 _____ , by the **CITY OF ST. AUGUSTINE, FLORIDA**, a municipality of the State of Florida, Post Office Box 210 (75 King Street), St. Augustine, Florida 32085-0210, grantor, to the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, 1109 South Marion Avenue, Lake City, Florida 32025- 5874, grantee: (Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the said grantor, for and in consideration of the sum of One Dollar ($1.00) and other valuable considerations, receipt and sufficiency being hereby acknowledged, does hereby remise, release and quitclaim unto the said grantee forever, all right, title, interest, claim and demand, which said grantor has in and to the hereinafter described parcel of land arising out of that certain interest, if any, that may had been acquired by Deed Book 167, Page 565, of the Public Records of St. Johns County, Florida, and any interest, if any, in that certain unrecorded 99 year lease agreement, together with all other right, title, interest, claim and demand, if any, which the said grantor has in and to said parcel situate in the County of St. Johns, Florida, to wit: SEE **Exhibit "A"**, attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD, the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the said grantee forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Board of City Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST:_____
Darlene Galambos City Clerk

The City of St. Augustine, Florida
By Its Board of City Commissioners

Signed, sealed and delivered in the presence of:

BY:_____
Tracy W. Upchurch, Mayor

_____
Witness:
Print:_____

(Corporate Seal)

_____
Witness:
Print:_____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ___ day of _____, 20____, by Tracy W. Upchurch, Mayor, by means of [_] physical presence or [_] online notarization, who [_] is personally known to me or [_] produced _____as identification.

_____

Print Name:_____

(Notary Seal)

My Commission Expires:_____

Exhibit "A"

Section No. 78010 State Road No. 5A (King Street) St. Johns County

F.P. No. 4308971

Parcel No. 801 Perpetual Easement

A perpetual easement for the purpose of curb ramp construction, maintenance and access, in, over, under, upon and through the following described land in St. Johns County, Florida, to wit:

Part "A"

A Part Of Block 36-A Per Official Map Of The City Of St. Augustine District No. 5, On File In The St. Johns County, Florida Clerk Of The Circuit Court, Being Located In Township 7 South, Range 30 East, City Of St. Augustine, St. Johns County, Florida, Being More Particularly Described As Follows:

Commence At A 1/2" Iron Pipe With No Identification, Marking The Northeast Corner Of Block 45-A, Per Official Map Of The City Of St. Augustine District No. 12, On File In The St. Johns County, Florida Clerk Of The Circuit Court; Being Located In Township 7 South, Range 30 East, City Of St. Augustine, St. Johns County, Florida; Also Being The Westerly Existing Right Of Way Line Of Markland Place (A Variable Width Right Of Way Per Said Official Map Of The City Of St. Augustine); Thence South 09°11'47" East, Along Said Westerly Existing Right Of Way Line, A Distance Of 592.69 Feet To The Northerly Existing Right Of Way Line Of State Road No. 5A (King Street) (A Variable Width Right Of Way, Per Florida Department Of Transportation Right Of Way Map, Section 78010, F.P. No. 4308971); Thence Continue South 09°11'47" East, A Distance Of 27.20 Feet To The Baseline Of Survey Of Said State Road No. 5A; Thence North 82°26'06" East, Along Said Baseline Of Survey, A Distance Of 690.98 Feet; Thence North 73°19'44" East, Continuing Along Said Baseline Of Survey, A Distance Of 145.89 Feet; Thence South 18°32'16" East, A Distance Of 25.29 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road No. 5A With The Easterly Existing Right Of Way Line Of Granada Street (A Variable Width Right Of Way Per Said Official Map Of The City Of St. Augustine District No. 5, And Per Official Map Of The City Of St. Augustine District No. 12, On File In The St. Johns County, Florida Clerk Of The Circuit Court), And To The Point Of Beginning; Thence North 72°28'25" East, Along Said Southerly Existing Right Of Way Line, A Distance Of 24.96 Feet; Thence North 74°12'29" East, Continuing Along Said Southerly Existing Right Of Way Line, A Distance Of 1.25 Feet; Thence South 27°50'06" West, A Distance Of 36.19 Feet To Said Easterly Existing Right Of Way Line Of Granada Street; Thence North 18°32'16" West, Along Said Easterly Existing Right Of Way Line, A Distance Of 25.47 Feet To Said Southerly Existing Right Of Way Line Of State Road No. 5A And The Point Of Beginning.

Containing 334 Square Feet, More Or Less.

ALSO:

Part "B"

A Part Of Block 36-A Per Official Map Of The City Of St. Augustine District No. 5, On File In The St. Johns County, Florida Clerk Of The Circuit Court, Being Located In Township 7 South, Range 30 East, City Of St. Augustine, St. Johns County, Florida, Being More Particularly Described As Follows:

Commence At A 1/2" Iron Pipe With No Identification, Marking The Northeast Corner Of Block 45-A Per Official Map Of The City Of St. Augustine District No. 12, On File In The St. Johns County, Florida Clerk Of The Circuit Court, Being Located In Township 7 South, Range 30 East, City Of St. Augustine, St. Johns County, Florida, Also Being The Westerly Existing Right Of Way Line Of Markland Place (A Variable Width Right Of Way Per Said Official Map Of The City Of St.

Augustine); Thence South 09°11'47" East, Along Said Westerly Existing Right Of Way Line, A Distance Of 592.69 Feet To The Northerly Existing Right Of Way Line Of State Road No. 5A (King Street) (A Variable Width Right Of Way, Per Florida Department Of Transportation Right Of Way Map, Section 78010, F.P. No. 4308971); Thence Continue South 09°11'47" East, A Distance Of 27.20 Feet To The Baseline Of Survey Of Said State Road No. 5A; Thence Along Said Baseline Of Survey The Following Three (3) Courses: (1) North 82°26'06" East, 690.98 Feet; (2) North 73°19'44" East, 322.25 Feet; (3) North 87°41'52" East, 4.42 Feet; Thence South 18°32'16" East, A Distance Of 42.16 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road No. 5A With The Westerly Existing Right Of Way Line Of Cordova Street (A Variable Width Right Of Way, Per Official Map Of The City Of St. Augustine District No. 5 On File In The St. Johns County, Florida Clerk Of The Circuit Court), And To The Point Of Beginning; Thence Continue South 18°32'16" East, Along Said Westerly Existing Right Of Way Line, A Distance Of 6.61 Feet; Thence North 59°51'22" West, A Distance Of 9.21 Feet To Said Southerly Existing Right Of Way Line; Thence North 74°23'38" East, Along Said Southerly Existing Right Of Way Line, A Distance Of 6.09 Feet To The Point Of Beginning.

Containing 20 Square Feet, More Or Less.

RESOLUTION NO. 2020-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING AND RESTATING RESOLUTION 2020-13 TO INCLUDE AUTHORIZING THE USE OF COMMUNICATION MEDIA TECHNOLOGY MEETING PROCEDURES FOR MEETINGS OF THE AUDIT COMMITTEE AND ANY OTHER CITY AGENCY, BOARD, OR COMMITTEE, AS DETERMINED BY THE CITY MANAGER.

WHEREAS, the City Commission at its April 13th, 2020 meeting adopted a Communication Media Technology (CMT) policy and related procedures; and

WHEREAS, Resolution 2020-13 incorporated by reference Exhibit "A" identifying the types of City meetings eligible for using CMT procedures; and

WHEREAS, due to the uncertainty of the duration or terms of stay-at-home orders, the City Commission finds that it would be in the best interests of the life, safety and welfare of its constituents that additional committees be identified as eligible for utilizing CMT procedures; and

WHEREAS, the City Commission further finds that consistent with Section 4.10 of the City Charter, the City Manager should have the administrative flexibility to determine if conditions require that other agencies, boards, and committees should meet utilizing the adopted CMT procedures;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE

CITY OF ST. AUGUSTINE, FLORIDA, THAT:

Section 1. A national and state emergency declaration has been issued as a result of the COVID-19 pandemic. The Governor of Florida has issued mandatory limits on public gatherings and provided for public meetings to utilize Communication Media Technology (CMT) procedures instead of in-person meetings.

Section 2. The duration and terms of the current emergency and the circumstances of a future declared state of emergency are uncertain, and the City Commission wishes to grant the City Manager flexibility in adding additional eligible City agencies, boards, or committees to utilize Communication Media Technology (CMT) procedures as approved by Resolution 2020-13.

Section 3. Resolution 2020-13 Emergency Meeting Procedures is hereby amended to include an amended Exhibit "A" at section 3, as follows:

"3. These CMT Procedures will be available for meetings of the Planning and Zoning Board (PZB), the Historic Architectural Review Board (HARB), the Code Enforcement and Adjustment and Appeal Board (CEAAB), the City Commission, ~~and~~ the City's Retirement Pension Boards, and the Audit Committee. In addition, the City Manager has authority to schedule meetings of any other City agency, board, or committee as necessary consistent with the CMT Procedures adopted herein and the emergency authority granted to the City Manager in the City Charter.

Section 4. All other provisions of Resolution 2020-13 not in conflict therein are hereby affirmed and restated.

ADOPTED in Emergency Communication Media Technology Session of the City Commission for the City of St. Augustine, Florida this _____ day of _____ _____, 2020.

CITY OF ST. AUGUSTINE, FLORIDA

_____

Tracy W. Upchurch, Mayor-Commissioner

ATTEST:

_____

City Clerk, Darlene Galambos

(Corporate Seal)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: April 17, 2020

RE: Agenda Item for April 27, 2020 City Commission Meeting;
Flagler College Construction and Maintenance Agreement

The Agreement to upgrade existing crosswalks located on Malaga Street and the mid-block crossing on Valencia street between Flagler College and the City of St. Augustine will be mutually beneficial to both parties. The City and Flagler wish to apportion the costs of construction and maintenance of the Project. Flagler College needs a right-of-way permit to install the equipment within City right-of-way for the Project, with the City issuing the right-of-way permit and waiving the fee. Flagler College agrees to the following:

1. Purchase the necessary equipment
2. Install the equipment to City standards
3. Dedicate equipment to the City for long term maintenance and replacement
4. Provide power to the RRFB located on the north side of Valencia St

The city will accept ownership of the equipment, conduct routine inspections and maintenance of the improvements on its right-of-way. The City of St. Augustine shall not be responsible for any repair and replacement of any improvements on Flagler College property.

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

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

cc: City Attorney & Department Heads

Attachment: Crosswalk and Maintenance Agreement

CONSTRUCTION AND MAINTENANCE AGREEMENT

THIS AGREEMENT ("AGREEMENT") by and between **FLAGLER COLLEGE**, a Florida not-for-profit corporation ("FLAGLER"), 74 King St., St. Augustine, Florida, 32084, and the **CITY OF ST. AUGUSTINE**, a Florida municipal corporation ("CITY"), P.O. Box 210, St. Augustine, Florida, 32085.

RECITALS

WHEREAS, FLAGLER will benefit from upgrading existing crosswalks located near the dormitories on Malaga St and the mid-block crossing on Valencia St to automated rectangular rapid flash beacons (RRFBs); and,

WHEREAS, the CITY will benefit in creating a more visually appealing and easily identifiable crosswalk in a location of substantial pedestrian usage; and,

WHEREAS, the CITY and FLAGLER wish to apportion the costs of construction and maintenance of the Project; and,

WHEREAS, constructing the Project in one integrated phase by one construction team would lead to greater efficiency for both FLAGLER and the CITY;

WHEREAS, FLAGLER needs a right-of-way permit to install the equipment within City right-of-way for the Project;

NOW, THEREFORE, FLAGLER and the CITY agree as follows:

1. **Recitals.** The above recitals are true and correct and incorporated herein.

2. **Obligations of FLAGLER.**

(a) FLAGLER agrees to purchase the necessary equipment totaling $41,250.00 (FORTY-ONE THOUSAND AND TWO HUNDRED AND FIFTY DOLLARS)

as described in EXHIBIT A and hire a contractor to perform the installation for an amount not to exceed $14,985.00 (FOURTEEN THOUSAND AND NINE HUNDRED AND EIGHTY-FIVE DOLLARS) as described in EXHIBIT B.

(b) FLAGLER agrees to install the equipment to CITY standards and dedicate the equipment to the CITY for long term maintenance and replacement.

(c) FLAGLER agrees to provide power to the RRFB located on the north side of Valencia St at the mid-block crossing.

(d) FLAGLER further agrees to have their contractor obtain a right-of-way permit for the installation of the equipment within CITY right-of-way.

3. **Obligations of the CITY.**

(a) CITY shall issue a right-of-way permit and waive the application fee to construct the improvements needed for the project.

(b) CITY will accept ownership of the equipment, conduct routine inspections and maintenance of the improvements on its right-of-way as determined at its sole discretion. CITY shall not be responsible for any repair or replacement of any improvements on FLAGLER property.

4. **Consideration.**

(a) The Consideration for this Agreement shall be the mutual covenants and promises contained in this Agreement, as described hereinabove.

(b) The parties hereby acknowledge and agree as to the adequacy and receipt of said Consideration.

5. **Modification.** This Agreement may only be modified by written agreement approved and executed by the parties to this Agreement in a manner consistent with this Agreement.

6. **Effective Date.** This Agreement shall become effective on the later of the date the Agreement is approved by the City Manager for the CITY and the date the Agreement is approved by the authorized representative of FLAGLER.

7. **Remedies.** Each party to this Agreement shall be entitled to seek enforcement of this Agreement against the other party and shall have all remedies available at law or in equity, including the remedy of specific performance and all forms of injunctive relief. The CITY, however, specifically and expressly, reserves all rights to sovereign immunity granted to municipalities by law, including, but not limited to, Section 768.28, Florida Statutes.

8. **Other Representations and Agreements.** No other agreements, representations or promises shall be binding on the parties except those agreements, representations and promises contained herein or in some future writing signed by the parties making such agreements, representations or promises. The parties expressly acknowledge and agree that they have neither made nor relied on any promise or representation except those expressly set forth in this Agreement.

9. **Governing Law.** This Agreement shall be governed by the laws of the State of Florida.

10. **Unenforceability of Provisions.** If any provision of this Agreement or any portion thereof is held to be invalid or unenforceable, then the remainder of this Agreement shall nevertheless remain in full force and effect.

11. **Attorneys' Fees.** In the event of any litigation, mediation, action by legal counsel, bankruptcy proceeding or collection effort arising in any manner hereunder whether or not suit be brought, the prevailing party or substantially prevailing party shall be entitled to recover all court costs, reasonable attorney's fees and attorneys' costs, including those arising from appeal at all levels of the proceedings.

12. **Judicial Interpretation.** If any of the provisions of this Agreement require judicial interpretation the court interpreting or construing the same shall not apply the presumption that the terms hereof shall be more strictly construed against one party by reason of the rule of construction than the document is to be construed more strictly against the party who itself or through its agents prepared the same, it being agreed that the agents of all parties have participated in the preparation hereof.

13. **Venue.** Each party agrees that any action, controversy or cause of action arising out of the terms of this Agreement may be brought in a court of competent jurisdiction in St. Johns County, Florida, regardless of the place of execution of the Agreement, and each party hereby waives any right to require that any action to enforce this Agreement be brought in any other jurisdiction or venue.

14. **Notices.** Any notices regarding this Agreement are to be addressed to the following representatives:

CITY OF ST. AUGUSTINE
DIRECTOR OF PUBLIC WORKS
P.O. BOX 210
ST. AUGUSTINE, FLORIDA 32085

FLAGLER COLLEGE
CHIEF EXECUTIVE OFFICER
74 KING STREET
ST. AUGUSTINE, FLORIDA 32084

IN WITNESS WHEREOF, the parties, on their own behalf and on behalf of their heirs, successors, and assigns hereto have hereunto set their hands and seals on the dates set forth below.

"FLAGLER"
FLAGLER COLLEGE, INC., a Florida not-for profit corporation

ATTEST:

3/17/20
Printed Name

(SEAL)

By: _____

DATE: 3/12/2020

"CITY"
CITY OF ST. AUGUSTINE, FLORIDA, a municipal corporation

ATTEST:

_____
Darlene Galambos, City Clerk

(SEAL)

By: _____
John P. Regan, City Manager

DATE: _____

Approved as to Form and Legal Sufficiency:

_____
Isabelle C. Lopez, City Attorney

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan
City Manager

DATE: April 20th, 2020

RE: Mid-Year Financial Update

Attached are unaudited mid-year financial summaries by fund for Commission review. The statements are in the form of an income statement and include current year budget and current year-to-date actuals, with previous year-to-date actuals for comparison purposes.

The budget office is currently monitoring economic trends throughout the state, country, and globe due to the cessation of business activity & tourism, and an inevitable short recession. We will commence our annual budget process at the end of this month which will reflect the anticipated effects of COVID-19. A comprehensive financial projection of our current fiscal year is underway and at this time we believe our fund balances are adequate to weather this storm and have frozen all purchases that are not 100% necessary.

If you have any questions about the attached statements or any other financial matter, please do not hesitate to contact me.

Mark E. Simpson, CPA
Interim Director, Financial Services

cc: D. Galambos, City Clerk
M. Breidenstein, Assistant City Manager

General Fund

Current Year and Prior Year to Date for Period Ending
March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
Ad Valorem Taxes	10,675,224	12,552,832	85.0%	10,107,153	11,425,932	88.5%
Local Option Gas Tax	208,763	513,628	40.6%	212,839	520,067	40.9%
Insurance Premiums	3	423,187	0.0%	-	336,239	0.0%
Utility Taxes	996,760	2,410,001	41.4%	1,012,774	2,467,933	41.0%
Grants	49,250	135,500	36.3%	-	328,542	100.0%
Intergovernmental	1,007,522	2,417,211	41.7%	925,401	2,342,929	39.5%
Franchise Fees	972,843	1,784,728	54.5%	857,921	1,690,774	50.7%
Licenses, Permits & Other Fees	3,025,126	5,440,118	55.6%	3,380,008	4,840,150	69.8%
Fines and Forfeitures	145,295	343,000	42.4%	145,874	354,395	41.2%
Administrative Overhead	1,958,044	3,916,089	50.0%	1,866,644	3,733,288	50.0%
Investment Income	133,226	313,000	42.6%	157,412	220,450	71.4%
Miscellaneous	780,187	1,291,441	60.4%	871,540	1,308,060	66.6%
Total Operating Revenue	**19,952,243**	**31,540,735**	**63.3%**	**19,537,566**	**29,568,759**	**66.1%**
Operating Expenses						
General Government	3,982,141	8,044,000	49.5%	3,535,541	7,469,318	47.3%
Public Safety	5,126,282	11,917,680	43.0%	5,150,992	10,990,493	46.9%
Physical Environment	1,551,443	3,793,756	40.9%	1,339,523	3,610,996	37.1%
Transportation	1,662,660	4,400,962	37.8%	1,601,854	4,205,255	38.1%
Culture and Recreation	692,503	1,721,958	40.2%	569,148	1,617,869	35.2%
Capital Outlays						
Buildings	-	350,000	0.0%	14,283	93,970	15.2%
Infrastructure Improvements	102,736	1,716,309	6.0%	26,078	1,913,405	1.4%
Machinery & Equipment	1,237,012	1,675,172	73.8%	285,057	929,081	30.7%
Total Operating Expenses	**14,354,777**	**33,619,837**	**42.7%**	**12,522,476**	**30,830,387**	**40.6%**
Non-Operating Revenue/ (Expenses)						
Proceeds from sales	95,976	45,500	210.9%	109,197	42,092	259.4%
Non-Operating Revenue/(Expenses)	**95,976**	**45,500**	**210.9%**	**109,197**	**42,092**	**259.4%**
Transfers In/ (Out)						
Transfers In	1,559,277	5,861,436	26.6%	1,780,854	4,868,791	36.6%
Transfers Out	(1,039,199)	(3,827,835)	27.1%	(820,015)	(3,649,255)	22.5%
Total Transfers In/ (Out)	520,078	**2,033,601**	**25.6%**	**960,839**	**1,219,536**	**78.8%**
	$ 6,213,520	**$ -**		**$ 8,085,126**	**$ -**	

Capital Projects Fund

Current Year and Prior Year to Date for Period Ending March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
Miscellaneous	-	50,000	0.0%	-	100,000	0.0%
Total Operating Revenue	-	50,000	0.0%	-	100,000	0.0%
Operating Expenses						
General Government	182,816	1,172,790	15.6%	79,637	300,507	26.5%
Public Safety	-	-	0.0%	-	-	0.0%
Physical Environment	-	-	0.0%	-	-	0.0%
Transportation	-	-	0.0%	-	-	0.0%
Culture and Recreation	-	-	0.0%	-	-	0.0%
Capital Outlays						
Land	1,405	-	100.0%	675	234,500	0.3%
Buildings	-	46,000	0.0%	-	-	0.0%
Infrastructure Improvements	80,240	687,171	11.7%	24,201	877,152	2.8%
Machinery & Equipment	5,231	121,784	4.3%	4,287	294,899	1.5%
Total Operating Expenses	269,692	2,027,745	13.3%	108,800	1,707,058	6.4%
Non-Operating Revenue/ (Expenses)						
Grants	5,171	599,750	0.9%	(4,647)	338,186	-100.0%
Proceeds from sales	-	-	0.0%	-	-	0.0%
Non-Operating Revenue/(Expenses)	5,171	599,750	0.9%	(4,647)	338,186	-100.0%
Transfers In/ (Out)						
Transfers In	-	1,377,995	0.0%	-	1,268,872	0.0%
Transfers Out	-	-	0.0%	-	-	0.0%
Total Transfers In/ (Out)	-	1,377,995	0.0%	-	1,268,872	0.0%
	$ (264,521)	$ -		$ (113,447)	$ -	

CRA(s) Fund

Current Year and Prior Year to Date for Period Ending

March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
City Ad Valorem	-	-	0.0%	-	-	0.0%
County Ad Valorem	747,329	846,713	88.3%	590,922	653,220	90.5%
Total Operating Revenue	**747,329**	**846,713**	**88.3%**	**590,922**	**653,220**	**90.5%**
Operating Expenses						
Operating Expenses	60,357	881,541	6.8%	269,366	1,262,855	21.3%
Total Operating Expenses	**60,357**	**881,541**	**6.8%**	**269,366**	**1,262,855**	**21.3%**
Transfers In	616,838	1,269,960	48.6%	476,459	1,564,931	30.4%
Transfers Out	(617,566)	(1,235,132)	50%	(477,648)	(955,296)	50.0%
Total Transfers In/ (Out)	**(728)**	**34,828**	**-2.1%**	**(1,189)**	**609,635**	**-0.2%**
	$ 686,244	**$ -**		**$ 320,367**	**$ -**	

Utility Fund

Current Year and Prior Year to Date for Period Ending

March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
Water User Fees	4,701,833	8,477,742	**55.5%**	4,232,881	8,269,650	**51.2%**
Sewer User Fees	4,399,316	8,113,000	**54.2%**	4,059,605	8,029,052	**50.6%**
Construction & Connection Fees	1,170,470	1,674,000	**69.9%**	1,765,148	1,788,400	**98.7%**
Other	326,545	498,200	**65.5%**	230,399	580,000	**39.7%**
Total Operating Revenue	**10,598,164**	**18,762,942**	**56.5%**	**10,288,033**	**18,667,102**	**55.1%**
Operating Expenses						
Personal Services	2,225,914	4,794,154	**46.4%**	2,229,020	4,631,785	**48.1%**
Operating Expenses	1,283,829	3,876,220	**33.1%**	1,599,756	3,926,335	**40.7%**
Administrative Overhead	1,227,561	2,455,123	**50.0%**	1,215,410	2,430,819	**50.0%**
Capital Outlays						
Infrastructure Improvements	2,001,016	9,000,079	**22.2%**	1,497,948	7,783,649	**19.2%**
Buildings	-	-	**0.0%**	-	-	**0.0%**
Machinery & Equipment	370,226	596,473	**62.1%**	186,284	363,588	**51.2%**
Total Operating Expenses	**7,108,546**	**20,722,049**	**34.3%**	**6,728,418**	**19,136,176**	**35.2%**
Non-Operating Revenue/ (Expenses)						
Interest Income	120,147	275,000	**43.7%**	138,189	234,400	**59.0%**
Fiscal Charges	(441,507)	(3,341,145)	**13.2%**	(186,325)	(3,322,156)	**5.6%**
Grants	6,614	519,554	**1.3%**	453,350	1,251,349	**0.0%**
Disposition of Assets	-	-	**100.0%**	5,755	-	**0.0%**
Non-Operating Revenue/(Expenses)	**(314,746)**	**(2,546,591)**	**12.4%**	**410,969**	**(1,836,407)**	**-22.4%**
Transfers In/ (Out)						
Transfers In	2,851,838	9,316,172	**30.6%**	4,117,107	4,939,516	**83.4%**
Transfers Out	(3,269,181)	(4,810,474)	**68.0%**	(4,596,606)	(2,634,035)	**174.5%**
Total Transfers In/ (Out)	**(417,343)**	**4,505,698**	**-9.3%**	**(479,499)**	**2,305,481**	**-20.8%**
	$ 2,757,529	**$ -**		**$ 3,491,085**	**$ -**	

Stormwater Fund

Current Year and Prior Year to Date for Period Ending

March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
User Fees	486,240	1,004,200	**48.4%**	485,623	953,103	**51.0%**
Total Operating Revenue	**486,240**	**1,004,200**	**48.4%**	**485,623**	**953,103**	**51.0%**
Operating Expenses						
Personal Services	178,179	345,649	**51.5%**	152,487	337,005	**45.2%**
Operating Expenses	94,262	168,053	**56.1%**	27,198	137,568	**19.8%**
Administrative Overhead	180,290	360,581	**50.0%**	167,254	334,508	**50.0%**
Capital Outlays						
Land	-	-	**0.0%**	231,067	234,500	**98.5%**
Machinery & Equipment	375,015	376,000	**99.7%**	34,894	34,894	**100.0%**
Infrastructure Improvements	635,269	3,822,727	**16.6%**	348,452	3,544,746	**9.8%**
Total Operating Expenses	**1,463,015**	**5,073,010**	**28.8%**	**961,352**	**4,623,221**	**20.8%**
Non-Operating Revenue/ (Expenses)						
Interest Income	8,081	36,529	**22.1%**	20,390	25,000	**81.6%**
Grants	92,195	1,537,585	**6.0%**	4,550.00	1,231,389	**0.4%**
Non-Operating Revenue/(Expenses)	**100,276**	**1,574,114**	**6.4%**	**24,940**	**1,256,389**	**2.0%**
Transfers In/ (Out)						
Transfers In	65,910	2,833,936	**2.3%**	106,659	2,682,245	**4.0%**
Transfers Out	(117,268)	(339,240)	**34.6%**	(131,584)	(268,516)	**49.0%**
Total Transfers In/ (Out)	**(51,358)**	**2,494,696**	**-2.1%**	**(24,925)**	**2,413,729**	**-1.0%**
	$ (927,857)	**$ -**		**$ (475,714)**	**$ -**	

Solid Waste Fund

Current Year and Prior Year to Date for Period Ending March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
User Fees	1,978,002	3,846,000	**51.4%**	1,919,310	3,829,106	**50.1%**
Franchise Fees	15,834	48,000	**33.0%**	22,525	28,992	**77.7%**
Other	7,800	10,000	**78.0%**	4,930	9,000	**54.8%**
Total Operating Revenue	**2,001,636**	**3,904,000**	**51.3%**	**1,946,765**	**3,867,098**	**50.3%**
Operating Expenses						
Personal Services	664,386	1,422,125	**46.7%**	634,316	1,263,849	**50.2%**
Operating Expenses	926,374	1,763,561	**52.5%**	882,426	2,070,285	**42.6%**
Administrative Overhead	271,832	543,664	**50.0%**	248,549	497,098	**50.0%**
Capital Outlays						
Machinery & Equipment	529,603	538,000	**0.0%**	-	-	**0.0%**
Total Operating Expenses	**2,392,195**	**4,267,350**	**56.1%**	**1,765,291**	**3,831,232**	**46.1%**
Non-Operating Revenue/ (Expenses)						
Interest Income	5,821	7,500	**77.6%**	2,344	7,500	**31.3%**
Disposition of Assets	2,306	-	**100.0%**	2,913	2,140	**136.1%**
Non-Operating Revenue/(Expenses)	**8,127**	**7,500**	**108.4%**	**5,257**	**9,640**	**54.5%**
Transfers In/ (Out)						
Transfers In	161,179	860,285	**18.7%**	7,500	246,049	**3.0%**
Transfers Out	(130,179)	(504,435)	**25.8%**	(143,104)	(291,555)	**49.1%**
Total Transfers In/ (Out)	**31,000**	**355,850**	**8.7%**	**(135,604)**	**(45,506)**	**298.0%**
	$ (351,432)	**$ -**		**$ 51,127**	**$ -**	

Municipal Marina Fund

Current Year and Prior Year to Date for Period Ending March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
User Fees	1,598,228	3,314,200	**48.2%**	1,548,921	3,165,588	**48.9%**
Rental Income	7,840	15,900	**49.3%**	7,312	15,911	**46.0%**
Other	27,148	58,880	**46.1%**	25,629	56,223	**45.6%**
Total Operating Revenue	**1,633,216**	**3,388,980**	**48.2%**	**1,581,862**	**3,237,722**	**48.9%**
Operating Expenses						
Personal Services	361,576	754,861	**47.9%**	347,394	727,744	**47.7%**
Operating Expenses	791,739	2,133,757	**37.1%**	735,443	1,764,238	**41.7%**
Administrative Overhead	144,672	289,344	**50.0%**	120,039	240,079	**50.0%**
Capital Outlays						
Infrastructure Improvements	-	-	**0.0%**	1,092,188	1,332,555	**82.0%**
Machinery & Equipment	50,976	50,976	**100.0%**	984	83,000	**0.0%**
Total Operating Expenses	**1,348,963**	**3,228,938**	**41.8%**	**2,296,048**	**4,147,616**	**55.4%**
Non-Operating Revenue/ (Expenses)						
Fiscal Charges	-	(242,614)	**0.0%**	(71,307)	(100,000)	**71.3%**
Grant Income	-	7,000	**0.0%**	2,191	7,000	**31.3%**
Non-Operating Revenue/(Expenses)	**-**	**(235,614)**	**0.0%**	**(69,116)**	**(93,000)**	**74.3%**
Transfers In/ (Out)						
Transfers In	13,516	397,718	**3.4%**	13,515	24,330	**55.5%**
Transfers Out	(74,493)	(322,146)	**23.1%**	(84,179)	(354,886)	**23.7%**
Total Transfers In/ (Out)	**(60,977)**	**75,572**	**-80.7%**	**(70,664)**	**(330,556)**	**21.4%**
	$ 223,276	**$ -**		**$ (853,966)**	**$ -**	

Visitor Information Center Fund

Current Year and Prior Year to Date for Period Ending

March 31, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
Parking Revenue	1,957,439	3,429,000	**57.1%**	2,132,821	3,670,000	**58.1%**
Gift Shop Revenue	349,978	640,000	**54.7%**	409,702	720,000	**56.9%**
Other	12,049	73,000	**16.5%**	26,229	76,000	**34.5%**
Total Operating Revenue	**2,319,466**	**4,142,000**	**56.0%**	**2,568,752**	**4,466,000**	**57.5%**
Operating Expenses						
Personal Services	530,751	1,057,545	**50.2%**	477,718	1,049,596	**45.5%**
Operating Expenses	367,039	1,247,655	**29.4%**	578,405	1,032,862	**56.0%**
Administrative Overhead	133,689	267,378	**50.0%**	115,392	230,784	**50.0%**
Capital Outlays						
Buildings	-	-	**0.0%**	-	-	**0.0%**
Machinery & Equipment	95,661	-	**100.0%**	-	-	**0.0%**
Total Operating Expenses	**1,127,140**	**2,572,578**	**43.8%**	**1,171,515**	**2,313,242**	**50.6%**
Non-Operating Revenue/ (Expenses)						
Interest Income	22,659	70,000	**32.4%**	34,094	49,277	**69.2%**
Other Income	99,051	190,000	**52.1%**	93,750	184,502	**50.8%**
Fiscal Charges	(424,371)	(1,726,626)	**24.6%**	(435,550)	(1,776,630)	**24.5%**
Non-Operating Revenue/(Expenses)	**(302,661)**	**(1,466,626)**	**20.6%**	**(307,706)**	**(1,542,851)**	**19.9%**
Transfers In/ (Out)						
Transfers In	617,566	1,290,181	**47.9%**	477,648	1,186,796	**40.2%**
Transfers Out	(638,240)	(1,392,977)	**45.8%**	(773,352)	(1,796,703)	**43.0%**
Total Transfers In/ (Out)	**(20,674)**	**(102,796)**	**20.1%**	**(295,704)**	**(609,907)**	**48.5%**
	$ 868,991	**$ -**		**$ 793,827**	**$ -**	

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: April 27, 2020

RE: Request for **one (1)** appointments for the Historic Architectural Review Board (HARB)

Notification was previously given regarding one term expiration and one alternate expiration on the Historic Architectural Review Board. These terms expired March 28, 2020.

Advertisements requesting applications was placed in the St. Augustine Record and posted on the City's website. One application was received from Paul Weaver. Mr. Weaver is eligible for reappointment.

At this time, no applications have been received to fill the alternate position; therefore, the Clerk's office will continue advertising and will bring the matter back to the Commission during a subsequent regular meeting.

Attached is Mr. Weaver's application, in addition to the current HARB roster, board profile and responsibilities.

Darlene Galambos
City Clerk

Xc: City Clerk Files

March 10, 2020

Ms. Darlene Galambos
City of St. Augustine
City Clerk
St. Augustine, FL

Re: HARB re-appointment

Dear Ms. Galambos,

Please accept this letter as my authorization to re-apply for the City of St. Augustine, Historic Architectural Review Board.

Thank you very much for your prompt consideration of this matter.

Sincerely yours,

PAUL L. WEAVER, III

Paul L. Weaver, III
5 Milton Street
St. Augustine, FL
32084

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, 2018-2019): 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 Ordinanced 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 (1980-2019): 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

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

Board Member, St. Augustine Historical Society(2017-2020): 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, provided technical assistance to the public, reviewed development projects for compliance with state and federal preservation law.

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.

University of Florida, Oral History Project, Editor, Oral History Interviewer (1977-1978): Edited and conducted oral history interviews.

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

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 Weaver
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.
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 32085
9. OCCUPATION *(include resume if available)* Historian
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)* Master of Arts, Latin American History

    Historic Preservation, University of Florida/43 years of professional experience in history/historic preservation/previous experience on HARB
11. OTHER COMMENTS OR INFORMATION Currently President St. Augustine Historical Society
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 | X White

13. SIGNATURE OF APPLICANT

    Paul L. Weaver, III DATE 03/10/20
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
- ☐ Planner, member APA or AICP
- ☐ Real Estate Broker, w/ County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Merchant/Businessperson, City occupational license
- ☐ Preservation Organization Officer
- ☐ Environmental or Land Use Organization Officer
- ☐ Attorney, Florida Bar
- ☐ Landscape Architect, Florida registered
- ☐ Contractor, City contractor's 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
- ☐ Archaeology
- ☑ Architectural History
- ☐ Historic Architecture
- ☐ Art History
- ☑ Former HARB Member
- ☐ Other

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

HISTORIC ARCHITECTURAL REVIEW BOARD

Meets Monthly, 3rd Thursday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Gaere MacDonald Contractor	23 Water Street, 32084 904-814-7799 gmdconstruction@aol.com	03/25/19 1st full term	3/28/2022
Jon Benoit Contractor	900-D Anastasia Blvd, 32080 904-540-3065 jonbenoit@behstbuilders.com	03/26/18 1st full term	3/28/2021
Catherine Duncan **CHAIR** Architect	5 Althea St, 32084 904-824-4673 catherinedunc@aol.com	11/09/15 fill vacancy 3/26/18 1st full term	3/28/2021
Barbara Wingo **VICE-CHAIR** Attorney/Historian	17 Saragossa St. 32084 PO Box 497, 32085 (preferred) 824-5146; cell 352-214-1214 bcwingo@gmail.com	02/22/16 1st full term 03/25/19 2nd full term	3/28/2022
Paul Weaver, III Professional Preservation Consultant	5 Milton St, 32084 160 Vilano Rd, Ste 7 824-5178 – 347-6090 hpa007@aol.com	06/25/18 1st full term	3/28/2020 3/28/2023
Antoinette Wallace Archaeologist Alternate	104 Lincoln Street, 32084 904-501-9449 ab_wallace@bellsouth.net	05/13/19 fill vacancy	03/28/2022

02/01/18

HISTORIC ARCHITECTURAL REVIEW BOARD

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.
Number of Members:	Five (5) Regular Members and Two (2) Alternates
Terms of Office:	Three (3) years, expiring on March 28th - Original terms staggered; no member appointed for more than two full consecutive terms.
Appointment:	By City Commission.
Qualifications:	While preference shall be given to current City residents, City Commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. All members of the historic architectural review board shall have either thorough training and/or experience in: 1 history or related fields; 2 archaeology; 3 architectural history; 4 historic architecture; and 5 art history. Alternates shall be appointed for a three (3) year term, and 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. See Section 28-82 for the criteria required in order to be appointed to the Board.
Duties:	Act on applications for Certificates of Appropriateness in HP-1 through HP-5; act on applications for building permits on property abutting HP-1 through HP-3; act on all applications for demolition permits for structures 50 years old or older within the City limits; cooperate with governments in planning proposed and future projects reflecting concerns and policies and assist as a consultant in development of future land use plans; advise property owners & government agencies concerning maintenance, protection, enhancement and preservation of historic resources; advise the City Commission concerning effects of local governmental actions on resources designated under the ordinance; recommend issuance of stop work order when not in compliance; develop rules and procedures necessary to implement powers and duties of the HARB consistent with ordinance; conduct regular public meetings and call special meetings; and designate historical landmarks.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-85
Meetings:	Third Thursday of each month, 1 P.M. the Alcazar Room, City Hall.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: April 27, 2020

RE: Request for **three (3)** appointments for the Corridor Review Committee (CRC)

The City Commission recently established the Corridor Review Committee by Ordinance 2019-45, and then modified the membership of the committee by Ordinance 2020-15.

The purpose of this is to request the appointment of three members to the CRC.

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

- Michael Dixon
- Virginia Whetstone
- Lorna MacDonald
- Mary Clukey
- Vaughn Cochran
- Matthew Shaffer

The applications are attached, in addition to the CRC roster, board profile and responsibilities.

Darlene Galambos
City Clerk

Xc: City Clerk Files

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)* 15 CONTERA DR./ST. AUGUSTINE, FL 32080
4. PHONE (847) 502-3136 E-MAIL madixon1166@gmail.com
5. BUSINESS OWNED *(Address)* RETIRED
6. BUSINESS PHONE N/A E-MAIL N/A
7. PROPERTY OWNED *(Address)* N/A
8. PREFERRED MAILING ADDRESS RESIDENCE
9. OCCUPATION *(include resume if available)* HISTORIC PRESERVATION ARCHITECT
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)* SEE ATTACHED
11. OTHER COMMENTS OR INFORMATION 15 CONTERA DRIVE IS JUST OUTSIDE THE CITY LIMITS OF ST. AUGUSTINE ON ANASTASIA BOULEVARD.
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 Michael A. Dixon DATE 12/20/2019
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

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

* AS A SIDE NOTE, I AM 25% MINORCAN WITH FAMILY ROOTS IN ST. AUGUSTINE. MY FATHER GREW UP HERE AND MY GRANDMOTHER, FLORENCE ROGERO DIXON WAS MINORCAN.

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
- ☐ Planner, member APA or AICP
- ☐ Real Estate Broker, w/ County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Merchant/Businessperson, City occupational license
- ☐ Preservation Organization Officer
- ☐ Environmental or Land Use Organization Officer
- ☐ Attorney, Florida Bar
- ☐ Landscape Architect, Florida registered
- ☐ Contractor, City contractor's 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
- ☐ Archaeology
- ☐ Architectural History
- ☐ Historic Architecture
- ☐ Art History
- ☐ Former HARB Member
- ☐ Other

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
- ☐ Landscape Architect, Florida licensed or retired
- ☐ Owner of property located within Entry Corridor
- ☑ Tenant of property located within Entry Corridor (JUST OUTSIDE THE CITY LIMITS)

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 Virginia Whetstone
2. BOARD/COMMITTEE DESIRED Corridor Review Committee
3. RESIDENCE *(Address)* 297 St. George St.
4. PHONE 904-347-3170 E-MAIL vaw297@me.com
5. BUSINESS OWNED *(Address)* Whetstone Chocolates, Marker 8 Hotel, Edgewater Inn
6. BUSINESS PHONE 904-825-1700 E-MAIL vaw297@me.com
7. PROPERTY OWNED *(Address)* 139 King St, 1 Dolphin Dr, 2 N St. Ang Blvd
8. PREFERRED MAILING ADDRESS 297 St. George St.
9. OCCUPATION *(include resume if available)* Business Owner
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)* see attached
11. OTHER COMMENTS OR INFORMATION I own property on 2 of the 3 corridors.
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 [signature] DATE 2/1/20
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.

[initials]
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
- ☐ Planner, member APA or AICP
- ☐ Real Estate Broker, w/ County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Merchant/Businessperson, City occupational license
- ☐ Preservation Organization Officer
- ☐ Environmental or Land Use Organization Officer
- ☐ Attorney, Florida Bar
- ☐ Landscape Architect, Florida registered
- ☐ Contractor, City contractor's 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
- ☐ Archaeology
- ☐ Architectural History
- ☐ Historic Architecture
- ☐ Art History
- ☐ Former HARB Member
- ☐ Other

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

Virginia Whetstone

February 24, 2020

Mayor Tracy Upchurch
Vice Mayor Leanna Freeman
Commissioner Roxanne Horvath
Commissioner Nancy Sikes-Kline
Commissioner John Valdes

Dear Mayor and Commissioners,

I am applying for the Corridor Review Committee and would appreciate your support by selecting me to serve.

I have been a business owner in downtown St. Augustine for the last 30 plus years. My professional expertise ranges from retail activities, production operations, hotel accommodations and tourist attractions. More specifically, many of my properties and businesses are located on two of the three entrance corridors, which now requires conformity and adherence of the corridor guidelines as well as practical application to the corridor property owners.

Beyond the professional side, I have years of experience in renovating and remodeling several properties in St. Augustine, ensuring each complements the historic guidelines of the City. Therefore, I believe I am well suited to serve on this committee.

Sincerely,

Virginia Whetstone

297 St. George St. , St. Augustine, Florida
904-347-3170

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 MARY M. CLUKEY
2. BOARD/COMMITTEE DESIRED Corridor Review Committee
3. RESIDENCE *(Address)* 106 N. Matanzas Blvd
4. PHONE 904-669-7619 E-MAIL marclu58@AOL.com
5. BUSINESS OWNED *(Address)* The Sports Corner 2 Pacific St.
6. BUSINESS PHONE 904-824-5818 E-MAIL mary@thesportscorner.biz
7. PROPERTY OWNED *(Address)* 2 Pacific St. St. Aug 32084
8. PREFERRED MAILING ADDRESS 2 Pacific St. St. Augustine, FL 32084
9. OCCUPATION *(include resume if available)* Owner
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)* SMALL BUSINESS owner for 34 years. Resident of St. Augustine since 1976
11. OTHER COMMENTS OR INFORMATION
12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

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

13. SIGNATURE OF APPLICANT Mary M Clukey DATE 3/11/20
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
- ☐ Planner, member APA or AICP
- ☐ Real Estate Broker, w/ County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Merchant/Businessperson, City occupational license
- ☐ Preservation Organization Officer
- ☐ Environmental or Land Use Organization Officer
- ☐ Attorney, Florida Bar
- ☐ Landscape Architect, Florida registered
- ☐ Contractor, City contractor's 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
- ☐ Archaeology
- ☐ Architectural History
- ☐ Historic Architecture
- ☐ Art History
- ☐ Former HARB Member
- ☐ Other

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

March 11, 2020

To Whom It May Concern,

I am writing with regards to the Corridor Review Committee application. It would be an honor to serve on this committee, if selected. Having established my personal and professional life here in the City of St. Augustine, I feel drawn to this field of progress and service within our community. Having owned and operated a small business in the city for over thirty four years has helped me grow my knowledge and understanding of the happenings within our city and has led me to become interested in seeing how else I can become more beneficial to our town.

I hope you will consider me for the position on the CRC committee. Please do not hesitate to contact me if you have any questions or concerns regarding my application.

Best,

Mary M Clukey

Mary M Clukey

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 Lorna MacDonald
2. BOARD/COMMITTEE DESIRED Entry Corridor
3. RESIDENCE *(Address)* 102 San Marco Ave St Augustine FL
4. PHONE 904 501-1990 E-MAIL raintreeemail@aol.com
5. BUSINESS OWNED *(Address)* SAME
6. BUSINESS PHONE 904 824-7211 E-MAIL same
7. PROPERTY OWNED *(Address)* 102 San Marco + Bernard Street Lots
8. PREFERRED MAILING ADDRESS 102 San Marco Ave
9. OCCUPATION *(include resume if available)* RESTAURANT OWNER
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)*
    I have been in business at this location for 39 years
11. OTHER COMMENTS OR INFORMATION I have watched St Augustine grow and would like to participate in keeping Corridor Beautiful
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."

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

13. SIGNATURE OF APPLICANT _____ DATE_____
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.

LMM
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:

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

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Please check those qualifications that apply to you:

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

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

1. APPLICANT NAME VAUGHN COCHRAN
2. BOARD/COMMITTEE DESIRED CRC
3. RESIDENCE *(Address)* 6310 SOLANO CREEK RD, ELKTON
4. PHONE 904 540 3183 E-MAIL BLACKFEY.VAUGHN@GMAIL.COM
5. BUSINESS OWNED *(Address)* 108 ANASTASIA BLVD. / BLACKFEY THE RESTAURANT
6. BUSINESS PHONE ~~SAME~~ 904 201 6300 E-MAIL SAME
7. PROPERTY OWNED *(Address)* RESIDENCE
8. PREFERRED MAILING ADDRESS 6310 SOLANO CREEK RD, ELKTON 32033
9. OCCUPATION *(include resume if available)* ARTIST, ENTREPRENEUR
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)* _____
11. OTHER COMMENTS OR INFORMATION THANK YOU FOR THE INVITATION TO JOIN THE CRC COMMITTEE.
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."

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Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. 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 3/13/2020
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

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

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

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

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Please check those qualifications that apply to you:

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

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

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

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Please check those qualifications that apply to you:

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

1. APPLICANT NAME MATTHEW SHAFFER
2. BOARD/COMMITTEE DESIRED ENTRANCE CORRIDOR REVIEW
3. RESIDENCE *(Address)* 7 NELMAR AVE
4. PHONE 904 806 5020 E-MAIL matthew.shaffer@att.net
5. BUSINESS OWNED *(Address)* —
6. BUSINESS PHONE — E-MAIL —
7. PROPERTY OWNED *(Address)* 7 NELMAR AVE ST AUG 32084
8. PREFERRED MAILING ADDRESS ~ ~
9. OCCUPATION *(include resume if available)* REALTOR, RE/MAX 100 REALTY
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)* REALTOR SINCE 2011; MBA IN FINANCE, WAYNE STATE UNIV; 14 YRS EXP IN COMM'L CONST.
11. OTHER COMMENTS OR INFORMATION SERVED ON CoSA PZB 2012-2018 WORKED ON ENTRANCE CORRIDOR DSGN STD MODIFICATIONS
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."

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13. SIGNATURE OF APPLICANT [signature] DATE 1/14/20

RECEIVED
JAN 14 2020
CITY CLERK

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.

MS
Initial

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

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Please check those qualifications that apply to you:

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- ☑ Real Estate Broker, w/ County occupational license
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- ☐ Contractor, City contractor's license

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- ☐ Architectural History
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- ☐ Former HARB Member
- ☐ Other

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

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- ☐ Architect, Florida licensed or retired
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- ☐ Owner of property located within Entry Corridor
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CORRIDOR REVIEW COMMITTEE

Meets April, Second Wednesday - 2:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
VACANT			3/28/2023
VACANT			3/28/2023
VACANT			3/28/2022

03/2020

CORRIDOR REVIEW COMMITTEE

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 5, Sections 28-126 through 28-134 and Ordinance 2019-45. Modified by Ordinance 2020-15
Number of Members:	Three (3) Regular Members
Terms of Office:	Corridor Review Committee (CRC) consisting of three (3) members to be appointed by the City Commission from applications submitted on forms as from time to time promulgated by the City Manager and approved by the City Commission and shall serve at the pleasure of the City Commission. The initial appointment of members shall be as follows: one (1) member of the board as established herein shall be appointed for a term of three (3) years; one (1) member 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.
Appointment:	By City Commission.
Reappointment:	Normal appointments expire March 28th of each year. Members may serve two 2 consecutive full terms only.
Qualifications:	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 one (1) seats for property owners or tenants of properties located within the respective entry corridors as defined in the City's adopted design standards for entry corridors.
Duties:	The administrative review and decision of a development permit application shall be as prescribed in the adopted DSEC. The CRC review and decision of a development permit or appeal of an Administration decision shall comply with the process and review criteria as prescribed in the adopted DSEC and this code.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-128
Meetings:	Meets second Wednesday of April for annual reorganization; thereafter meets on call.

CITY OF ST. AUGUSTINE

City Commission Special Workshop Meeting
Wednesday, February 19, 2020

The City Commission met in formal session Wednesday, February 19, 2020 at 2:02 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 W. Upchurch, Mayor/City Commissioner
Leanna S. A. Freeman, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Nancy Sikes-Kline, City Commissioner

John Regan, City Manager
Isabelle Lopez, City Attorney
Candice Seymour, Acting City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Director, Planning and Building
Todd Grant, Director, Public Works
Mark Simpson, Director, Financial Services
Glabra Skipp, Environmental Programs Coordinator
Barry Fox, Police Chief
Laura Morse, Recording Secretary

2. General Public Comments

Item 2 heard after Item 3.

Mayor Upchurch requested that general comments be moved to the end of the meeting, so the public could hear the discussions and provide more informed comments.

The Commission heard from the following members of the public:

Jeannette Moore
David Greene
Shelby Dixon

Public comment was closed.

3. Sustainability Discussion[1]

Todd Grant, Director, Public Works, provided an overview of the topic and noted the following:

- Staff appreciated the opportunity to present the project to the Commission
- Significant talent of the team working on this project, along with City staff
- Sustainability and resiliency were co-mingled terms and used interchangeably
- The topics chosen for the workshop were initiatives of sustainability programs
- Core values and principles of the City guided these programs
- In-house sustainable practices, along with community outreach and

[1] Presentation attached to original minutes

DRAFT

program engagement should be achieved

Internal Sustainability Plan

Glabra Skipp, Environmental Programs Coordinator, reviewed the program areas, initiatives and the next steps of the Plan.

Ms. Skipp concluded that since the Plan was a year old, the committee would need to re-convene to review the programs and initiatives initially documented, and ways to implement them. She noted the committee would require the Commission's feedback on any requested future initiatives.

Mr. Grant asked the Commission to review the Tables in the back of the packet and highlight items of higher importance and they would be made the first key issues for moving forward.

Organic Waste Initiative

Mr. Grant introduced Rick Stevens, Manager, Solid Waste and Sanitation, Olivia Smith, Recycling Coordinator, and Mark Hartley, Manager, Streets and Grounds. He commended their talent and experience on the project.

Mr. Grant, Mr. Stevens and Ms. Smith discussed the survey distributed to the community, and the development and implementation of the three options for composting service. They noted the following:

- Organic waste was heavy and about one-half of the discarded item weight
- Intent was landfill waste reduction and beneficial use of organic waste composting
- Composting would keep disposal fees down
- Composting was a sustainable practice
- Most people did not compost; however, they stated they would if a program was in place
- Reviewed seven other cities and counties with similar programs for insight and none directly offered composting as a municipal service; however, they represented vendors that could offer space
- Program was subscription based where residents or businesses sign up to determine a feasible number of participants for sustainability
- Program was initially free for community, to determine accurate operational costs and volumes
- Cost assessment for the options was the primary focus, and once costs were determined, could assess a monthly fee and roll out as a true program for commercial and residential customers
- Range of fees assessed by cities using the curbside service was between $8.00 and $28.00
- Would analyze success and educate on what materials worked
- Driver and temporary help would take the material to a site for organic waste expulsion
- Compost location that currently used City wastewater treatment sludge to create commercial grade composting was interested
- The average family produced one ton of trash per year
- During pilot phase there would be co-collection for commercial and residential customers
- Tonnage and quality control of waste collection were important
- Pilot program would use the five-gallon bins owned by the City (sixty of them)

Discussion of curbside recycling ensued, and the following was noted:

- Since the City had taken over the program, pickup increased from 47 tons to 225 tons monthly, collected from residential and commercial customers
- New recycling accounts were being doubled and tripled

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- Solid waste, recycling, vegetative and construction debris were being diverted from the landfill
- Appliances, 'white goods' and scrap metal were picked up by a separate claw truck
- Organic waste should be a part of the plan

Commissioner Freeman requested that the Commission receive a photo of the compost bin, or an example via email.

Mr. Grant responded to Commissioner Sikes-Kline's request for explanation of the customer composting process and stated that the City would purchase a compost bin, provide to the resident, then provide education on composting by means of workshops and literature "do's and dont's."

Mr. Grant stated to the Commission that since the topic was being presented for the first time, more research would be done, and a true pilot option refined. He noted that supplying residents with compost bins would also be reviewed.

Mayor Upchurch commended Mr. Stevens for the dramatic difference in the appearance of St. George Street and how well it now looked.

Tree, Canopy Enhancement

Mr. Hartley reviewed the topic and noted the following:

- Storm damage had reduced tree canopies over past several years
- A South Florida bug that destroyed trees was being closely monitored due to the age of the City trees
- Age naturally decayed trees, and crews actively reported these trees to Mr. Hartley who had a professional arborist look at any tree in question
- Over the past five years, about 12-20 trees were planted and the plan was to increase the number to catch up from trees lost over the years
- The existing tree code was a blessing due to required oversight
- The code problem was that the City was compact and had mostly aerial power lines, which trees should not be planted under
- "Right tree, right place" dictated future tree growth, their expansion and canopy, and answered whether trees would expand into a sidewalk, a curb, or provide a mobility issue with trips or falls
- Healthy trees were a sign of a healthy City and how well the area was being maintained
- The City was a 37-year recipient of the Tree City Award, a significant accomplishment
- Wanted to plant the right trees in the right place with the right variety and public education would assist and escalate this
- Trees were vital from aspect of aesthetics and carbon footprint
- During Arbor Day, 250-300 saplings were given out; however, could not track how many were planted
- Suggested local school or the City grow 100 saplings and hand out with one-year growth, somewhere around one-gallon size (2 to 3 feet)
- Canopy loss was difficult to accurately measure

Mr. Hartley noted that the intent was to introduce a public-private tree program and tree planting.

Mr. Grant continued by stating that ways were being reviewed for residents to plant trees on their own private property; however, there were ramifications and he requested that Isabelle Lopez, City Attorney, provide clarification.

Ms. Lopez noted the three issues with planting trees on private property:

- Required a finding of public purpose to expend City funds for

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someone's private property. The City could legitimately articulate a public policy reason for this
- There were contractual and documentary issues with property access (fences, walls): Would the City have a continuing conservation easement, or the right to access property for a tree health check, would this be recorded, would it pass to the next property owner
- As per state statute, last year Florida legislature gave private property owners the right to cut down any tree without a permit if an arborist drafted a report that stated the tree was dangerous or diseased

Ms. Lopez stated that the City must consider the level of control and oversight it wanted. She noted that staff considered the simpler route: to hand out larger trees vs. seedlings, to educate the public, rather than administer a complex conservation easement with potential access disputes or disputes with uninformed owners.

Mr. Grant discussed the resident right-of-way (ROW) tree request:

- City would plant a tree in the property's front ROW, per property owner's request which the property owner would agree to maintain
- Resources would be used to plant trees on a requested basis with species diversification
- Per code, a tree would be planted if a tree was cut down, on a 1:1 or 2:1 replacement, and the initiative was to plant more than in past years
- The location of planting was an issue if a ROW existed

The Commission discussed:

- When trees were removed, the City was obligated to plant and was held to same rules as citizens
- The tree mitigation fund would be another resource
- When the City requested the citizens to plant trees, two-thirds were lost
- Resident monetary compensation into tree fund for approved tree removal was suggested, then City would plant trees in other areas to ensure the trees were planted correctly and properly maintained

Business Recognition Program

Mr. Grant and Ms. Skipp discussed the program and the initiative:

- Many communities promoted businesses that recognized 'green' initiatives
- The City partnered with Dr. Natalie Stephenson's graphics design class at Flagler to develop logo options and program criteria
- Different initiatives would obtain a higher achievement level such as bronze, silver or gold
- Ideas would be presented about window decals, or other recognition options, with suggestion to use City logo on the business' marketing
- A legal disclaimer was being developed for the winning student
- The Commission would review several of the student drafted designs and the program criteria, to determine what they liked
- Students would present the designs to the Commission for experience in being in front of a board
- 'Green' was used ubiquitously with many of these programs; therefore, the intent was to keep the word from the City's program and still develop a unique brand and logo that represented a business and expressed what they were doing

Mayor Upchurch noted that the City of St. Augustine Beach had a similar program and suggested that the City partner with them, as their ethic and outlook mirrored the City's and would be mutually beneficial.

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Ms. Skipp noted she was planning a meeting with a representative from the City of St. Augustine Beach's sustainability committee to discuss the topic.

Mr. Grant noted that the logo options and program criteria would be brought back to the Commission at the conclusion of the Flagler semester.

Big Belly Solar Trash Cans

Staff discussed the topics:

- An enormous impact was made on St. George Street
- The Historical Architecture Review Board (HARB) provided approval for installation
- The cans had a compactable trash side and a non-compacting recycling side
- The compacting was solar powered
- Built-in software package for remote monitoring which notified when full and required emptying
- Staff hours were reduced for trash cleanup on St. George Street
- Cans provided notification every 12 hours on a phone list report with a red light that would signal time to check
- Data was real-time, so if something jammed or a door left open, it was known immediately
- More datapoints were available to be collected by a service provider
- From reports, could trend hot-spot areas with heavy foot traffic and apply special attention to that area
- Contamination on recycling side was minimal because the can front was different than trash can
- Cans were super durable and withstood abuse
- Pair of Cans cost a little over $6,000
- Can compaction rate was 3:1 and it held 5 to 6 times more than a conventional can, reducing trash bags by 50%
- 'Organix' compostable bags were being reviewed since they break down with time
- Cans were installed for Night-of-Lights and were full in hours
- 10 pairs were installed on St. George Street, which removed 25 to 28 of the 46 trash cans. With 5 to 7 more pairs, all trash cans could be removed from that street
- Units easier to clean and could be wiped down with a handi-wipe
- Cans positioned for correct amount of sun, partial sun charged the cans for several days
- Desired placement in high traffic areas for removal of trash cans
- It was not believed that removal of trash cans would cause proximity issues, based on feedback from businesses
- Construction waste would be dropped off next to compactors

Commissioner Sikes-Kline noted her intent to connect Jeff Sheffield, Executive Director at the North Florida Transportation Planning Organization, with the City team, to provide this data and assist other cities as part of the 'Smart City' initiative.

The Commission noted that business owners really liked the cans and were also happy with the pressure washing being done on St. George Street.

FPL LED Street Light Program & Utility Undergrounding

Mr. Grant discussed the FPL LED Street Light Program:

- FPL developed a program where private companies replaced existing lights with LED at no up-front charge since it was a cleaner and more efficient usage of energy
- Private companies would take savings from electricity as profit for the service
- FPL did an analysis on the number of City's lights and they welcomed

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program discussion for replacement of all streetlights with LED
- Trying to install two on Cordova Street at entrance to Spanish Street parking lot for observation
- LED's were much cleaner, safer and directional which avoided a wide casting of light
- Many lights were high pressure sodium and not efficient

Mr. Grant discussed the Utility Undergrounding topic:

- FPL had three projects on the books: North Davis Shores, Downtown Carrera Street and North City
- Projects based on FPL's criteria for underground installation which was based on the electrical grid system, where they identify places with re-occurring outages or outages with restoration difficulties
- As a policy, the City always offered for utilities to go underground at the time when construction required digging up the road
- Underground utilities were best; therefore, the City Attorney was exploring the issue of people declining the placement of utilities from poles to underground
- Telecommunication statutes could interfere with removing the poles due to the carrier antennas
- The first project was about 1-1/2 years from construction and attempts were being made to get other utilities underground during the process for overhead cleanup

The Commission and staff discussed:

- Latest 5G technology with large pieces of equipment being placed on power poles in lieu of towers
- Places such as Europe had indicated 5G was unwanted because of aesthetics
- Requested that HARB be consulted on the light replacements, due to hot spots and consideration of historic districts
- FPL offered two lighting options on the Kelvin scale, the higher the brighter and once the examples were seen, would know more
- LED Light color and illumination were very important and should start with lower wattage in the historic district and higher wattage outside district
- The City's policy was to evaluate undergrounding on every project since the underground issue was important to everyone
- The City garage opened in 2006 with motion sensing LEDs, which cut the energy bill in half
- Intent was to build relationships with FPL executives for possibility of increased funding, therefore, a celebration was recommended with FPL that would occur with the unveiling of Coquina Park
- Solar and canopy were suggested for certain building tops, the City had phD students that were evaluating buildings such as fleet and solid waste with low pitched roofs

4. Items by Commissioners

Commissioner Horvath suggested the creation of a bulk item refill facility, where container items such as soap would be refilled to avoid throwaway plastic. She noted that the topics discussed would be great agenda items for a meeting with City of St. Augustine Beach.

Commissioner Freeman discussed the following:

- Setting goals was how a program moved to the next level; however, our City's size and resources had been a disadvantage in the past
- Sustainability plan purposefully left out reduction of landfill or passing a zero-waste resolution because they were new programs

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- Partnerships were important, whether with individuals, businesses, or neighboring governments
- If a pilot program was a temporary six-month program, it should be a full-scale service pilot to determine what the community could tolerate, as it could be scaled back
- Needed to make composting easy for people

Commissioner Valdes discussed the following:

- Should encourage people who were building, buying or creating to underground their entrance services, as it was not expensive and would assist with aesthetics
- Solar shading was a great idea
- Energy could be captured from the significant tidal changes and hydro-turbines were suggested and should look at feasibility
- City had looked at alternative energy supply such as structural solar shades on the garage, and prior analysis showed that the capital investment did not pay off for the benefits
- A different measure and definition of success might assist with viewing the financial aspect, such as reduction of carbon footprint and intrinsic social value
- Concerned about individual composting due to the considerable number of residences no longer owner occupied

Commissioner Valdes noted his enlightenment on the topics presented in the meeting, expressed appreciation for the participants and noted the value of strength in numbers.

Mayor Upchurch discussed the following:

- Current yard debris was being disposed to 'Indianhead Biomass' who ground it with some wastewater treatment sludge to make a compost
- Current state of recycling needed educational outreach via flyers and videos
- Certain products like glass were equal to or cheaper to re-produce a new bottle
- A reduce / reuse campaign was being researched
- The State pre-empted the City from banning single use bottles, single use plastic bags and Styrofoam
- People paying into the tree mitigation fund made sense as opposed to purchasing a sapling

Mayor Upchurch noted he was delighted with the presentation and pleased with the staff and the shared vision, and he looked forward to more information.

Commissioner Sikes-Kline discussed the following:

- Stormwater tidal valve program and development of a master plan was extremely important to the citizens
- New design requirements to make lift stations more resilient was an important large ticket item and needed to be addressed
- FEMA funded 10 of 13 lift stations for a complete revamp
- Downtown lighting plan proposal was under review for a lighting assessment and placing lights on private property to light public space. Businesses were already participating

Commissioner Sikes-Kline summated the requests made to the Commission from the presentation:

- Respond to suggested pilot program on organic waste
- Respond to ROW / Tree planting oversight program options:
  - Replace or cut down a tree
  - Give out small saplings

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    - Provide larger trees during Arbor Day
    - ROW request for a tree by a private property owner
    - City would purchase 20 large trees, and first 20 citizens that make request will get a tree
- Respond to deployment of second phase of Big Belly Trash Cans which would be proposed in budget for next year

Mr. Grant suggested that it would be beneficial to incorporate some of the discussed items from the Public Works and Utilities quarterly updates so the Commission could maintain awareness of the stages of progress.

5. Adjournment

There being no further business, the meeting was adjourned at 3:53 P.M.[2]

_____
Tracy W. Upchurch, MAYOR

_____
Darlene Galambos, CITY CLERK

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[2] Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, February 24, 2020

The City Commission met in formal session Monday, February 24, 2020 at 5: 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 W. Upchurch, Mayor/City Commissioner
Leanna S. A. Freeman, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
Nancy Sikes-Kline, City Commissioner
John Valdes, City Commissioner

Also Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Candice Seymour, Acting City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Director, Planning and Building
Mike Cullum, Chief Resiliency Officer
Jim Piggot, Director, General Services
Reuben Franklin, Director, Public Works
Melissa Wissel, Communications Manager
Barry Fox, Police Chief
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Rabbi Bella Bogart, First Congregation Sons of Israel, delivered the invocation, and Commissioner Freeman led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Mr. Regan requested to add Item 13.A. under Section *13. Items by City Manager*. This was a request for reserve funding to begin immediate repairs to the Municipal Marina breakwater dock which suffered significant damage from the recent nor'easter and Hurricane Dorian.

MOTION

Commissioner Sikes-Kline MOVED to approve the Agenda as amended. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

3. Special Presentations, Recognitions and Proclamations

(None)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

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Richard Marquis[1]
Jerry Butterbaugh
Blanche Andrews
Chris Fulmer
Todd Neville
John Reardon
John Long
Tica Walley
Heather Hagy
Trevor Smith
Robert Krainson

Public comment was closed.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda:

CONSENT AGENDA - February 24, 2020

CA.1. PREVIEW OF UPCOMING COMMISSION MEETINGS:

(None)

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON MARCH 9, 2020:

- Ordinance 2020-01
- Ordinance 2020-10
- Ordinance 2020-15
- Ordinance 2020-16

CA.3. REMINDER OF UPCOMING MEETINGS:

- March 9, 2020, 5pm, Regular Commission Meeting
- March 12, 2020, 2-4 pm, Workshop regarding mobility
- March 17, 2020, Presidential Preference Primary Election (City Referenda)
- March 23, 2020, 5pm, Regular Commission Meeting

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

- January 27, 2020, City Commission Shade Meeting
- January 27, 2020, Regular City Commission Meeting
- February 10, 2020, Regular City Commission Meeting

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

- James Crooms Family Trust - 954 Josiah Street

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

(None)

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

(None)

CA.8. Financial report through January 31, 2020. *(M. Litzinger, Director, Finance)*

CA.9. Proof of notice for the City of St. Augustine Charter Amendments in Special Election to be held in conjunction with the Presidential Preference Primary Election. *(I. Lopez, City Attorney)*

CA.10. Invoice in the amount of $3,668.00 dated January 31, 2020 from Cavendish Partners, P.A. for legal services regarding the Seavin v. City of St. Augustine matter. *(I. Lopez, City Attorney)*

Invoice in the amount of $2,536.52 dated January 31, 2020 from Cavendish Partners, P.A. for legal services regarding the Marlow v. City of St. Augustine matter. *(I. Lopez, City Attorney)*

Invoice in the amount of $243.00 dated February 4, 2020 from St. Augustine Court

[1] Provided at meeting and made part of packet

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Reporters for transcription services regarding the Marlowe v. City of St. Augustine matter. *(I. Lopez, City Attorney)*

End of Consent Agenda

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

(None)

5.B. Approval of Consent Agenda

MOTION

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

6. Appeals

(None)

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

7.A.1. Presentation by the Florida Department of Environmental Protection regarding the grant awarded to the City for their Florida Resilient Coastlines Program. [2]

Mike Cullum, Chief Resiliency Officer, introduced Ms. Whitney Gray, Administrator, Florida Resilient Coastlines Program in the Florida Department of Environmental Protection.

Mr. Cullum noted that Ms. Gray spearheaded a $155,000 grant to the City for the installation of ten additional tide flex valves for the current fiscal year, which brought the total to forty-one. He noted their importance with mitigating nuisance flooding and used Coquina Avenue as an example, which remained dry after the recent nor'easter. He recognized Jessica Beach, Engineer, as the project manager, and commended her work on the stormwater program.

Ms. Gray provided the Commission with a 'Florida Adaptation Planning Guidebook' which was a compilation of best practices for adaptation planning and was now used by the Army Corps of Engineers in the South Atlantic Coastal Study. She noted that the City of St. Augustine's Adaptation Plan was used as an example in the Guidebook.[3]

Ms. Gray delivered the presentation.

Mayor Upchurch noted the following:

- Delighted that appointments had been made for both a Chief Resiliency Officer by Governor DeSantis and a Chief Science Officer, who took the sea level rise and environmental issues seriously
- Appreciated the leadership and expertise coming from Tallahassee to support local communities
- Appreciated the grant money
- Noted the tremendous expense of these projects, which he cautioned, and referenced a recent City multi-million project that was not funded this legislative budget cycle
- City would continue to work at, and be creative with sea level rise, which was most important to constituents

Mayor Upchurch noted his appreciation for Ms. Gray's support and leadership and that she understood a significant amount remained to be accomplished on the topic.

Ms. Gray stated that the Florida Chief Resiliency Officer, Julia Nesheiwat, would be moving to another position; however, the Governor was committed to that position and the issues. She noted there

[2] Attached to Commission packet

[3] Provided at meeting and made part of packet

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was legislation in place that looked favorable for establishing a statewide 'Office of Resilience'.

Commissioner Sikes-Kline inquired about the cities that had been funded for adaptation action area studies and the impactful consequences.

Ms. Gray stated the following:

- Saw both hesitation and embracing of moving forward with adaptation action areas
- If areas being considered were not already in trouble because of infrastructure needs, then they would not be considered for placement into an adaptation action area
- Purpose of the designation was to prioritize that localized area for additional funding and move up in the queue
- Grant applications received extra points when trying to create an adaptation action area, which was a highly useful tool

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 2020-07: Amends the Columbia Restaurant PUD to allow for Maximum Lot Coverage for installation of an Outdoor Walk-in-Cooler.

David Birchim, Director, Planning and Building, reviewed the Ordinance.

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

Mayor Upchurch noted that Mr. Len Weeks provided the Commission with a written letter of support for the application.[4]

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2020-07 on second reading and read by title only. The motion was SECONDED by Mayor Upchurch.

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

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, MODIFYING ORDINANCE 2011-03, THE COLUMBIA RESTAURANT OF ST. AUGUSTINE PLANNED UNIT DEVELOPMENT, PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

VOTE ON MOTION

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

8.A.2. Ordinance 2020-09: Charter update to Article IX, Sections 9.06, 9.08, 9.09 and 9.10 revising outdated language regarding the powers and duties of the Chief of Police and providing compliance with Florida law concerning the disposition of property.

Ms. Lopez reviewed the Ordinance.

[4] Provided at meeting, made part of packet

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

MOTION

Commissioner Horvath MOVED to pass Ordinance 2020-09 on second reading and read by title only. The motion was SECONDED by Commissioner Upchurch.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-09

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE IX OF THE CHARTER OF THE CITY OF ST. AUGUSTINE AMENDING SECTION 9.06 TO AMEND LANGUAGE REGARDING POWERS OF THE CHIEF OF POLICE; AMENDING SECTIONS 9.08, 9.09, AND 9.10 PROVIDING FOR COMPLIANCE WITH FLORIDA LAW FOR THE DISPOSITION OF PROPERTY; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION[5]

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

8.A.3. Ordinance 2020-11: Charter update to Article XIII, Section 13.05 providing for compliance with Florida law regarding the dedication of public streets.

Ms. Lopez reviewed the Ordinance.

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

MOTION

Mayor Upchurch MOVED to pass Ordinance 2020-11 on second reading and read by title only. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-11

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE XIII OF THE CHARTER OF THE CITY OF ST. AUGUSTINE AMENDING SECTION 13.05 TO PROVIDE FOR COMPLIANCE WITH FLORIDA LAW REGARDING THE DEDICATION OF PUBLIC STREETS; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION[6]

AYES: Upchurch, Sikes-Kline, Horvath, Freeman
NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.4. Ordinance 2020-12: Charter update to Article XIV, Section 14.13 removing reference to the St. Augustine Restoration and Historical Commission as it is no longer in existence, providing for the purchase of buildings through appropriations, and repealing redundant sections regarding budgetary appropriations.

Ms. Lopez reviewed the Ordinance.

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

MOTION

Commissioner Horvath MOVED to pass Ordinance 2020-12 on second reading and read by title only. The motion was SECONDED by Mayor Upchurch.

[5] Commissioner Freeman took a brief recess and was absent for the vote

[6] Commissioner Valdes took a brief recess and was absent for the vote

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-12

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE XIV OF THE CHARTER OF THE CITY OF ST. AUGUSTINE REPEALING SECTION 14.13 TO REMOVE THE ST. AUGUSTINE RESTORATION AND HISTORICAL COMMISSION NO LONGER IN EXISTENCE; AMENDING SECTION 14.19 TO PROVIDE FOR APPROVAL OF EXPENDITURES FOR THE PURCHASE OF BUILDINGS THROUGH APPROPRIATIONS; REPEALING SECTIONS 14.20 AND 14.21 AS REDUNDANT TO BUDGETARY APPROPRIATIONS; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION[7]

AYES: Horvath, Upchurch, Sikes-Kline, Freeman
NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.5. Ordinance 2020-13: Charter update to Article XVI, Sections 16.01 through 16.18 removing sections regarding slum clearance and urban renewal as redundant to existing Florida law.

Ms. Lopez reviewed the Ordinance.

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

MOTION

Mayor Upchurch MOVED to pass Ordinance 2020-13 on second reading and read by title only. The motion was SECONDED by Commissioner Sikes-Kline.

[7] Commissioner Valdes took a brief recess and was absent for the vote

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE XVI OF THE CHARTER OF THE CITY OF ST. AUGUSTINE REPEALING SECTIONS 16.01 THROUGH 16.18 REGARDING SLUM CLEARANCE AND URBAN RENEWAL; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION[8]

AYES: Upchurch, Sikes-Kline, Horvath, Freeman
NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.6. Ordinance 2020-14: Charter update to Article XX, Section 20.01 removing the ratification requirement for powers and authority regarding pensions.

Ms. Lopez reviewed the Ordinance.

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

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2020-14 on second reading and read by title only. The motion was SECONDED by Mayor Upchurch.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-14

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE XX OF THE CHARTER OF THE CITY OF ST. AUGUSTINE REPEALING

[8] Commissioner Valdes took a brief recess and was absent for the vote

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SECTION 20.01 REMOVING THE RATIFICATION REQUIREMENT FOR THE POWERS AND AUTHORITY REGARDING PENSIONS; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Sikes-Kline, Upchurch, Valdes, Horvath, Freeman
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 2020-01: Modification of Fence and Wall Regulations within Municipal Code.

Mr. Birchim reviewed the Ordinance.

At the request of Commissioner Valdes, Mr. Birchim defined 'alleyway':

- Alleyways were platted and categorized in our road inventory
- They were typically behind the frontages of a residential property
- They were a back access, primarily used for trash pickup
- They existed in Davis Shores and in the Model Land Company Historic District

The Commission and Mr. Birchim discussed:

- Privacy concerns for back yard fence height requirements existed
- Topic was result of a property in Davis Shores with three street frontages
- Restriction of fence height to four-feet did not make sense in alleyways because they were rear portions of residential properties
- An eight-foot fence could be erected at a setback of fifteen feet onto your property
- Intention was to limit the type of fence in the front setback area and was originally done for aesthetic reasons, and so the police and fire departments could see the house when driving down the street
- Corner properties required four-feet across front and four-feet to setback
- 'Intersection visibility rule' stated that no obstruction over thirty inches of height, including landscaping, can be within twenty-five feet of an intersection, (measured from the curb) so people stopped at an intersection could see across a corner for cars coming through the intersection

MOTION

Commissioner Sikes-Kline MOVED to place Ordinance 2020-01 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Freeman.

The Commission discussed:

- Concerns raised about privacy, fence height and how the Ordinance was written
- Could not articulate every scenario where a corner property could have a six-foot fence
- Requested language to create a variance process that would go to the Planning and Zoning Board (PZB) which would provide people an opportunity to make their case

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- Every property was unique, especially the odd shaped or corner lots, and property owners needed an avenue to contest issues
- With the new rule, problems were created: 'it was not a problem until it was a problem'

Mayor Upchurch requested Ms. Lopez' insight on whether the Commission should table the Ordinance or pass it.

Ms. Lopez stated that for transparency, it was better to table the ordinance and bring back for another first reading, as it would provide a better opportunity to be familiarized with what would be amended.

Commissioner Sikes-Kline WITHDREW her MOTION. Commissioner Freeman WITHDREW her second.

Commissioner Valdes noted his discomfort with passing an ordinance regarding zoning regulations that did not have an appeals process.

Mr. Birchim stated that theoretically this did have a variance process; however, the one that currently existed and applied to all land development regulations was the 'hardship criteria' which could be applied to the ordinance and require no further action. He did, however, understand the request was for an exception variance.

Mayor Upchurch noted the direction of the Commission was to bring the ordinance back for first reading at the meeting of March 9, 2020 with additional language providing for an exception variance.

<u>9.A.2.</u> Ordinance 2020-10: Charter update to Article X.5, Section 10.05.08 removing the Mayor's control of the police department during an emergency.

Ms. Lopez reviewed the Ordinance.

Mayor Upchurch MOVED to place Ordinance 2020-10 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-10

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE X.5 OF THE CHARTER OF THE CITY OF ST. AUGUSTINE AMENDING SECTION 10.5.08 REMOVING THE MAYOR'S EMERGENCY CONTROL OF THE CHIEF OF POLICE; PROVIDING FOR CONSISTENCY WITH SECTION 4.09 AND SECTION 4.10; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION

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

<u>9.A.3.</u> Ordinance 2020-15: Amending Sections 28-126 and 28-127 of the Code of the City of St. Augustine to modify the number of members and to revise the minimum qualification criteria for members of the Corridor Review Committee.

Ms. Lopez reviewed the Ordinance and noted the challenge with finding qualified members. She stated that the committee was originally formed requiring five members: two architects or landscape architects and three members that resided as either a commercial or residential tenant along the Anastasia, San Marco or King Street corridors.

Candice Seymour, Acting City Clerk, noted that the Clerk's office had received two applications: one architect, and the other a citizen that lived just off the corridor.

DRAFT

The Commission and Ms. Lopez discussed:

- Difficulty in finding a tenant on corridor and no one had applied
- Problematic for creation of another Board; therefore, discussed use of an existing Board
- Concerned about tenants without a long-term commitment to the area
- In the past, corridor language had been re-written with concept of a dedicated corridor review committee that would meet on an as-needed basis, and with the intent that the items drafted would go to a corridor review
- Community was promised representation for the corridors; therefore, the committee should remain
- Citizens only attended meetings when there was an interest or an affect to their property
- Suggested a moderator who would step in when there was a need versus having a standing committee
- Suggested use of an expert design professional to 'adjudicate' decisions and review applications
- A good faith effort should be made to implement what was promised

Mayor Upchurch suggested to redouble efforts for advertising and recruiting since the issue was not incredibly time specific.

MOTION

Mayor Upchurch MOVED to place Ordinance 2020-15 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-15

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, ARTICLE II, DIVISION 5, SECTION 28-127 OF THE CODE OF THE CITY OF ST. AUGUSTINE MODIFYING THE NUMBER OF MEMBERS OF THE CORRIDOR REVIEW COMMITTEE FROM FIVE TO THREE; REVISING THE MINIMUM QUALIFICATIONS FOR MEMBERS OF THE CORRIDOR REVIEW COMMITTEE BY REDUCING THE NUMBER OF SEATS DESIGNATED FOR PROPERTY OWNERS OR TENANTS OF PROPERTIES LOCATED WITHIN THE RESPECTIVE ENTRY CORRIDORS FROM THREE TO ONE; 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, Horvath, Freeman, Valdes
NAYES: None
MOTION APPROVED UNANIMOUSLY

9.A.4. Ordinance 2020-16: Renames San Juan Street extension in Anastasia State Park to Nona and Popa Road honoring all grandmothers and grandfathers who take their grandchildren to celebrate Florida's state parks.

Reuben Franklin, Director, Public Works, reviewed the Ordinance.

MOTION

Commissioner Sikes-Kline MOVED to place Ordinance 2020-16 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-16

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, CREATING SECTION 22-166 OF THE CODE OF THE CITY OF ST. AUGUSTINE, TO PROVIDE FOR THE RENAMING OF SAN JUAN STREET EXTENSION IN ANASTASIA STATE PARK BETWEEN SANTANDER STREET AND ANASTASIA PARK ROAD AS "NONA AND POPA ROAD;" 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 AN EFFECTIVE DATE.

VOTE ON MOTION

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

9.B. Resolutions

(None)

10. Staff Reports and Presentations

(None)

11. ITEMS BY CITY ATTORNEY

11.A. Legislative bill tracking. No Presentation

No presentation made, provided by the City Attorney's Office for information purposes.

12. ITEMS BY CITY CLERK

12.A. Discussion for City's liaison to the Continuum of Care.

Ms. Seymour noted that the St. John's County Continuum of Care requested a liaison for their Board, and Barry Fox, Chief of Police, had volunteered for the position.

MOTION

Mayor Upchurch MOVED to approve Chief Barry Fox to serve as the City's liaison to the Continuum of Care. The motion was SECONDED by Commissioner Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

13. ITEMS BY CITY MANAGER

Item 13.A. added to Agenda

13.A. Request for reserve funding to begin immediate repairs to the Municipal Marina Breakwater Dock.

Mr. Regan noted the recent nor'easter that occurred over the weekend changed the urgency with regards to the work in progress on the dock, already damaged from Hurricane Dorian. He provided a memo to the Commission from Jim Piggot, Director, General Services which discussed the specifics of the damages and the monetary requirements.[9]

Mr. Piggot sought the Commission's approval for use of the reserve funding for repair work not to exceed $300,000 to fix the breakwater dock. He noted that the amount was requested to avoid additional Commission approval for funds, and to avoid the replacement cost of a new dock, which was $1.5 Million. He also stated that FEMA would reimburse the City a portion of the funds if a grant was administered.

Meredith Bredenstein, Assistant City Manager, provided discussion on the topic:

- Historically the City applied for Public Assistance (PA) grants
- 75% of grants were from FEMA
- 12.5% of grants were from the State of Florida
- Grants were for eligible expense reimbursement
- The City matched the State at

[9] Provided at meeting and made part of packet

12.5% which would come from the Marina reserves
- If the City saw an opportunity for hazard mitigation, specialists would run a benefit cost analysis to determine whether it would mitigate future damages (lift station repairs were an example)

MOTION

Commissioner Sikes-Kline MOVED to approve the distribution of unrestricted Marina reserve fund monies, not to exceed $300,000. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

14. Items by Mayor and Commissioners

14.A. Update on Aviles, Spain trip.[10]

Mayor Upchurch and the Commission discussed the trip:

- Memo from Mr. Regan outlined the trip and the topics discussed
- Interacted with the Mayor of Aviles, the City Government and the Mayor of Minorca
- Meeting was positive and folks were anxious to implement various aspects of the items they discussed
- One item was a desire to renew the youth student exchange for the summer, which had been dormant for a few years due to storms
- Aviles was working hard to share the exchange idea and recruit students to attend
- Role of majority of this was for the City to serve as a facilitator to connect re-enactor groups, music groups and educational institutions, very few were City projects
- Attempted to make the connections and to fertilize and encourage the relationships
- Previous lack of support existed for the Sister Cities program; therefore, steps taken to establish relationships
- Most cities with 'Sister Cities' programs spent hundreds of thousands in employing Directors and full departments; therefore, it was fantastic that the nation's oldest city could do this without the expense

Mr. Regan noted that should the City of Aviles resurrect the exchange program, they requested a youth exchange sponsorship of $12,500 which he supported.

There was Commission consensus to the sponsorship.

Commissioner Valdes brought the topic of mental illness to the Commission and discussion ensued:

- What the City could do to assist
- Many City problems that revolved around homelessness and panhandling were the result of those individuals not taking medication
- It was suggested that the issue be discussed with the County
- Mental illness did not discriminate, and applied to neighbors and family members
- Flagler Hospital Continuum of Care that Chief Fox would serve on would be the community group most able to assist with the issue
- The group needed financial resources

Commissioner Valdes brought up the topic of the absence of flags in certain areas of the City and Commission discussion ensued:

- Illuminated flags at the National Guard property were very moving, could City do the same
- Perhaps restrict to the City flag and American flag

[10] Provided at meeting and made part of packet

DRAFT

- Past discussion was 'all or nothing', but could Spanish flags or historic flags be flown
- Flags displayed at City Hall were: Arbor Day flag, Florida flag, American flag and the City's flag
- On certain holidays the Spanish Flag and the oversized American Flag were flown at City Hall
- There was no prohibition of government speech on government property; however, various groups could not tell the City what flags to display, as this was a slide into group speech and not government speech
- Technical issues existed for certain poles, as some were owned by the City, and others by FPL
- FPL had technical requirements on the structural brackets and banner or flag material, which required the approval of an engineer
- The Commission needed to determine what their speech was on the flag issue, and not allow others or groups to dictate
- Bridge of Lions flag scenario was noted and City wanted to avoid those situations
- FPL wanted assurances for liability purposes due to the maintenance of flags, how installed, and removed

The Commission directed City staff to return with a flag program that would be manageable for specific national holidays.

There was Commission consensus that the Sustainability Workshop on February 19th was incredible, informative and that the enthusiasm was wonderful.

15. Adjournment

There being no further business, the meeting was adjourned at 6:54 P.M.[11]

_____
Tracy W. Upchurch, MAYOR

_____
Darlene Galambos, CITY CLERK

DRAFT

[11] Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 3, 2020

RE: **S ATISFACTION AND RELEASE OF UTILITY MORTGAGE - 21 DAVIS STREET**

Enclosed is a Satisfaction and Release of Mortgage for 21 Davis Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine, Celia Leo, Teodoro A. Leo, and Gregory G. Leo, Jr. The mortgage was recorded in the Public Records of St. Johns County on June 25, 2019. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the March 23, 2020 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

Isabelle C. Lopez
City Attorney

Isl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085

SATISFACTION AND
RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **CELIA LEO, TEODORO A. LEO, and GREGORY G. LEO, JR.,** whose address is 12 W. Shore Trail, #5, Sparta, New Jersey 07871, their heirs, assigns or successors in title (hereinafter referred to as "Mortgagors"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated June 17, 2019, recorded at Official Records Book 4747, Page 1397, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 4747, Page 1397, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this day of , 2020.

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

ATTEST:

By:_____

_____
Darlene Galambos, City Clerk

Tracy W. Upchurch, Mayor-Commissioner

(SEAL)

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of LJ physical presence or LJ online notarization, **Tracy W. Upchurch,** who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this ____ day of _____, 2020.

_____

Notary Public, State of Florida

(SEAL)

EXHIBIT "A"

LOT 21, BRAVO PARK, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 1, PAGE 43 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH: A PORTION OF A 35 FOOT RIGHT OF WAY VACATED BY CITY OF ST. AUGUSTINE IN ORDINANCE No. 2004-03, OFFICIAL RECORDS BOOK 2144, PAGE 1660, EXCLUDING THE LAND GRANTED TO THE CITY OF ST. AUGUSTINE BY QUIT CLAIM DEED IN OFFICIAL RECORDS BOOK2129, PAGE 13.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 19 OF BRAVO PARK IN NEW AUGUSTINE ACCORDING TO PLAT RECORDED IN DEED BOOK **"NN",** PAGE 614, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE **N** 81°08'43" E, A DISTANCE OF 99.78 FEET TO THE EAST LINE OF LOT 19; THENCE S 07°06'40" E ALONG EAST LINE OF LOT 19, A DISTANCE OF 52.75 FEET TO A POINT ON THE NORTH LINE OF LOT 21 AND THE POINT OF BEGINNING; THENCE CONTINUES 07°06'40" E ALONG EAST LINE OF LOT 21, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 21; THENCE 82°43'35" W ALONG THE SOUTH LINE OF LOT 21, A DISTANCE OF 118.94 FEET TO A POINT ON A CURVE TO THE LEFT ON THE EAST RIGHT-OF-WAY LINE OF DAVIS STREET, AS IT NOW EXISTS; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1661.46 FEET, A CENTRAL ANGLE OF 01°45'44", AN ARC LENGTH OF 51.10 FEET, A CHORD BEARING OF **N** 08°45'40", AND A CHORD LENGTH OF 51.10 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE **N.** 08°49'56" E ALONG THE EAST RIGHT-OF-WAY LINE OF DAVIS STREET, A DISTANCE OF 0.93 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT 21; THENCE **N** 82°43'35"E ALONG THE NORTH LINE OF LOT 21, A DISTANCE OF 104.71 FEET TO THE POINT OF BEGINNING.

PARCEL ID: 119920-0210

ADDRESS: 21 DAVIS STREET, ST. AUGUSTINE, FLORIDA 32084

Public Records of St. Johns County FL
Clerk number: 2019045159
BK: 4747 PG: 1397
6/2512019 4:33 PM
Recording $52.50
Doc M: $28.00
Int. Tax $15.88

UNIT CONNECTION FEE

MORTGAGE

THIS MORTGAGE, by and between Celia leo, Teodoro A. Leo & Gregory G. Leo Jr. whose address is 21 Davis Street St. Augustine, FL 32084 (hereinafter called "Mortgagor") and CITY OF ST. AUGUSTINE, FLORIDA, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of $86.47 for 120 months, with the first payment due July 15, 2019

f0{fy **IN WITNESS WHEREOF,** the Mortgagor has hereunto set its hand and seal, this :t2tf1 day of June, 2019.

Signed, sealed and delivered in the presence of:

Witness
Printed Name: Meaghan E. Darling

Witness
Printed Name: Cori Niles

Witness
Printed Name: Maxwell Moultow

BY: _____
(Printed Name) Celia Leo pj-W-,. 6/14/9
(Address) 21 Davis Street.
(Telephone) 973-865-5748

BY: _____
(Printed Na Teodoro A. Leo DATE 6/14/19
(AddressV / 21 Davis Street.
(T /{one) 973-865-5748

BY: _____
(Printed Name) Gregory G. Leo Jr. DATE 6/14/19
(Address) 21 Davis Street.
(Telephone) 973-865-5748

*** * * NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE * * ***

FOR AN INrnVIDUAI ACTING IN HIS OR HER OWN RIGHT:

STATE OF AfauJ;lL3e'-j·

COUNTY OE·St !dms /!tS'Strp<

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized ,tQ administer oaths and take acknowledgments, Celia Leo, who is personally nown< -'JI .PHN O ha_s produced hlQ.\.0 Xci) IJYl_v,e_ · L\(e)Q as identification and M!?.J e,;pe § tfdescnbed m and who executed the foregoing instrument, and acknowledged before m 4J1at h executed the same for the uses and purposes therein expressed.

"-Witness my hand and official seal, this day of June, 2019.

MEAGHAN E. DARLING
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50087343
My Commission Expires 817/2023

i:-M,,-.t1., .f&e.9i7·

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Teodoro A. Leo,** who is personally known to me or who has produced .- DfZ.--CV-Fl'ZS !-J-:-C0.;s · as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this day of June, 2019.

MAXWELL J. MOULTON
MY COMMISSION # GG46622
EXPIRES: November 13, 2020

Notary Public, State of Florida

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Gregory G. Leo Jr.,** who is personally known to me or who has produced {51Z.'f.f/GQ:S 1-:::.ccp.1.1c..£"g as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 12ffi day of June, 2019.

MAXWELL J. MOULTON
MY COMMISSION # GG46622
EXPIRES: November 13, 2020

Notary Public, State of Florida

Exhibit "A"

LEGAL DESCRIPTION

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Parcel ID Number 1[illegible]

UNIT CONNECTION FEE
PROMISSORY NOTE

APPUCANT(S) NAME: Celia Leo, Teodoro A. Leo & Gregory G. Leo Jr.
ADDRESS: 21 Davis Street
St. Augustine, Fl 32084

$7,939.00 St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at 21 Davis Street St. Augustine, Fl 32084, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.0. Box 210, St. Augustine, Florida, 32085,** or elsewhere as the holder hereof may from time to time require, the principal sum of **7,939.00 Dollars,** together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **5.58 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **86.47 Dollars,** commencing on **July 15, 2019** and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 - Lien of services charges - any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

reo

Signed, sealed and delivered dated asef lie 1:2, 2019, in the presence of:

Witness
Printed Name: Lltc 'f\o;r') f" r \\f\.

witness
Printed Name: Cori Niles

Witness
Printed Name: *M/+-1'-V\f'tEj L. ,,,tJovcTt:Y&i*

BY:
(Printed Name) Celia Leo 'M-W
(Address) 21 Davis Street.
(Telephone) 973-865-5748

BY:
(Printed N:r,e) Teodoro A. Leo
(Address0 21 Davis Street.
(Tel p,1ione) 973-865-:5748

BY:
(Ptin)e'd
(Agdr:-ess) 21 Da<s Street.
(Telephone) 973-865-5748

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 2, 2020

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE - 300 ANASTASIA BOULEVARD**

Enclosed is a Satisfaction and Release of Mortgage for 300 Anastasia Boulevard, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine and A BLVD, LLC. The mortgage was recorded in the Public Records of St. Johns County on April 6, 2017. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the March 23, 2020 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

(re

2. 2

Isa6elle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of LJ physical presence or LJ online notarization, **Tracy W. Upchurch,** who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this ____ day of _____, 2020.

_____

Notary Public, State of Florida

(SEAL)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085

SATISFACTION AND
RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **A BLVD, LLC,** whose address is 300 Anastasia Boulevard, St. Augustine, Florida 32080, its heirs, assigns or successors in title (hereinafter referred to as "Mortgagor"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated March 1, 2017, recorded at Official Records Book 4355, Page 1969, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 4355, Page 1969, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this day of , 2020.

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

ATTEST:

By:_____

_____
Darlene Galambos, City Clerk

Tracy W. Upchurch, Mayor-Commissioner

(SEAL)

EXHIBIT "A"

3-98 DAVIS SHORES LOTS 23 THRU 27 BLK 29 & 10FT OF VACATED ARREDONDO LYING W OF & ADJ TO LOT 23 OR1259/1634 & 1404/593-598(0R3757/130 & 4254/56(C/D)

PARCEL ID: 218130-0000

ADDRESS: 300 ANASTASIA BOULEVARD, ST. AUGUSTINE, FLORIDA 32080

Public Records of St. Johns County, FL
Clerk number: 2017024188
BK: 4355 PG: 1969
4/6/2017 4:06 PM
Recording $52.50
Doc M: $14.70
Int. Tax $8.31

UNIT CONNECTION FEE MORTGAGE

THIS MORTGAGE, by and between **A BLVD, LLC.** whose address is 300 Anastasia Blvd. St. Augustine, FL 32084 (hereinafter called "Mortgagor") and **CITY. OF ST. AUGUSTINE, FLORIDA,** a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents *are* executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately.due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of $78.25 for 60 months.

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this 1st day of March, 2017.

Signed, sealed and delivered in the presence of:

BY: _____

Witness
Printed Name:

Witness
Printed Name: Joanne

(Printed Name) Chad I<. Smith
(Address) 300 Anastasia Blvd.
(Telephone) 904-669-4812

* * * NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE * * *

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and tal<e acknowledgments, Chad K. Smith, who is personally known to me or who has produced (, !, .ic "; ,., l 1. 1 .... as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 1st day of March, 2017.

Notary Public, St te of Florida

NOTARY PUBLIC STATE OF FLORIDA
MAXWELL J. MOULTON
MY COMMISSION # GG46622
EXPIRES: November 13, 2020

LEGAL DESCRIPTION

3-98 **DAVIS** SHORES LOTS 23 THRU 27 BLK 29 & 10FT OF VACATED ARREDONDO LYING W OF & ADJ TO LOT 23 OR1259/1634 & 1404/593-598{0RD#99-04 VACATION} OR3757/130 & 4254/56{C/D}

Exhibit "A"

UNIT CONNECTION FEE
PROMISSORY NOTE

APPLICANT(S) NAME: **A Blvd., LLC**
ADDRESS: **300 Anastasia Blvd**
St. Augustine, FL 32084

$4,152.60 St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at **300 Anastasia Blvd. St. Augustine, FL 32084,** the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085,** or elsewhere as the holder hereof may from time to time require, the principal sum of **4,152.60 Dollars,** together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **4.94 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **78.25 Dollars,** commencing on April 15, 2017 and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 - Lien of services charges - any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

/Signed, sealed and delivered dated as of March 1, 2017, in the presence of:

Witness'·· (1 . . • \'\J\ i O ,,.
~~Printed Name~~: \ (':.; \ (· \ _ \'L. _)

Witness
Printed Name: Joanne

BY: /,. >;/ a ___ //

(Printed"Ntfme)6..Chad k.?smit;;==·-"""
(Address) 300 Anastasia Blvd.
(Telephone) 904-669-4812

STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Chad K. Smith, who is personally known to me or who has produced /),,.,,l-1 1), ,-..<,:. as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 1st day of March, 2017.

Notary Public, State of Florida

MAXWELL J. MOULTON
MY COMMISSION # GG46622
EXPIRES: November 13, 2020

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: April 27, 2020

RE: Request for **one (1)** appointments for the Historic Architectural Review Board (HARB)

Notification was previously given regarding one term expiration and one alternate expiration on the Historic Architectural Review Board. These terms expired March 28, 2020.

Advertisements requesting applications was placed in the St. Augustine Record and posted on the City's website. One application was received from Paul Weaver. Mr. Weaver is eligible for reappointment.

At this time, no applications have been received to fill the alternate position; therefore, the Clerk's office will continue advertising and will bring the matter back to the Commission during a subsequent regular meeting.

Attached is Mr. Weaver's application, in addition to the current HARB roster, board profile and responsibilities.

Darlene Galambos
City Clerk

Xc: City Clerk Files

March 10, 2020

Ms. Darlene Galambos
City of St. Augustine
City Clerk
St. Augustine, FL

Re: HARB re-appointment

Dear Ms. Galambos,

Please accept this letter as my authorization to re-apply for the City of St. Augustine, Historic Architectural Review Board.

Thank you very much for your prompt consideration of this matter.

Sincerely yours,

PAUL L. WEAVER, III

Paul L. Weaver, III
5 Milton Street
St. Augustine, FL
32084

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, 2018-2019): 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 Ordinanced 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 (1980-2019): 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

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

Board Member, St. Augustine Historical Society(2017-2020): 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, provided technical assistance to the public, reviewed development projects for compliance with state and federal preservation law.

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.

University of Florida, Oral History Project, Editor, Oral History Interviewer (1977-1978): Edited and conducted oral history interviews.

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

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 Weaver
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.
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 32085
9. OCCUPATION *(include resume if available)* Historian
10. PROFESSIONAL QUALIFICATIONS *(you are encouraged to submit a cover letter)* Master of Arts, Latin American History Historic Preservation, University of Florida/43 years of professional experience in history/historic preservation/previous experience on HARB
11. OTHER COMMENTS OR INFORMATION Currently President St. Augustine Historical Society
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 | X White

13. SIGNATURE OF APPLICANT

Paul L. Weaver, III DATE 03/10/20

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
- ☐ Planner, member APA or AICP
- ☐ Real Estate Broker, w/ County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Merchant/Businessperson, City occupational license
- ☐ Preservation Organization Officer
- ☐ Environmental or Land Use Organization Officer
- ☐ Attorney, Florida Bar
- ☐ Landscape Architect, Florida registered
- ☐ Contractor, City contractor's 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
- ☐ Archaeology
- ☑ Architectural History
- ☐ Historic Architecture
- ☐ Art History
- ☑ Former HARB Member
- ☐ Other

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

HISTORIC ARCHITECTURAL REVIEW BOARD

Meets Monthly, 3rd Thursday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Gaere MacDonald Contractor	23 Water Street, 32084 904-814-7799 gmdconstruction@aol.com	03/25/19 1st full term	3/28/2022
Jon Benoit Contractor	900-D Anastasia Blvd, 32080 904-540-3065 jonbenoit@behstbuilders.com	03/26/18 1st full term	3/28/2021
Catherine Duncan **CHAIR** Architect	5 Althea St, 32084 904-824-4673 catherinedunc@aol.com	11/09/15 fill vacancy 3/26/18 1st full term	3/28/2021
Barbara Wingo **VICE-CHAIR** Attorney/Historian	17 Saragossa St. 32084 PO Box 497, 32085 (preferred) 824-5146; cell 352-214-1214 bcwingo@gmail.com	02/22/16 1st full term 03/25/19 2nd full term	3/28/2022
Paul Weaver, III Professional Preservation Consultant	5 Milton St, 32084 160 Vilano Rd, Ste 7 824-5178 – 347-6090 hpa007@aol.com	06/25/18 1st full term	3/28/2020 3/28/2023
Antoinette Wallace Archaeologist Alternate	104 Lincoln Street, 32084 904-501-9449 ab_wallace@bellsouth.net	05/13/19 fill vacancy	03/28/2022

02/01/18

HISTORIC ARCHITECTURAL REVIEW BOARD

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.
Number of Members:	Five (5) Regular Members and Two (2) Alternates
Terms of Office:	Three (3) years, expiring on March 28th - Original terms staggered; no member appointed for more than two full consecutive terms.
Appointment:	By City Commission.
Qualifications:	While preference shall be given to current City residents, City Commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. All members of the historic architectural review board shall have either thorough training and/or experience in: 1 history or related fields; 2 archaeology; 3 architectural history; 4 historic architecture; and 5 art history. Alternates shall be appointed for a three (3) year term, and 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. See Section 28-82 for the criteria required in order to be appointed to the Board.
Duties:	Act on applications for Certificates of Appropriateness in HP-1 through HP-5; act on applications for building permits on property abutting HP-1 through HP-3; act on all applications for demolition permits for structures 50 years old or older within the City limits; cooperate with governments in planning proposed and future projects reflecting concerns and policies and assist as a consultant in development of future land use plans; advise property owners & government agencies concerning maintenance, protection, enhancement and preservation of historic resources; advise the City Commission concerning effects of local governmental actions on resources designated under the ordinance; recommend issuance of stop work order when not in compliance; develop rules and procedures necessary to implement powers and duties of the HARB consistent with ordinance; conduct regular public meetings and call special meetings; and designate historical landmarks.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-85
Meetings:	Third Thursday of each month, 1 P.M. the Alcazar Room, City Hall.

CITY OF ST. AUGUSTINE, FLORIDA

MEMORANDUM

TO: John P. Regan
City Manager

DATE: April 16, 2020

RE: St. Augustine Police Department
Subgrant Number: 2020-JAGC-STJO-1-Y5-114

We are in receipt of the referenced grant awarded by the Department of Justice, Office of Criminal Justice Grants in the amount of $18,961.00.

These grant funds will be utilized by the St. Augustine Police Department to purchase an ATV (All-Terrain Vehicle) in which to patrol Anastasia State Park and the newly acquired 57 acres known as "Fish Island". The vehicle will also be utilized during the many special events that are held within and around the Historic Downtown area.

If you concur, please place this matter on the next available consent agenda for the consideration and approval of the City Commission.

Thank you for your consideration in this matter.

Barry E. Fox
Chief of Police

dt
attachment
cc: D. Galambos, City Clerk w/original attachment

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

ACCEPTANCE OF FEDERAL FUNDING ASSISTANCE

Subrecipient: City of St. Augustine

Subgrant Number: 2020-JAGC-STJO-1-Y5-114

Project Title: ST. AUGUSTINE POLICE DEPT PARK SAFETY INITIATIVE

Pass-through Entity: Florida Department of Law Enforcement

This award is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.F.R. Part 200). This award is also subject to the incorporated standard and special conditions, and such further rules, regulations, and policies as may be reasonably prescribed by the State or Federal Government.

In witness whereof, the parties affirm they each have read and understand the conditions set forth in this agreement, have read and understand the agreement in its entirety, and accept this agreement through the signature of their duly authorized officers on the date, month, and year set out below.

City of St. Augustine
Authorizing Official (Commission Chairperson, Mayor, or Designated Representative)

Signature Date

Printed Name and Title

St. Augustine Police Department
Authorizing Official (Official, Administrator, or Designated Representative)

Barry E. Fox 04/13/2020

Signature Date

BARRY E. FOX CHIEF OF POLICE

Printed Name and Title

Florida Department of Law Enforcement
Office of Criminal Justice Grants

Signature Date

Printed Name and Title

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

SPECIAL CONDITIONS

Subrecipient: City of St. Augustine

Subgrant Number: 2020-JAGC-STJO-1-Y5-114

Project Title: ST. AUGUSTINE POLICE DEPT PARK SAFETY INITIATIVE

Pass-through Entity: Florida Department of Law Enforcement

In addition to the attached standard conditions, the above-referenced grant project is subject to the special conditions set forth below.

Ref# S42034: The City of Saint Augustine's procurement policy does not appear to comply with all federal procurement requirements outlined in the Office of Management and Budget (OMB) Uniform Requirements, 2 C.F.R. 200.317-326. All subaward procurements must comply with the standards identified in OMB's Uniform Requirements, and documentation must be maintained and provided to the Office of Criminal Justice Grants at monitoring.

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

Subgrant Recipient

Organization Name: City of St. Augustine
County: St Johns

Chief Official

Name: Tracy Upchurch
Title: Mayor
Address: Post Office Box 210
City: St. Augustine
State: FL **Zip:** 32085-0210
Phone: 904-825-0106 **Ext:**
Fax:
Email: TUpchurch@citystaug.com

Chief Financial Officer

Name: Mark Litzinger
Title: Comptroller
Address: Post Office Box 210
City: St. Augustine
State: FL **Zip:** 32085-0210
Phone: 904-825-1030 **Ext:** 201
Fax: 904-825-1051
Email: mlitzinger@citystaug.com

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

Implementing Agency

Organization Name: St. Augustine Police Department
County: St Johns

Chief Official

Name: Barry Fox
Title: Chief
Address: Post Office Box 1950
City: St. Augustine
State: FL **Zip:** 32085-1950
Phone: 904-825-1073 **Ext:**
Fax: 904-823-4323
Email: bfox@staugpd.com

Project Director

Name: Stephen Fricke
Title: Operations Commander
Address: Post Office Box 1950
City: St. Augustine
State: FL **Zip:** 32084-1950
Phone: 904-825-1082 **Ext:**
Fax: 904-823-4323
Email: sfricke@staugpd.com

Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

Section Questions:

Question: Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with the Department of Homeland Security (DHS) or Immigration and Customs Enforcement (ICE)?

Answer: No

Question: Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?

Answer: Yes

Question: If yes to either #1 or #2, describe each practice AND provide a copy of each law or policy to criminaljustice@fdle.state.fl.us.

Answer: Florida Statue 908

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

General Project Information

Project Title: ST. AUGUSTINE POLICE DEPT PARK SAFETY INITIATIVE
Subgrant Recipient: City of St. Augustine
Implementing Agency: St. Augustine Police Department
Project Start Date: 10/1/2019 **End Date:** 9/30/2020

Problem Identification

St. Augustine, located in Northeast Florida, is the largest municipality in St. Johns County. The County has a population of over 290,000 and its 608 square miles is bounded by the Atlantic Ocean on the east, the St. Johns River on the west, and bisected by the San Sebastian River.The I-95 corridor, U. S. 1 and A-1-A all traverse north-south through the St. John's County, which is immediately south of Duval County.

St. Augustine, is known not only for its location close to beaches and tourist- related businesses and amenities, but also for it's vibrant Historic District and
many attractions, all rich in Florida history.
Current statistics show that the county is among the ten fastest growing areas in the State of Florida as well as in the nation. With this type of rapid growth, the need for a new approach to dealing with criminal offenders is even more imperative.

With a decade of decreasing crime rates, the City of St. Augustine has become a highly desirable place to live and work. In order to insure the safety of its citizens and tourists it is necessary for the Police Department to continue to improve the delivery of police service.

On the 25th of July, the Florida Cabinet voted to buy 57 acres of pristine waterfront property In St. Augustine. The monies to purchase the property will come from the Forever Florida Trust Fund, the North Florida Land Trust and the City of St. Augustine. This is the largest parcel of undeveloped waterfront property in the City of St. Augustine. This unique opportunity also has provided The St Augustine Police Dept. with a challenging security issue to resolve.

The City approached both the National and State Park services about administering the property; both declined to take on that responsibility. The city envisions creating a large wilderness park with both hiking and bike trails and other amenities. With this decision the City must also provide for security and the protection of visitors.

Without this funding the City PD would not be able to patrol this
newly acquired property. It would be unable to prevent car burglaries,thefts and assaults in the new park area. There are no resources available to currently patrol this new property.The ATV which will be purchased will allow these issues to be addressed. Thereby carrying out a basic law enforcement function and it will benefit all the residents and tourists who will visit the park and St. Augustine.
It will thereby improve the safety of everyone who comes to the park.

With the funds available in the grant the Department believes that utilizing them to buy new equipment is the best way to resolve this new security issue.

Project Summary (Scope of Work)

This situation will provide a major challenge for the St. Augustine Police Department which will have to provide the security and protection to visitors to the park throughout the year. In order to meet that challenge the Department believes that the best use of this year?s grant with be to purchase an all-terrain vehicle (ATV) which can be utilized to patrol the hiking paths and trails in the newly acquired park.

This ATV will be clearly marked as a police vehicle and will be used by uniformed police officers as they patrol the extensive park area. The Department believes that the purchase of this type of vehicle is critical to provide security inside the 57-acre property and to be able to provide a safe environment for visitors.

Due to the costs associated with the acquisition of this property and the continuing effects of two hurricanes that struck St. Augustine; the City is unable to acquire this vehicle with the use of General Revenue funds and must rely on funding from this grant.

The St. Augustine PD will be responsible for the purchase and operation of the ATV and completion of this project.
This project will benefit all the all the residents and tourists who will visit the park. We anticipate that will be at least several thousand individuals when the park opens.

Goals, Activities and Deliverables:

Documentation to support costs and activities will consist of quotes, requisitions, purchase orders,vendor invoices, cancel led checks, and general ledgers. All documentation to support use of expenditures of grant funds, including review of the equipment will be available during the grant monitoring.

This grant is for an equipment purchase. Payment will be paid after the equipment is delivered and is inspected to assure that it is operational and then the vendor will be paid by check after the invoice is received.

The timeline for the ordering of this equipment is anticipated to be 1st quarter of 2020 with the delivery occurring no later than the 3rd quarter of 2020. Documentation of deliverables must be maintained by the subrecipient and/or implementing agency and made available for monitoring. Example documentation for the purchase of items and services include, but are not limited to procurement records (including quotes, competitive solicitation/bids, etc.), purchase orders, packing slips, delivery/receivable documents, invoices and proof of payment, etc.

Deliverables will be completed in accordance with the contractual agreement(s) between the subrecipient(s) and their vendor/provider. Minimum performance required for drawdown of funds includes the completion of at least one activity described above as attested to on the financial expenditure report.

All activities discussed in the scope of work or project deliverables are for the property or buildings

at this location.

Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

Section Questions:

Question: What percentage of the total cost of this project is being funded by sources other than this award?

Answer: 62

Question: What is the name of the jurisdiction(s) your agency provides service to. (e.g., City of Miami, Orange County, State of Florida)

Answer: City of St. Augustine, FL.

Question: What is the address of the location being used to provide services for this project?

Answer: 151 King St.
St. Augustine,FL.

Question: Describe your agency. (e.g., non-profit, community based, government)

Answer: Municipal Government

Question: Have you verified that the subgrantee has an active and current registration in SAM.gov?

Answer: Yes

Question: What is the Operating Capital Outlay threshold used by the subgrantee?
If the implementing agency is a sheriff's office, indicate the sheriff's office's threshold instead.

Answer: $5000.00

Question: Does the subgrantee receive a single grant in the amount of $750,000 or more from the U.S. Department of Justice?

Answer: No

Question: Does the implementing agency receive a single grant in the amount of $750,000 or more from the U.S. Department of Justice?

Answer: No

Question: In your organization's preceding completed fiscal year, did your organization (the subgrantee) receive at least (a) 80 percent or (b) $25,000,000 of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

Answer: No

Question: If you answered yes above, does the public have access to information about the compensation of the executives in your organization (the subgrantee) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? If answer to Part 1, above, was "no," answer N/A.

Answer: No

Question: What is the combined population of the jurisdiction(s) your agency provides services to (according to the 2010 census)?

Answer: 12975

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

General Performance Info:

Performance Reporting Frequency: Quarterly

Prime Purpose Area: 01 - Law Enforcement (Includes Task Forces)

State Purpose Area: 1G - General Questions

Objectives and Measures

Objective: General Questions - General Questions for All Recipients

Measure: General 01

Will your organization be using the crimesolutions.gov website during the grant period regardless of JAG funding? Crimesolutions.gov provides information on several crime reduction and prevention programs and practices.

Goal: No

Measure: General 02

Will your organization be using the The National Training and Technical Assistance Center (NTTAC) during the grant period, regardless of JAG funding? The NTTAC serves as BJA's training and technical assistance center. You can find resources, tools, webinars, and TTA support on a variety of criminal justice issues and initiatives.

Goal: No

Measure: General 03

Will your organization be using the NCJP.org website during the grant period, regardless of JAG funding? NCJP.org contains resources to support strategic planning, program development, and implementation of evidence-based policy and practice.

Goal: No

Measure: General 04

Will your organization be using the Evidence-Based Policing Matrix during the grant period regardless of JAG funding? The Evidence-Based Policing Matrix provides information on evidence-based practices for law enforcement.

Goal: No

Measure: General 05

Will your organization be using the What Works in Reentry Clearinghouse during the grant period regardless of JAG funding? The clearinghouse provides research on the effectiveness of reentry programs and practices.

Goal: No

Measure: General 06

Will your organization be using Research to Practice during the grant period regardless of JAG funding? Research to Practice promotes the dissemination of research on drug courts to practitioners and policymakers.

Goal: No

Measure: General 07

Will your organization be using any other resources during the grant period regardless of JAG funding? If yes, please describe them.

Goal: N/A

Measure: General 08

During the grant period, will your agency conduct or sponsor (with or without JAG funds) a survey or focus group of citizens on any of the following topics? Enter all that apply from the following list: Public satisfaction with police services; public satisfaction with prosecution services; public satisfaction with public defender/indigent defense services; public satisfaction with courts; public perceptions of crime/disorder problems; personal crime experiences of citizens; none of the above; unsure/don't know.

Goal: Non of the above

Measure: General 09

During the grant period, which of the following community activities will your organization be involved in, with or without JAG funds and how often will they each occur (yearly, monthly, etc.)? Choose from the following list: Hosting community meetings; attending community meetings; distributing a newsletter, e-mail, or other bulletin; attending community events; conducting social media activities; conducting outreach to minority populations; other (please describe)

Goal: Attend Community Meetings (monthly)
Conduct Social Media Activities (daily)

Measure: General 10

Law Enforcement Agencies ONLY: In which of the following ways has your agency fostered community involvement in the last year? Enter all that apply from the following list: Citizen Review Board or other review board with citizen representation, Citizen's Police Academy, Internships for university or high school students, Volunteer Program, Auxiliary police officer program, Police Cadet Program, k-12 school programs, Youth Athletic Programs, Other (please Describe), None of the above, Unsure/Don't know.

Goal: None of the above

Measure: General 11

Identify the goal(s) you hope to achieve with your funding. If you have multiple goals, describe each goal separately.

Goal: Purchase of equipment

Measure: General 12

Are the subrecipient and implementing agency aware that they will be required to report on the status of the identified goals during each reporting period?

Goal: We are aware

Measure: General 13

Describe any barriers you may encounter which may prevent you from achieving your identified goal(s).

Goal: None are anticipated at this time

Measure: General 14

Are you aware that the Office of Criminal Justice Grants encourages recipients to report on any noteworthy accomplishments, success stories, or program results that they would like to showcase?

Goal: Yes we are aware and will comply

Measure: General 11b

What major activities are planned for each of your goals listed in question 11?

Goal: The acquiring and inspection of purchased equipment and its delivery to the Patrol Division for service

State Purpose Area: 3E - Equipment, Supplies, and Technology Enhancements

Objectives and Measures

Objective: Equipment - Questions for all recipients purchasing Equipment, Supplies, and Technology Enhancements.

Measure: Equipment 1

Do the Subrecipient and Implementing agencies understand that they will be required to submit an itemized account of all items purchased during each reporting period as part of their performance reporting?

Goal: We are aware of our part of the performance reporting

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

General Financial Info:

Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.

Financial Reporting Frequency for this Subgrant: Quarterly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 596000420

Budget:

Budget Category	Prime	Match	Total
Salaries and Benefits	$0.00	$0.00	$0.00
Contractual Services	$0.00	$0.00	$0.00
Expenses	$8,751.00	$0.00	$8,751.00
Operating Capital Outlay	$10,210.00	$0.00	$10,210.00
Indirect Costs	$0.00	$0.00	$0.00
-- Totals --	**$18,961.00**	**$0.00**	**$18,961.00**
Percentage	**100.0**	**0.0**	**100.0**

Project Generated Income:

Will the project earn project generated income (PGI)? No

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

Budget Narrative:

BUDGET:
Operating Capital Outlay
(1) All terrain Vehicle ATV Base Price $10,210

Expenses:
Model Upgrade Seats 4, Fold down Seats $2,100
Undercoating $590
4000 lb Winch $759
Winch Mount Kit $299
2"Hitch Ball $58
Spotlight Package $115
Horn Kit $99
Back Up Alarm and Kit $95
Sub harness for Horn $14
Sub Harness for Back up Alarm $14
Full Windshield Optical Grade $639
Front Arm Guards $165
Rear Arm Guards $165
Hard Top Quik Release $375
Front Bumper $459
Rear Bumper $249
(6) Keys Custom Cut @ $14.00 each $84
RearView Mirror $95
Registration and Off Road Sticker $43
Bed Matt $115
Towable Storage Cover $210
Bed Extender $249
Underdash Storage Compartment $299
Fender Flares Front $99
Fender Flares Rear $99
Half Wind Deflector Option $225
Light Bar Aux. Clamp $29
Light Bar $399

Sub Total $8141
Police Decals and Installation $260
Paint for the ATV-Dept Color w. Install $350

Total Federal Award: 18,961

The prices above are estimates based on the information available at the time of application. There will be no warranties or service agreement costs associated with this project. JAG funds may be used to pay for any applicable shipping or freight costs.

All purchases will be made following the City's Purchasing policies which utilizes bids, quotes,State Contract and GSA
Pricing.

All costs in excess of this award will be paid by the City of St. Augustine from the City Funds.

Budget Narrative (Continued):

Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

Section Questions:

Question: If the budget contains salaries and benefits, will this project result in a net personnel increase, or continue to fund a prior federally grant funded net personnel increase?

Answer: No

Question: If Expenses or Operating Capital Outlay are included in your budget, what will be the method of procurement for those items? (e.g., competitive bid, sole source, state term contract)

Answer: State Contract

Question: If indirect cost is included, explain the indirect cost plan. Provide documentation of approval.

Answer: N/A

Question: If contractual services in the budget are based on unit costs, provide a definition and breakdown of cost for each service. Include the methodology for the unit cost plan and when it was approved.

Answer: N/A

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

SUBAWARD STANDARD CONDITIONS

The State of Florida, Department of Law Enforcement (FDLE) is a recipient of federal JAG funds. FDLE, as the non-federal pass-through entity and State Administering Agency (SAA) for this program, subawards JAG funds to eligible units of government. All subawards made by FDLE to units of government under this program require compliance with the agreement and Standard Conditions upon signed acceptance of the subaward.

Upon approval of the application, or subaward, the following terms and conditions will become binding. As a unit of government, the subrecipient will maintain required state and federal registrations and certifications for eligibility under this program. For JAG-Countywide subawards, the designated County Coordinator for local units of government will submit documentation in accordance with Florida Administrative Code 11D-9 supporting the strategic planning for allocation of these funds. The subrecipient agrees to submit required programmatic and financial reports supporting eligible activities were completed in accordance with the grant and program requirements.

The Department will only reimburse subrecipients for authorized activities. The Department will not reimburse for costs incurred for any purpose other than those specified in the agreement. Failure to comply with provisions of this agreement, or failure to perform grant activities as specified in the agreement, will result in required corrective action up to and including financial consequences. A financial consequence may be imposed for non-compliance in accordance with 2 C.F.R. § 200 and these Standard Conditions, including but not limited to project costs being disallowed, withholding of federal funds and/or termination of the project.

GENERAL REQUIREMENTS

All subrecipients must comply with the financial and administrative requirements set forth in the following:

Current edition of the U.S. Department of Justice (DOJ) Grants Financial Guide
https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf

Office of Management and Budget (OMB) Uniform Grant Guidance (2 CFR Part 200)
- **Subpart A, Definitions**
- **Subparts B-D, Administrative Requirements**
- **Subpart E, Cost Principles**
- **Subpart F, Audit Requirements and all applicable Appendices**

Code of Federal Regulations: www.gpo.gov/fdsys/
- **2 C.F.R. §175.15(b), Award Term for Trafficking in Persons**
- **28 C.F.R. §38, Equal Treatment for Faith-Based Organizations**
- **28 C.F.R. § 66, U.S. Department of Justice Common Rule for State and Local Governments**
- **28 C.F.R. § 83, Government-Wide Requirements for Drug-Free Workplace**
- **28 C.F.R. §§ 18, 22, 23, 30, 35, 42, 61, and 63**

State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:
http://dos.myflorida.com/media/693574/general-records-schedulegs01-sl.pdf and
http://dos.myflorida.com/media/698314/gs2-sl-2017-final.pdf

State of Florida Statutes
- **Section 215.971, F.S., Agreements funded with federal or state assistance**
- **Section 215.985, F.S., Transparency in government spending**

DEFINITIONS

Disallowed costs means those charges to a Federal award that the Federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the Federal award.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or $5,000. See also §§200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies.

Grant agreement means a legal instrument of financial assistance between a Federal awarding agency or pass-through entity and a non-Federal entity that, consistent with 31 U.S.C. 6302, 6304, is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency or pass-through entity to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. 6101(3)); and not to acquire property or services for the Federal awarding agency or pass-through entity's direct benefit or use; and is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

Improper payment means any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements and; Improper payment includes any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment that does not account for credit for applicable discounts, and any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. The non-Federal entity uses such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions). It is $3,500 except as otherwise discussed in Subpart 2.1 of that regulation, but this threshold is periodically adjusted for inflation.

Modified Total Direct Cost (MTDC) means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first $25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of $25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

Non-Federal entity is a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient.

Non-federal pass-through entity is a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program; the Florida Department of Law Enforcement (FDLE) is the non-federal pass-through entity for this agreement, also referred to as the State Administering Agency (SAA).

Period of performance means the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award. The Federal awarding agency or pass-through entity must include start and end dates of the period of performance in the Federal award (see §§200.210 Information contained in a Federal award paragraph (a)(5) and 200.331 Requirements for pass-through entities, paragraph (a)(1)(iv)).

Protected Personally Identifiable Information (PII) means an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to social security numbers; passport numbers; credit card numbers; clearances; bank numbers; biometrics; date and place of birth; mother's maiden name; criminal, medical, and financial records; and educational transcripts. This does not include PII that is required by law to be disclosed. (See also § 200.79 Personally Identifiable Information (PII)).

Questioned cost means a cost that is questioned by the auditor because of an audit finding 1) that resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of a Federal award, including for funds used to match Federal funds; 2) where the costs, at the time of the audit, are not supported by adequate documentation; or 3) where the costs incurred appear unreasonable and do

not reflect the actions a prudent person would take in the circumstances.

Simplified acquisition threshold means the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. Non-Federal entities adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 C.F.R. Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. § 1908. As of the publication of this part, the simplified acquisition threshold is $150,000, but this threshold is periodically adjusted for inflation. (Also see definition of Micro-purchase, 2 C.F.R.§ 200.67)

Subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or $5,000, regardless of the length of its useful life. See also §§200.20 Computing devices and 200.33 Equipment.

SECTION I: TERMS AND CONDITIONS

1.0 Payment Contingent on Appropriation and Available Funds - The State of Florida's obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature. Furthermore, the obligation of the State of Florida to reimburse subrecipients for incurred costs is subject to available federal funds.

2.0 Commencement of Project - If a project is not operational within 60 days of the original start date of the award period, the subrecipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and the expected start date.

If a project is not operational within 90 days of the original start date of the award period, the subrecipient must submit a second statement to the Department explaining the implementation delay.

Upon receipt of the ninety (90) day letter, the Department shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and re-obligate subaward funds to other Department approved projects. The Department, where warranted by extenuating circumstances, may extend the starting date of the project past the ninety (90) day period, but only by formal written adjustment to this agreement.

3.0 Supplanting - The subrecipient agrees that funds received under this award will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.

4.0 Personnel Changes - The subrecipient agrees to promptly notify the Department through the SIMON Help Desk of any change in chief officials or key project staff, including changes to contact information or title changes. The subrecipient acknowledges that some changes in points of contact will require formal grant adjustment to reflect the change in the agreement.

5.0 Non-Procurement, Debarment and Suspension - The subrecipient agrees to comply with Executive Order 12549, Debarment and Suspension and 2 C.F.R. § 180, "OMB Guidelines To Agencies On Government wide Debarment And Suspension (Non-procurement)". These procedures require the subrecipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the Department. If the subaward is $100,000 or more, the sub recipient and implementing agency certify that they and their principals:

1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

2) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal

offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

4) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

6.0 Federal Restrictions on Lobbying - In general, as a matter of federal law, federal funds may not be used by any subrecipient at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. § 1913.

Another federal law generally prohibits federal funds from being used by any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. § 1352.

7.0 State Restrictions on Lobbying - In addition to the provisions contained above, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this agreement.

8.0 Additional Restrictions on Lobbying - The subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Office of Justice Programs.

9.0 "Pay–to–Stay" - Funds from this award may not be used to operate a "pay-to-stay" program in any local jail. Furthermore, no funds may be given to local jails that operate "pay-to-stay" programs. "Local jail", as referenced in this condition, means an adult facility or detention center owned and/or operated by city, county, or municipality. It does not include juvenile detention centers. "Pay-to-stay" programs as referenced in this condition, means a program by which extraordinary services, amenities and/or accommodations, not otherwise available to the general inmate population, may be provided, based upon an offender's apparent ability to pay, such that disparate conditions of confinement are created for the same or similar offenders within a jurisdiction.

10.0 The Coastal Barrier Resources Act - The subrecipient will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. No. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new federal funds within the units of the Coastal Barrier Resources System.

11.0 Background Check - Whenever a background screening for employment or a background security check is required by law for employment, unless otherwise provided by law, the provisions of § 435, F.S. shall apply.

All employees in positions designated by law as positions of trust or responsibility shall be required to undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting for all purposes and checks in this subsection, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.

Such background investigations shall be conducted at the expense of *the employing agency or employee.*

12.0 Privacy Certification - The subrecipient must comply with all confidentiality requirements of 34 U.S.C. § 10231 and 28 C.F.R. § 22 that are applicable to collection, use, and revelation of data or information. Subrecipient further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. §§ 22 and, in particular, 22.23. Privacy Certification forms must be signed by the subrecipient or implementing agency chief official or an individual with formal, written signature authority for the chief official.

13.0 **Conferences and Inspection of Work** - Conferences may be held at the request of any party to this agreement. At any time, a representative of the Department, of the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right of visiting the project site to monitor, inspect and assess work performed under this agreement.

14.0 **Insurance for Real Property and Equipment** - The subrecipient must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided to property owned by the non-Federal entity.

15.0 **Flood Disaster Protection Act** - The sub recipient will comply with Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, requiring that the purchase of flood insurance in communities where such insurance is available as a condition of the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards.

16.0 **Immigration and Nationality Act** - No public funds will intentionally be awarded to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e), Section 274A(e) of the Immigration and Nationality Act ("INA"). The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the subrecipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this contract by the Department.

SECTION II: CIVIL RIGHTS REQUIREMENTS

1.0 **Participant Notification of Non-discrimination** FDLE does not discriminate on the basis of race, color, religion, national origin, sex, disability or age in the delivery of services, benefits or in employment.

2.0 **Title VI of the Civil Rights Act of 1964** - The subrecipient at any tier, must comply with all applicable requirements of 28 CFR § 42, specifically including any applicable requirements in Subpart E that relate to an equal employment opportunity program.

Equal Employment Opportunity Certification (EEOC) - A subrecipient or implementing agency must submit an EEO Certification annually within 120 days of award.

Equal Employment Opportunity Program (EEOP) - A subrecipient or implementing agency must comply with all applicable requirements in 28 C.F.R. §42, Subpart E.

Subrecipients are advised to use the Office for Civil Rights EEO Reporting Tool to satisfy this condition (https://ojp.gov/about/ocr/eeop.htm).

3.0 **Title IX of the Education Amendments of 1972** If the subrecipient operates an education program or activity, the subrecipient must comply with all applicable requirements of 28 C.F.R. § 54, "Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance."

4.0 **Equal Treatment for Faith Based Organizations** The subrecipient at any tier, must comply with all applicable requirements of 28 C.F.R. § 38, "Equal Treatment for Faith Based Organizations", specifically including the provision for written notice to current or prospective program beneficiaries.

5.0 **Americans with Disabilities Act** - Subrecipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination on the basis of disability including provision to provide reasonable accommodations.

6.0 **Section 504 of the Rehabilitation Act of 1973 (28 C.F.R. § 42, Subpart G)** - Subrecipients must comply with all provisions prohibiting discrimination on the basis of disability in both employment and the delivery of services.

7.0 **Age Discrimination Act of 1975** - Subrecipients must comply with all requirements in Subpart I of 28 C.F.R. §42 which prohibits discrimination based on age in federally assisted programs.

8.0 **Limited English Proficiency (LEP)** - In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, subrecipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. FDLE strongly advises subrecipients to have a written LEP Language Access Plan. For more information visit www.lep.gov.

9.0 **Finding of Discrimination** - In the event a federal or state court or federal or state administrative agency makes, after a due process hearing, a finding of discrimination on the grounds of race, color, religion, national

origin, sex, or disability against a subrecipient of funds, the subrecipient will forward a copy of the finding to FDLE and to the Office for Civil Rights, Office of Justice Programs.

10.0 **Filing a Complaint** - If the subrecipient or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the subrecipient, with FDLE, or with the Office for Civil Rights.

Discrimination complaints may be submitted to FDLE at Office of the Inspector General, Post Office Box 1489, Tallahassee, Florida 32302-1489, or online at info@fdle.state.fl.us. Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.

Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, Northwest, Washington, D.C. 20531, or by phone at (202) 307-0690.

11.0 **Retaliation** - In accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

12.0 **Non-discrimination Contract Requirements** - Subrecipients must include comprehensive Civil Rights nondiscrimination provisions in all contracts funded by the subrecipient.

13.0 **Pass-through Requirements** - Subrecipients are responsible for the compliance of contractors and other entities to whom they pass-through funds including compliance with all Civil Rights requirements. These additional tier subrecipients must be made aware that they may file a discrimination complaint with the subrecipient, with FDLE, or with the USDOJ Office for Civil Rights and provided the contact information.

SECTION III: FINANCIAL REQUIREMENTS AND RESPONSIBILTY

1.0 **Fiscal Control and Fund Accounting Procedures** - All expenditures and cost accounting of funds shall conform to the DOJ Grants Financial Guide, the 28 C.F.R. § 66, and 2 C.F.R. § 200 as applicable, in their entirety.

Subrecipients are required to establish and maintain adequate accounting systems and financial records and to accurately account for funds awarded to them. Financial management systems must be able to record and report on the receipt, obligation, and expenditure of grant funds; and able to accommodate a fund and account structure to separately track receipts, expenditures, assets, and liabilities for awards, programs, and additional tiered subrecipients. The awarded funds may or may not be an interest bearing account, but any earned interest must be used for program purposes and expended before the federal grant period end date. Any unexpended interest remaining at the end of the federal grant period must be submitted to the Office of Criminal Justice Grants for transmittal to DOJ.

2.0 **Match** - The value or amount of any "non-federal share," "match," or cost-sharing contribution incorporated into the approved budget is part of the "project cost" for purposes of the 2 C.F.R. § 200 Uniform Requirements, and is subject to audit. In general, the rules and restrictions that apply to award funds from federal sources also apply to funds in the approved budget that are provided as "match" or through "cost sharing."

SECTION IV: SUBAWARD MANAGEMENT AND REPORTING REQUIREMENTS

1.0 **Obligation of Subrecipient Funds** - Subaward funds shall not under any circumstances be obligated prior to the effective date, or subsequent to the termination date, of the period of performance. Only project costs incurred on or after the effective date, and on or prior to the termination date of the subrecipient's project are eligible for reimbursement. All payments must be completed within forty-five (45) days of the end of the subaward period of performance.

2.0 **Use of Funds** - Grant funds may be used only for the purposes in the subrecipient's approved application. Subrecipients shall not undertake any work or activities not described in the approved grant award, and that use staff, equipment, or other goods or services paid for with grant funds, without prior written approval from FDLE's Office of Criminal Justice Grants (OCJG).

3.0 **Advance Funding** - Advance funding may be provided to a subrecipient upon a written request to the Department. The request must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

4.0 **Performance and Reporting**

Reporting Time Frames - The Project Director, Application Manager, or Performance Contacts shall submit Monthly or Quarterly Project Performance Reports to the Department, within fifteen (15) days after the end of the reporting period. In addition, if the subaward period is extended beyond the "original" project period, additional Project Performance Reports shall be submitted.

Failure to Submit - Performance Reports that are not complete, accurate, and timely may result in sanctions, as specified in Section IV, Subaward Management and Reporting Requirements.

Report Contents - Performance Reports must include a response to all objectives included in your subaward. A detailed response is required in the narrative portion for yes/no performance objectives. Submitted performance reports must clearly articulate, where appropriate, performance during the execution of the award has met a standard against which the subrecipient's performance can be measured. The narrative must also reflect on accomplishments for the period and identify problems with project implementation and address actions being taken to resolve the problems. Additional information may be required if necessary to comply with federal reporting requirements.

Requirement for Data on Performance and Effectiveness Under the Award - The subrecipient must collect and maintain data that measures the performance and effectiveness of work under this award. The data must be provided to OCJG in the manner (including within the timeframes) specified by OCJG. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

Financial Consequences for Failure to Perform - In accordance with s. 215.971 F.S., payments for state and federal financial assistance must be directly related to the scope of work and meet the minimum level of performance for successful completion. If the subrecipient fails to meet the minimum level of service or performance identified in this agreement, or is customary for subawards, then the Department will apply financial consequences commensurate with the deficiency. Financial consequences may include but are not limited to withholding payments or reimbursement until the deficiency is resolved, tendering only partial payment/reimbursement, imposition of other financial consequences according to the Standard Conditions as applicable, and/or termination of contract and requisition of goods or services from an alternate source. Any payment made in reliance on subrecipient's evidence of performance, which evidence is subsequently determined to be erroneous, will be immediately due to the Department as an overpayment.

5.0 Grant Adjustments - Subrecipients must submit a grant adjustment through SIMON for major substantive changes such as changes in project activities or scope of the project, target populations, service providers, implementation schedules, project director, and designs or research plans set forth in the approved agreement and for any budget changes that affect a cost category that was not included in the original budget. Adjustments are also required when there will be a transfer of 10% or more of the total budget between budget categories, or there is an indirect cost rate category change.

Subrecipients may transfer up to 10% of the total budget between current, approved budget categories without prior approval as long as the funds are transferred to an existing line item.

Under no circumstances can transfers of funds increase the total budgeted award.

Requests for changes to the subaward agreement must be electronically signed by the subrecipient or implementing agency's chief official or the chief official's designee.

All requests for changes must be submitted in SIMON no later than thirty (30) days prior to grant expiration date.

6.0 Financial Expenditures and Reporting

Reporting Requirements - The subrecipient shall have a choice of submitting either a Monthly or a Quarterly Project Expenditure Report to the Department. Project Expenditure Reports are due thirty (30) days after the end of the reporting period. In addition, if the subaward period is extended, additional Project Expenditure Reports shall be submitted.

All project expenditures for reimbursement of subrecipient costs shall be submitted on the Project Expenditure Report Forms prescribed and provided by the Office of Criminal Justice Grants (OCJG) through the SIMON (Subgrant Information Management Online).

All Project Expenditure Reports shall be submitted in sufficient detail for proper pre-audit and post-audit.

All reports must relate financial data to performance accomplishments.

Before the "final" Project Expenditure Report will be processed, the subrecipient must submit to the Department all outstanding project reports and must have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.

Reports are to be submitted even when no reimbursement is being requested.

Submission - The report must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

7.0 **Project Generated Income (PGI)** - All income generated as a direct result of a sub project shall be deemed program income. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (i.e., law enforcement entity).

Required Reports - The subrecipient shall submit Quarterly PGI Earnings and Expenditures Reports to the Department within thirty (30) days after the end of the reporting period covering subaward project generated income and expenditures during the previous quarter.

PGI Expenditure - Program income should be used as earned and expended as soon as possible and used to further the objects in which the award was made.

Submission - PGI Earnings and Expenditures reports must be electronically signed by the subrecipient or implementing agency's chief financial officer or the chief financial officer's designee.

Unexpended PGI - If any PGI remains unspent after the subaward ends, the subrecipient must continue submitting quarterly PGI reports until all funds are expended.

Additionally, any unexpended PGI remaining at the end of the federal grant period must be submitted to OCJG for transmittal to the Bureau of Justice Assistance.

8.0 **Subrecipient Integrity and Performance Matters** - Requirement to report information on certain civil, criminal, and administrative proceedings to OCJG, SAM and FAPIIS.

The subrecipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, subrecipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management ("SAM"), to the designated federal integrity and performance system ("FAPIIS").

SECTION V: MONITORING AND AUDITS

1.0 **Access to Records -** The Florida Department of Law Enforcement, the Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the subrecipient, implementing agency and contractors for the purpose of audit and examination according to the Financial Guide and the 28 C.F.R. § 66. At any time, a representative of the Department, the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right to visit the project site to monitor, inspect and assess work performed under this agreement.

The Department reserves the right to unilaterally terminate this agreement if the subrecipient, implementing agency, or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of s. 119, F.S., unless specifically exempted and/or made confidential by operation of s. 119, F.S., and made or received by the subrecipient or its contractor in conjunction with this agreement.

The subrecipient will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

2.0 **Monitoring** - The recipient agrees to comply with FDLE's grant monitoring guidelines, protocols, and procedures; and to cooperate with FDLE on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide FDLE all documentation necessary to complete monitoring of the award. Further, the recipient agrees to abide by reasonable deadlines set by FDLE for providing requested documents. Failure to cooperate with grant monitoring activities may result in sanctions affecting the recipient's award, including, but not limited to: withholding and/or other restrictions on

the recipient's access to funds, referral to the Office of the Inspector General for audit review, designation of the recipient as a FDLE High Risk grantee, or termination of award(s).

3.0 Property Management - The subrecipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the DOJ Grants Financial Guide, and 28 C.F.R. § 66. This obligation continues as long as the subrecipient retains the property, notwithstanding expiration of this agreement.

Property Use - The subrecipient must use equipment acquired under a Federal award for the authorized purposes of the project during the period of performance, or until the property is no longer needed. Subrecipients must use, manage and dispose of equipment acquired under a Federal award in accordance with ss. 274, F.S. Tangible Property and 200.313, F.S., Equipment.

4.0 Subaward Closeout - A Financial Closeout Audit shall be submitted to the Department within forty-five (45) days of the end date of the performance period.

The Financial Closeout Audit report located in SIMON must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

Subaward Closeout will be initiated by the Department after the Financial Closeout has been completed and approved. Failure to submit closeout reports timely will result in an Administrative Closeout by the Department.

5.0 High Risk Subrecipients - If a subrecipient is designated "high risk" by a federal grant-making agency, currently or at any time during the course of the period of performance under this award, the subrecipient must disclose that fact and certain related information to FDLE's OCJG. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the subrecipient's past performance, or other programmatic or financial concerns with the subrecipient. The subrecipient's disclosure must include the following: 1. The federal awarding agency that currently designates the subrecipient high risk, 2. The date the subrecipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

6.0 Imposition of Additional Requirements - The subrecipient agrees to comply with any additional requirements that may be imposed by OCJG during the period of performance for this award, if the subrecipient is designated as "high risk" for purposes of the DOJ high-risk grantee list.

7.0 Retention of Records - The subrecipient shall maintain all records and documents for a minimum of five (5) years from the date of the final financial statement and be available for audit and public disclosure upon request of duly authorized persons. The subrecipient shall comply with State of Florida General Records Schedule GS1-SL for State and Local Government Agencies: https://dos.myflorida.com/media/693576/gs1-sl-2017-final.pdf .

8.0 Disputes and Appeals - The Department shall make its decision in writing when responding to any disputes, disagreements, or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The subrecipient shall proceed diligently with the performance of this agreement according to the Department's decision. If the subrecipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The subrecipient's right to appeal the Department's decision is contained in § 120, F.S., and in procedures set forth in Rule 28-106.104, Florida Administrative Code. Failure to appeal within this time frame constitutes a waiver of proceedings under Chapter 120, F.S.

9.0 Failure to Address Audit Issues - The subrecipient understands and agrees that FDLE's OCJG may withhold award funds, or may impose award conditions or other related requirements, if (as determined by OCJG) the subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the 2 C.F.R. § 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews.

10.0 Single Annual Audit - Subrecipients that expend $750,000 or more in a year in federal awards shall have a single audit or program-specific audit conducted for that year. The audit shall be performed in accordance with the OMB 2 C.F.R. § 200 Subpart F – Audit Requirements and other applicable federal law. The contract for this agreement shall be identified in the Schedule of Federal Financial Assistance in the subject audit. The contract shall be identified as federal funds passed through the Florida Department of Law Enforcement and include the contract number,

CFDA number, award amount, contract period, funds received and disbursed. When applicable, the subrecipient shall submit an annual financial audit that meets the requirements of 2 C.F.R. § 200 Subpart F, "Audit Requirements" s. 215.97, F.S., "Florida Single Audit Act" and Rules of the Auditor General, Chapter 10.550, and Chapter 10.650, "Local Governmental Entity Audits" and "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."

A complete audit report that covers any portion of the effective dates of this agreement must be performed and submitted to the Federal Audit Clearinghouse within the earlier of thirty (30) calendar days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Submissions must include required elements described in Appendix X to 2 C.F.R. § 200 on the specified Data Collection Form (Form SF-SAC).

Records shall be made available upon request for a period of five (5) years from the date the audit report is issued, unless extended in writing by the Department.

Subrecipients that expend less than $750,000 in federal awards during a fiscal year are exempt from the Single Audit Act audit requirements for that fiscal year. In this case, written notification, in the form of the "Certification of Audit Exemption" form, shall be provided to the Department by the Chief Financial Officer, or designee, that the subrecipient is exempt. This notice shall be provided to the Department no later than March 1 following the end of the fiscal year.

SECTION VI: SUBAWARD PROCUREMENT AND COST PRINCIPLES

1.0 **Procurement Procedures** - Subrecipients must have written procedures for procurement transactions. Procedures must conform to applicable Federal law and the standards in 2 C.F.R. §§ 200.318-326.

This condition applies to agreements that OCJG considers to be a procurement "contract", and not a second tier subaward.

The details of the advance approval requirement to use a noncompetitive approach in a procurement contract under this award are posed on the OJP website at https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm.

Additional information on Federal purchasing guidelines can be found in the Guide to Procurements Under DOJ Grants and Cooperative agreements at https://ojp.gov/funding/Implement/Resources/GuideToProcurementProcedures.pdf.

2.0 **Cost Analysis** - A cost analysis must be performed by the subrecipient if the cost or price is at or above the $35,000 acquisition threshold and the contract was awarded non-competitively in accordance with s. 216.3475, F.S. The subrecipient must maintain records to support the cost analysis, which includes a detailed budget, documented review of individual cost elements for allowability, reasonableness, and necessity. See also Chief Financial Officer Memorandum No. 02 (2012-2013).

3.0 **Allowable Costs** - Allowance for costs incurred under the subaward shall be determined according to the general principles and standards for selected cost items set forth in the DOJ Grants Financial Guide, 28 C.F.R. § 66, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments", and 2 C.F.R. § 200.405(e), "Cost Principles".

4.0 **Unallowable Costs** - Payments made for costs determined to be unallowable by either the Federal awarding agency, or the Department, either as direct or indirect costs, must be refunded (including interest) to FDLE and the Federal Government in accordance with instructions that determined the costs are unallowable unless state or Federal statute or regulation directs otherwise. See also 2 C.F.R. §§ 200.300-309.

5.0 **Indirect Cost Rate** - A subrecipient that is eligible to use the "de minimis" indirect cost rate described in 2 C.F.R. § 200.414(f), and elects to do so, must advise OCJG in writing of both its eligibility and its election, and must comply with all associated requirements in the 2 C.F.R. § 200 and Appendix VII.

6.0 **Sole Source** - If the project requires a non-competitive purchase from a sole source, the subrecipient must complete the Sole Source Justification for Services and Equipment Form and submit to OCJG upon application for pre-approval. If the subrecipient is a state agency and the cost meets or exceeds $150,000, the subrecipient must also receive approval from the Department of Management Services (DMS) (s. 287.057(5), F.S.). The Sole Source form must be signed by the subrecipient or implementing agency chief official or chief official designee. Additional details on the sole source requirement can be found at 2 C.F.R. § 200 and the DOJ Grants Financial Guide.

7.0 **Personal Services** - Subrecipients may use

grant funds for eligible personal services including salaries, wages, and fringe benefits, including overtime in accordance with the DOJ Grants Financial Guide Section 3.9 - Compensation for Personal Services, consistent with the principles set out in 2 C.F.R. § 200, Subpart E and those permitted in the federal program's authorizing legislation. Subrecipient employees should be compensated with overtime payments for work performed in excess of the established work week and in accordance with the subrecipient's written compensation and pay plan.

Documentation - Charges for salaries, wages, and fringe benefits must be supported by a system of internal controls providing reasonable assurance that charges are accurate, allowable, and properly allocated. Documentation supporting charges must be incorporated into the official records of the organization.

Charges made to the Personnel Budget Category must reasonably reflect the total time and activity for which the employee is compensated by the organization and cover both federally funded and all other activities. The records may include the use of subsidiary records as defined in the organization's written policies. Where grant subrecipients work on multiple grant programs or cost activities, documentation must support a reasonable allocation or distribution of costs among specific activities or cost objectives.

8.0 Contractual Services - The subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts as described in 2 C.F.R. § 200.318, General procurement.

Requirements for Contractors of Subrecipients - The subrecipient assures the compliance of all contractors with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended 42 U.S.C. § 3711 et seq.; the provisions of the current edition of the DOJ Grants FinancialGuide(https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf); and all other applicable federal and state laws, orders, circulars, or regulations. The subrecipient must pass-through all requirements and conditions applicable to the federal grant award/subaward to any subcontract. The term "contractor" is used rather than the term "vendor" and means an entity that receives a contract as defined in 2 C.F.R. § 200.22, the nature of the contractual relationship determines the type of agreement.

Approval of Consultant Contracts Compensation for individual consultant services must be reasonable and consistent with that paid for similar services in the marketplace. The Federal awarding agency and pass-through entity must review and approve in writing all consultant contracts prior to employment of a consultant when the individual compensation rate exceeds $650 (excluding travel and subsistence costs) per eight-hour day, or $81.25 per hour. A detailed justification must be submitted to and approved by FDLE, who will coordinate written approval of the Federal awarding agency, prior to subrecipient obligation or expenditures of such funds. Approval shall be based upon the contract's compliance with requirements found in the Financial Guide Section 3.6 Consultant Rates, 28 C.F.R. § 66, and applicable state statutes. The Department's approval of the subrecipient agreement does not constitute approval of individual consultant contracts or rates. If consultants are hired through a competitive bidding process (not sole source), the $650 threshold does not apply.

FFATA Reporting Requirements - Subrecipients that enter into subawards of $25,000 or more should review the Federal Funding Accountability and Transparency Act of 2006 (FFATA), website for additional reporting requirements at https://ojp.gov/funding/Explore/FFATA.htm

9.0 Travel and Training - The cost of all travel shall be reimbursed according to the subrecipient's written travel policy. If the subrecipient does not have a written travel policy, cost of all travel will be reimbursed according to State of Florida Travel Guidelines § 112.061, F.S. Any foreign travel must obtain prior written approval from the Federal awarding agency and pass-through entity.

10.0 Expenses Related to Conferences, Meetings, Trainings, and Other Events - Subgrant funds requested for meetings, retreats, seminars, symposia, events, and group training activities and related expenses must receive written pre-approval from the Federal awarding agency and pass-through entity and comply with all provisions in 2 C.F.R. § 200.432 and DOJ Grants Financial Guide Section 3.10; Conference Approval, Planning, and Reporting. Subgrant applications requesting approval for meeting, training, conference, or other event costs must include a completed Conference & Events Submission Form for approval prior to obligating subgrant funds for these purposes.

11.0 Training and Training Materials – Any training or training materials that has been developed or delivered with grant funding under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at

www.ojp.gov/funding/ojptrainingguidingprinciples.htm.

12.0 Publications, Media and Patents Ownership of Data and Creative Material - Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the DOJ Grants Financial Guide, 28 C.F.R. §§ 66, and 200.315.

Publication or Printing of Materials - Publication costs for electronic and print media, including distribution, promotion, and general handling are allowable. If these costs are not identifiable with a particular direct cost objective, it should be allocated as indirect costs. Publication includes writing, editing, and preparing the illustrated material (including videos and electronic mediums).

Subrecipients must request pre-approval in writing for page charges for professional journal publications. All publication materials must comply with provisions in 2 C.F.R. § 200.461 and DOJ Grants Financial Guide, Section 3.9; Allowable Costs – Publication.

Subrecipients must submit for review and approval one (1) copy of any written materials to be published, including web-based materials and website content, to be paid under this award at least thirty (30) days prior to the targeted dissemination date.

All electronic and print materials paid under this award must contain the following statements identifying the federal award:

> *"This project was supported by Award No. 2018-MU-BX-0292 awarded by the Bureau of Justice Assistance, Office of Justice programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the authors and do not necessarily reflect the views of the Department of Justice or grant-making component."*

Any website funded in whole or in part under this award must include the same statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a web-based service, including any pages that provide results or outputs from the service.

Patents - Subrecipients are subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce (27 C.F.R. § 401 and 2 C.F.R. § 200.315(c)).

Subrecipients must promptly and fully report to FDLE and the Federal awarding agency if any program produces patentable items, patent rights, processes, or inventions, in the course of work sponsored under this award.

13.0 Information Technology Projects

Criminal Intelligence Systems - The subrecipient agrees that any information technology system funded or supported by the Office of Justice Programs funds will comply with 28 C.F.R. § 23, Criminal Intelligence Systems Operating Policies, if the Office of Justice Programs determines this regulation to be applicable. Should the Office of Justice Programs determine 28 C.F.R. § 23 to be applicable, the Office of Justice Programs may, at its discretion, perform audits of the system, as per 28 C.F.R. § 23.20(g). Should any violation of 28 C.F.R. § 23 occur, the subrecipient may be fined as per 42 U.S.C. § 3789g(c)-(d). The subrecipient may not satisfy such a fine with federal funds.

The subrecipient understands and agrees that no awarded funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. In doing so the subrecipient agrees that these restrictions will not limit the use of awarded funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecutions, or adjudication activities.

State IT Point of Contact - The subrecipient must ensure that the State IT Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditures period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the subrecipient must maintain an administrative file documenting the meeting of this requirement. For a list of State IT Points of Contact, go to https://it.ojp.gov/technology-contacts.

The State IT Point of Contact will ensure the subrecipient's project follows a statewide comprehensive strategy for information sharing systems that improve the functioning of the criminal justice system, with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole.

Interstate Connectivity - To avoid duplicating existing networks or IT systems in any initiatives funded by the Bureau of Justice Assistance for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the subrecipient can demonstrate to the satisfaction of the Bureau of Justice Assistance that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

ADP Justification - The subrecipient must complete an Automated Data Processing (ADP) equipment and Software and Criminal Justice Information and Communication Systems Request for Approval form if the purchase of any ADP equipment is to be made. This form must be submitted upon application if applicable and pre-approval must be obtained. ADP Justification must be signed by the subrecipient or implementing agency chief official or an individual with formal, written signature authority for the chief official.

14.0 Interoperable Communications Guidance - Subrecipients using funds to support emergency communications activities must comply with the current SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at https://www.dhs.gov/publication/funding-documents.

Subrecipients interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The subrecipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC). If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the subrecipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Subrecipients must provide a listing of all communications equipment purchased with grant award funding (plus the quantity purchased of each item) to FDLE once items are procured during any periodic programmatic progress reports.

15.0 Global Standards Package - In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at https://it.ojp.gov/gsp. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

SECTION VII: COMPLIANCE WITH 8 U.S.C. §§ 1373 and 1644

1.0 In regards to the program or activity funded in whole or in part under this subaward and throughout the period of performance for this award, no state or local government entity, agency or official may prohibit or in any way restrict:

Any government entity or official from sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. 1373(a); or a government entity or agency from sending, requesting or receiving, maintaining, or exchanging information regarding immigration status as described in either 8 U.S.C. 1373(b) or 1644. For the purposes of this subaward, any prohibition (or restriction) that violates this condition is an "information-communication restriction."

2.0 A subaward to a state or local government or a public institution of higher education, cannot be made unless a properly executed certification of compliance with 8 U.S.C. 1373 and 1644, signed by the chief legal officer of the subrecipient entity has been received by OCJG. Similarly, subrecipients cannot make a further subaward to a state or local government or a public institution of higher education, unless it first obtains a properly executed certification of compliance with 8 U.S.C. 1373 and 1644 signed by the chief legal officer of the third tier subrecipient.

3.0 Funding under this award cannot be subawarded to any subrecipient at any tier that is either a state or unit of local government or a public institution of higher education that is subject to any "information-communication restriction."

4.0 Subrecipients must notify FDLE (in writing) if it has credible evidence that indicates that a funded program or activity of a subrecipient at any tier that is either a state or local government or a public institution of higher education, may be subject to any "information-communication restriction."

5.0 For **STATE AGENCIES**: With respect to the program or activity that is funded by this subaward, as of the date the subrecipient accepts this subaward, and throughout the remainder of the period of performance for the award-

i. A state statute or a state rule, regulation, policy or practice must be in place that is designed to ensure that agents of the United States acting under color of federal law are given access to any state (or state contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

ii. A state statute, or a state rule, regulation, policy or practice must be in place that is designed to ensure that, when a state (or state contracted) correctional facility receives a formal written request authorized by the Immigration and Nationality Act from DHS that seeks advance notice of the scheduled release date and time for a particular alien, they will honor the request and as early as practicable, provide the request notice to DHS.

6.0 For units of **LOCAL GOVERNMENT**: With respect to the program or activity that is funded by this subaward, as of the date the subrecipient accepts this subaward, and throughout the remainder of the period of performance for the award-

i. A local ordinance, rule, regulation, policy or practice (or an applicable state statute, rule, regulation policy or practice) must be in place that is designed to ensure that agents of the United States acting under color of federal law are given access to any state (or state contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

ii. A local ordinance, rule, regulation, policy or practice (or an applicable state statute, rule, regulation policy or practice) must be in place that is designed to ensure that, when a local government (or local government contracted) correctional facility receives a formal written request authorized by the Immigration and Nationality Act from DHS that seeks advance notice of the scheduled release date and time for a particular alien, they will honor the request and as early as practicable, provide the request notice to DHS.

7.0 Monitoring of compliance with the requirements of this condition will be conducted by FDLE.

8.0 Nothing in this condition shall be understood to authorize any subrecipient at any tier to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to FDLE prior to award acceptance.

SECTION VIII: ADDITIONAL REQUIREMENTS

1.0 Environmental Protection Agency's (EPA) list of Violating Facilities - The subrecipient assures that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the Program Purpose are not listed on the EPA's list of Violating Facilities and that it will notify the Department of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

2.0 National Environmental Policy Act (NEPA)

The subrecipient agrees to assist FDLE in complying with the NEPA, the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of subaward funds by the subrecipient. This applies to the following new activities whether or not they are being specifically funded with these subaward funds. That is, it applies as long as the activity is being conducted by the subrecipient or any third party and the activity needs to be undertaken in order to use these subaward funds. Accordingly, the subrecipient

agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes.

If it is determined that any of the following activities will be funded by the grant, the recipient agrees to contact FDLE OCJG.

1) New construction;

2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain; a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;

3) A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;

4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments; and

5) Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The subrecipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by the Bureau of Justice Assistance. The subrecipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed by the Department of Justice at https://www.bja.gov/Funding/nepa.html, for programs relating to methamphetamine laboratory operations.

3.0 National Historic Preservation Act – The Act will assist the Department (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

4.0 Human Research Subjects - Subrecipient agrees to comply with the requirements of 28 C.F.R. part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

5.0 Disclosures

Conflict of Interest - The subrecipient and implementing agency will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. Subrecipients must disclose in writing any potential conflict of interest to FDLE (the non-federal pass-through entity).

Violations of Criminal Law - The subrecipient and implementing agency must disclose all violations of state or federal criminal law involving fraud, bribery or gratuity violations potentially affecting the sub award.

6.0 Uniform Relocation Assistance and Real Property Acquisitions Act - The subgrant recipient will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs.

7.0 Limitations on Government Employees Financed by Federal Assistance - The subrecipient will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

8.0 Funds to Association of Community Organizations for Reform Now (ACORN) Unallowable - Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

9.0 Text Messaging While Driving - Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), and §316.305, F.S., the subrecipient is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle

during the course of performing work funded by this subaward and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10.0 DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database - If PREA program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ FY 2012 DNA Backlog Reduction Program, available at https://www.ncjrs.gov/pdffiles1/nij/sl001062.pdf.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS (the National DNA Database operated by the FBI).

11.0 Environmental Requirements and Energy - For subawards in excess of $100,000, the subrecipient must comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). The subrecipient must comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871), if any.

12.0 Other Federal Funds - The subrecipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those awards have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, the subrecipient will promptly notify, in writing the grant manager for this award, and, if so requested by OCJG seek a budget modification or change of project scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

13.0 Trafficking in Persons - The subrecipient must comply with applicable requirements pertaining to prohibited conduct relating to the trafficking of persons, whether on the part of recipients, subrecipients or individuals defined as "employees" of the subrecipient. The details of the recipient and subrecipient obligations related to prohibited conduct related to trafficking in persons are incorporated by reference and posted at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm

CITY OF ST. AUGUSTINE, FLORIDA

M E M O R A N D U M

TO: John P. Regan
City Manager

DATE: April 16, 2020

RE: St. Augustine Police Department
Subgrant Number: 2020-JAGD-STJO-1-Y6-061

We are in receipt of the referenced grant awarded by the Department of Justice, Office of Criminal Justice Grants in the amount of $4,756.00.

These grant funds will be utilized by the St. Augustine Police Department to purchase conductive energy devices (Tasers). This is an up-grade for a more reliable less lethal option for departmental officers.

If you concur, please place this matter on the next available consent agenda for the consideration and approval of the City Commission.

Thank you for your consideration in this matter.

Barry E. Fox
Chief of Police

dt
attachment
cc: D. Galambos, City Clerk w/original attachment

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

ACCEPTANCE OF FEDERAL FUNDING ASSISTANCE

Subrecipient: City of St. Augustine

Subgrant Number: 2020-JAGD-STJO-1-Y6-061

Project Title: ST AUGUSTINE POLICE DEPT. SPECIAL PROJECTS PART 4

Pass-through Entity: Florida Department of Law Enforcement

This award is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.F.R. Part 200). This award is also subject to the incorporated standard and special conditions, and such further rules, regulations, and policies as may be reasonably prescribed by the State or Federal Government.

In witness whereof, the parties affirm they each have read and understand the conditions set forth in this agreement, have read and understand the agreement in its entirety, and accept this agreement through the signature of their duly authorized officers on the date, month, and year set out below.

City of St. Augustine
Authorizing Official (Commission Chairperson, Mayor, or Designated Representative)

Signature Date

Printed Name and Title

St. Augustine Police Department
Authorizing Official (Official, Administrator, or Designated Representative)

Barry E. Fox 04/13/2020

Signature Date

BARRY E. FOX CHIEF OF POLICE

Printed Name and Title

Florida Department of Law Enforcement
Office of Criminal Justice Grants

Signature Date

Printed Name and Title

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

SPECIAL CONDITIONS

Subrecipient: City of St. Augustine

Subgrant Number: 2020-JAGD-STJO-1-Y6-061

Project Title: ST AUGUSTINE POLICE DEPT. SPECIAL PROJECTS PART 4

Pass-through Entity: Florida Department of Law Enforcement

In addition to the attached standard conditions, the above-referenced grant project is subject to the special conditions set forth below.

Ref# S42033: The City of Saint Augustine's procurement policy does not appear to comply with all federal procurement requirements outlined in the Office of Management and Budget (OMB) Uniform Requirements, 2 C.F.R. 200.317-326. All subaward procurements must comply with the standards identified in OMB's Uniform Requirements, and documentation must be maintained and provided to the Office of Criminal Justice Grants at monitoring.

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - Direct

Subgrant Recipient

Organization Name: City of St. Augustine
County: St Johns

Chief Official

Name: Tracy Upchurch
Title: Mayor
Address: Post Office Box 210
City: St. Augustine
State: FL **Zip:** 32085-0210
Phone: 904-825-0106 **Ext:**
Fax:
Email: TUpchurch@citystaug.com

Chief Financial Officer

Name: Mark Litzinger
Title: Comptroller
Address: Post Office Box 210
City: St. Augustine
State: FL **Zip:** 32085-0210
Phone: 904-825-1030 **Ext:** 201
Fax: 904-825-1051
Email: mlitzinger@citystaug.com

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - Direct

Implementing Agency

Organization Name: St. Augustine Police Department
County: St Johns

Chief Official

Name: Barry Fox
Title: Chief
Address: Post Office Box 1950
City: St. Augustine
State: FL **Zip:** 32085-1950
Phone: 904-825-1073 **Ext:**
Fax: 904-823-4323
Email: bfox@staugpd.com

Project Director

Name: Stephen Fricke
Title: Operations Commander
Address: Post Office Box 1950
City: St. Augustine
State: FL **Zip:** 32084-1950
Phone: 904-825-1082 **Ext:**
Fax: 904-823-4323
Email: sfricke@staugpd.com

Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

Section Questions:

Question: Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with the Department of Homeland Security (DHS) or Immigration and Customs Enforcement (ICE)?

Answer: No

Question: Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?

Answer: Yes

Question: If yes to either #1 or #2, describe each practice AND provide a copy of each law or policy to criminaljustice@fdle.state.fl.us.

Answer: Florida Statute 908

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - Direct

General Project Information

Project Title: ST AUGUSTINE POLICE DEPT. SPECIAL PROJECTS PART 4
Subgrant Recipient: City of St. Augustine
Implementing Agency: St. Augustine Police Department
Project Start Date: 1/1/2020 **End Date:** 12/31/2020

Problem Identification

St. Augustine, located in Northeast Florida, is the largest municipality in St. Johns County. The County has a population of over 290,000 and its 608 square miles is bounded by the Atlantic Ocean on the east, the St. Johns River on the west, and bisected by the San Sebastian River.The I-95 corridor, U. S. 1 and A-1-A all traverse north-south through the St. John's County, which is immediately south of Duval County. St. Augustine, is known not only for its location close to beaches and tourist-related businesses and amenities, but also for it's vibrant Historic District and many attractions, all rich in Florida history.

Current statistics show that the county is among the ten fastest growing areas in the State of Florida as well as in the nation. With this type of rapid growth, the need for a new approach to dealing with criminal offenders is even more imperative than ever. With a decade of the stabilization of crime rates, the City of St. Augustine has become a highly desirable place to live and work. Each year the City plays host to over 6.5 million tourists and visitors. In order to insure the safety of its citizens and tourists it is necessary for the Police Department to continue to improve the delivery of police services.

The Department has been committed to a law enforcement approach which places a priority on the peaceful non violent outcome to all encounters. It has been the practice of the Department to provided its' officers with a wide variety of less than lethal options to diffuse violent counters.Recently the Department has determined that there were serious issues with the Department's CED weapons. Conducted Energy Devices commonly referred to as "stun guns"have been used in law enforcement nationwide to protect both offenders and officers from serious injuries during arrests. The Department has determined that there have been unacceptable level
of misfires and failures with currently issued weapons.
Over 25% of the Patrol Division in the previous years have turned in their CEDs because of a lack of confidence in the devices. In addition, the current manufacturer is not able to repair damaged devices or replace cartridges due to a patent lawsuit. Because of limited General Revenue funding as the City continues to recover from back to back hurricanes grant funding is the only option to accomplish this goal.

The St. Augustine Police Department will not be able to have the necessary tools to de-escalate violent encounters with the suspects without this funds from the grant. Without these funds the officers will be more at risk of injury in violent encounters. Also at risk will be the violent suspects and innocent citizens.

With the funds available in the grant the Department believes that utilizing them to buy this new equipment is the best use of the funds.

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - Direct

Project Summary (Scope of Work)

If the Department is to provide the appropriate array of options for officers to be able to de-escalate violent encounters the Agency will need to insure that the CED option is both reliable and credible. Therefore the agency seeks to use the grant funding to upgrade this option with purchase of new CEDs that have the confidence of the officers that will use them.

This Project will allow the officers to reduce the level of force needed to effect arrests with violent person thereby reducing the risks of injury and will be a benefit to the officers, the suspects and the general public.

The activities of the officers will be city-wide, the purchase of the equipment will occur at the Police Department. The Police Department will be the entity responsible for completing the project.

Goals, Activities and Deliverables:
Documentation to support costs and activities will consist of quotes, requisitions, purchase orders,vendor invoices, cancelled checks, and general ledgers. All documentation to support use of expenditures of grant funds, including review of the equipment will be available during the grant monitoring.

This grant is for equipment purchases. Payment will be paid after the equipment is delivered andis inspected to assure that it is operational and then the vendor will be paid by check after the invoice is received.

The timeline for the ordering of this equipment is the second quarter of 2020 with Delivery anticipated to be no more than 3rd quarter of 2020.

Documentation of deliverables must be maintained by the subrecipient and/or implementing agency and made available for monitoring. Example documentation for the purchase of items and services include, but are not limited to procurement records (including quotes, competitive solicitation/bids, etc.), purchase orders, packing slips, delivery/receivable documents, invoices and proof of payment, etc.

Deliverables will be completed in accordance with the contractual agreement(s) between the subrecipient(s) and their vendor/provider. Minimum performance required for drawdown of funds includes the completion of at least one activity described above as attested to on the financial expenditure report.

All activities discussed in the scope of work or project deliverables are for the property or buildings at this location.

Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

Section Questions:

Question: What percentage of the total cost of this project is being funded by sources other than this award?

Answer: 0

Question: What is the name of the jurisdiction your agency serves? (i.e., your city or your county)

Answer: City of St Augustine

Question: What is the combined population of the jurisdiction(s) your agency serves, according to the 2010 census?

Answer: 12975

Question: What is the physical address of the location being used to provide services for this project? If services are being provided at more than one location, list all of them.

Answer: 151 King St.
St. Augustine Fla 32085

Question: Describe your agency (e.g., municipal government, school board, sheriff's office).

Answer: Municipal Government

Question: Have you verified that the subgrantee has an active and current registration in SAM.gov? (If no, funds will not be available for drawdown.)

Answer: No

Question: What is the Operating Capital Outlay threshold used by the subgrantee? (Verify this with your finance director.) If the implementing agency is a sheriff's office, indicate the sheriff's office's threshold instead.

Answer: $5000.00

Question: Does the subgrantee receive a single grant in the amount of $750,000 or more from the U.S. Department of Justice?

Answer: No

Question: Does the implementing agency receive a single grant in the amount of $750,000 or more from the U.S. Department of Justice?

Answer: No

Question: In your organization's preceding completed fiscal year, did your organization (the subgrantee) receive at least (a) 80 percent or (b) $25,000,000 of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

Answer: No

Question: If you answered yes above, does the public have access to information about the compensation of the executives in your organization (the subgrantee) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? If answer to Part 1, above, was "no," answer N/A.

Answer: N/A

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - Direct

General Performance Info:

Performance Reporting Frequency: Quarterly

Prime Purpose Area: 01 - Law Enforcement (Includes Task Forces)

State Purpose Area: 1G - General Questions (Required)

Objectives and Measures

Objective: General Questions - Required questions for all recipients.

Measure: General 01

Will your organization be using the crimesolutions.gov website during the grant period regardless of JAG funding? Crimesolutions.gov provides information on several crime reduction and prevention programs and practices.

Goal: No

Measure: General 02

Will your organization be using the National Training and Technical Assistance Center (NTTAC) during the grant period, regardless of JAG funding? The NTTAC serves as BJA's training and technical assistance center. You can find resources, tools, webinars, and TTA support on a variety of criminal justice issues and initiatives.

Goal: No

Measure: General 03

Will your organization be using the NCJP.org website during the grant period, regardless of JAG funding? NCJP.org contains resources to support strategic planning, program development, and implementation of evidence-based policy and practice.

Goal: No

Measure: General 04

Will your organization be using the Evidence-Based Policing Matrix during the grant period regardless of JAG funding? The Evidence-Based Policing Matrix provides information on evidence-based practices for law enforcement.

Goal: No

Measure: General 05

Will your organization be using the What Works in Reentry Clearinghouse during the grant period regardless of JAG funding? The clearinghouse provides research on the effectiveness of reentry programs and practices.

Goal: No

Measure: General 06

Will your organization be using Research to Practice during the grant period regardless of JAG funding? Research to Practice promotes the dissemination of research on drug courts to practitioners and policymakers.

Goal: No

Measure: General 07

Will your organization be using any other resources during the grant period regardless of JAG funding? If yes, please describe them.

Goal: No

Measure: General 08

During the grant period, will your agency conduct or sponsor (with or without JAG funds) a survey or focus group of citizens on any of the following topics? Enter all that apply from the following list: Public satisfaction with police services; public satisfaction with prosecution services; public satisfaction with public defender/indigent defense services; public satisfaction with courts; public perceptions of crime/disorder problems; personal crime experiences of citizens; none of the above; unsure/don't know.

Goal: None of the above

Measure: General 09

During the grant period, which of the following community activities will your organization be involved in, with or without JAG funds and how often will they each occur (yearly, monthly, etc.)? Choose from the following list: Hosting community meetings; attending community meetings; distributing a newsletter, e-mail, or other bulletin; attending community events; conducting social media activities; conducting outreach to minority populations; other (please describe)

Goal: Attending community meetings (monthly) and conducting social media (Daily)

Measure: General 10

Law Enforcement Agencies ONLY: In which of the following ways has your agency fostered community involvement in the last year? Enter all that apply from the following list: Citizen Review Board or other review board with citizen representation, Citizen's Police Academy, Internships for university or high school students, Volunteer Program, Auxiliary police officer program, Police Cadet Program, k-12 school programs, Youth Athletic Programs, Other (please Describe), None of the above, Unsure/Don't know.

Goal: None of the above

Measure: General 11

Identify the goal(s) you hope to achieve with your funding. If you have

multiple goals, describe each goal separately.

Goal: Purchase of equipment

Measure: General 12

Are the subrecipient and implementing agency aware that they will be required to report on the status of the identified goals during each reporting period?

Goal: Yes we are aware

Measure: General 13

Describe any barriers you may encounter which may prevent you from achieving your identified goal(s).

Goal: None are present at this time

Measure: General 14

Are you aware that the Office of Criminal Justice Grants encourages recipients to report on any noteworthy accomplishments, success stories, or program results that they would like to showcase?

Goal: We are aware and will share any success stories with the Office of Criminal Justice Grants.

Measure: General 11b

What major activities are planned for each of your goals listed in question 11?

Goal: Purchase of equipment

State Purpose Area: 3E - Equipment, Supplies, and Technology Enhancements

Objectives and Measures

Objective: Equipment - Questions for recipients funding Equipment, Supplies, and Technology Enhancements.

Measure: Equipment 01

Do the Subrecipient and Implementing agencies understand that they will be required to submit an itemized account of all items purchased during each reporting period as part of their performance reporting?

Goal: Yes the Subrecipient is aware

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - Direct

General Financial Info:

Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.

Financial Reporting Frequency for this Subgrant: Quarterly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 596000420

Budget:

Budget Category	Prime	Match	Total
Salaries and Benefits	$0.00	$0.00	$0.00
Contractual Services	$0.00	$0.00	$0.00
Expenses	$4,756.00	$0.00	$4,756.00
Operating Capital Outlay	$0.00	$0.00	$0.00
Indirect Costs	$0.00	$0.00	$0.00
-- Totals --	**$4,756.00**	**$0.00**	**$4,756.00**
Percentage	**100.0**	**0.0**	**100.0**

Project Generated Income:

Will the project earn project generated income (PGI)? No

Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - Direct

Budget Narrative:

Expenses:
(5) Conducted Energy Devices CEDs @ 820 each = $4100.00
(5) Holsters for CEDs @ $75.00 each =375.00
(5) Tactical Battery Packs for CEDS @ $60.00each = $ 300.00

Total: $4775.00
Total Federal Award: $4756

There are no warranties or service agreements that will be requested for reimbursement

All purchases will be made following the City's Purchasing policies which utilizes bids, quotes,State Contract, GSA Pricing and Sole Source Justifications.

It is anticipated that these items will be acquired via competitive bid. Shipping is included in the purchase. There is a one year warranty on this product which is included in the purchase price.

Any costs for shipping, handling or maintenance are included or will be paid for by the City. All costs in excess of this award will be paid by the City of St. Augustine from the General Revenue Fund

Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

Section Questions:

Question: If the budget contains salaries and benefits, will this project result in a net personnel increase, or continue to fund a prior federally grant funded net personnel increase? (Documentation will be required.)

Answer: N/A

Question: If fringe benefits are included, are they detailed in the budget narrative?

Answer: N/A

Question: If indirect cost is included, explain the indirect cost plan. Provide documentation of approval.

Answer: N/A

Question: If contractual services in the budget are based on unit costs, provide a definition and breakdown of cost for each service. Include the methodology for the unit cost plan and when it was approved.

Answer: N/A

Question: If Expenses or Operating Capital Outlay are included in your budget, what will be the method of procurement for those items? (e.g., competitive bid, sole source, state term contract)

Answer: Competitive bid

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

SUBAWARD STANDARD CONDITIONS

The State of Florida, Department of Law Enforcement (FDLE) is a recipient of federal JAG funds. FDLE, as the non-federal pass-through entity and State Administering Agency (SAA) for this program, subawards JAG funds to eligible units of government. All subawards made by FDLE to units of government under this program require compliance with the agreement and Standard Conditions upon signed acceptance of the subaward.

Upon approval of the application, or subaward, the following terms and conditions will become binding. As a unit of government, the subrecipient will maintain required state and federal registrations and certifications for eligibility under this program. For JAG-Countywide subawards, the designated County Coordinator for local units of government will submit documentation in accordance with Florida Administrative Code 11D-9 supporting the strategic planning for allocation of these funds. The subrecipient agrees to submit required programmatic and financial reports supporting eligible activities were completed in accordance with the grant and program requirements.

The Department will only reimburse subrecipients for authorized activities. The Department will not reimburse for costs incurred for any purpose other than those specified in the agreement. Failure to comply with provisions of this agreement, or failure to perform grant activities as specified in the agreement, will result in required corrective action up to and including financial consequences. A financial consequence may be imposed for non-compliance in accordance with 2 C.F.R. § 200 and these Standard Conditions, including but not limited to project costs being disallowed, withholding of federal funds and/or termination of the project.

GENERAL REQUIREMENTS

All subrecipients must comply with the financial and administrative requirements set forth in the following:

Current edition of the U.S. Department of Justice (DOJ) Grants Financial Guide
https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf

Office of Management and Budget (OMB) Uniform Grant Guidance (2 CFR Part 200)
- **Subpart A, Definitions**
- **Subparts B-D, Administrative Requirements**
- **Subpart E, Cost Principles**
- **Subpart F, Audit Requirements and all applicable Appendices**

Code of Federal Regulations: www.gpo.gov/fdsys/
- **2 C.F.R. §175.15(b), Award Term for Trafficking in Persons**
- **28 C.F.R. §38, Equal Treatment for Faith-Based Organizations**
- **28 C.F.R. § 66, U.S. Department of Justice Common Rule for State and Local Governments**
- **28 C.F.R. § 83, Government-Wide Requirements for Drug-Free Workplace**
- **28 C.F.R. §§ 18, 22, 23, 30, 35, 42, 61, and 63**

State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:
http://dos.myflorida.com/media/693574/general-records-schedulegs01-sl.pdf and
http://dos.myflorida.com/media/698314/gs2-sl-2017-final.pdf

State of Florida Statutes
- **Section 215.971, F.S., Agreements funded with federal or state assistance**
- **Section 215.985, F.S., Transparency in government spending**

DEFINITIONS

Disallowed costs means those charges to a Federal award that the Federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the Federal award.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or $5,000. See also §§200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies.

Grant agreement means a legal instrument of financial assistance between a Federal awarding agency or pass-through entity and a non-Federal entity that, consistent with 31 U.S.C. 6302, 6304, is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency or pass-through entity to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. 6101(3)); and not to acquire property or services for the Federal awarding agency or pass-through entity's direct benefit or use; and is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

Improper payment means any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements and; Improper payment includes any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment that does not account for credit for applicable discounts, and any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. The non-Federal entity uses such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions). It is $3,500 except as otherwise discussed in Subpart 2.1 of that regulation, but this threshold is periodically adjusted for inflation.

Modified Total Direct Cost (MTDC) means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first $25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of $25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

Non-Federal entity is a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient.

Non-federal pass-through entity is a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program; the Florida Department of Law Enforcement (FDLE) is the non-federal pass-through entity for this agreement, also referred to as the State Administering Agency (SAA).

Period of performance means the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award. The Federal awarding agency or pass-through entity must include start and end dates of the period of performance in the Federal award (see §§200.210 Information contained in a Federal award paragraph (a)(5) and 200.331 Requirements for pass-through entities, paragraph (a)(1)(iv)).

Protected Personally Identifiable Information (PII) means an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to social security numbers; passport numbers; credit card numbers; clearances; bank numbers; biometrics; date and place of birth; mother's maiden name; criminal, medical, and financial records; and educational transcripts. This does not include PII that is required by law to be disclosed. (See also § 200.79 Personally Identifiable Information (PII)).

Questioned cost means a cost that is questioned by the auditor because of an audit finding 1) that resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of a Federal award, including for funds used to match Federal funds; 2) where the costs, at the time of the audit, are not supported by adequate documentation; or 3) where the costs incurred appear unreasonable and do

not reflect the actions a prudent person would take in the circumstances.

Simplified acquisition threshold means the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. Non-Federal entities adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 C.F.R. Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. § 1908. As of the publication of this part, the simplified acquisition threshold is $150,000, but this threshold is periodically adjusted for inflation. (Also see definition of Micro-purchase, 2 C.F.R.§ 200.67)

Subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or $5,000, regardless of the length of its useful life. See also §§200.20 Computing devices and 200.33 Equipment.

SECTION I: TERMS AND CONDITIONS

1.0 Payment Contingent on Appropriation and Available Funds - The State of Florida's obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature. Furthermore, the obligation of the State of Florida to reimburse subrecipients for incurred costs is subject to available federal funds.

2.0 Commencement of Project - If a project is not operational within 60 days of the original start date of the award period, the subrecipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and the expected start date.

If a project is not operational within 90 days of the original start date of the award period, the subrecipient must submit a second statement to the Department explaining the implementation delay.

Upon receipt of the ninety (90) day letter, the Department shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and re-obligate subaward funds to other Department approved projects. The Department, where warranted by extenuating circumstances, may extend the starting date of the project past the ninety (90) day period, but only by formal written adjustment to this agreement.

3.0 Supplanting - The subrecipient agrees that funds received under this award will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.

4.0 Personnel Changes - The subrecipient agrees to promptly notify the Department through the SIMON Help Desk of any change in chief officials or key project staff, including changes to contact information or title changes. The subrecipient acknowledges that some changes in points of contact will require formal grant adjustment to reflect the change in the agreement.

5.0 Non-Procurement, Debarment and Suspension - The subrecipient agrees to comply with Executive Order 12549, Debarment and Suspension and 2 C.F.R. § 180, "OMB Guidelines To Agencies On Government wide Debarment And Suspension (Non-procurement)". These procedures require the subrecipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the Department. If the subaward is $100,000 or more, the sub recipient and implementing agency certify that they and their principals:

1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

2) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal

offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

4) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

6.0 Federal Restrictions on Lobbying - In general, as a matter of federal law, federal funds may not be used by any subrecipient at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. § 1913.

Another federal law generally prohibits federal funds from being used by any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. § 1352.

7.0 State Restrictions on Lobbying - In addition to the provisions contained above, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this agreement.

8.0 Additional Restrictions on Lobbying - The subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Office of Justice Programs.

9.0 "Pay–to–Stay" - Funds from this award may not be used to operate a "pay-to-stay" program in any local jail. Furthermore, no funds may be given to local jails that operate "pay-to-stay" programs. "Local jail", as referenced in this condition, means an adult facility or detention center owned and/or operated by city, county, or municipality. It does not include juvenile detention centers. "Pay-to-stay" programs as referenced in this condition, means a program by which extraordinary services, amenities and/or accommodations, not otherwise available to the general inmate population, may be provided, based upon an offender's apparent ability to pay, such that disparate conditions of confinement are created for the same or similar offenders within a jurisdiction.

10.0 The Coastal Barrier Resources Act - The subrecipient will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. No. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new federal funds within the units of the Coastal Barrier Resources System.

11.0 Background Check - Whenever a background screening for employment or a background security check is required by law for employment, unless otherwise provided by law, the provisions of § 435, F.S. shall apply.

All employees in positions designated by law as positions of trust or responsibility shall be required to undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting for all purposes and checks in this subsection, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.

Such background investigations shall be conducted at the expense of *the employing agency or employee.*

12.0 Privacy Certification - The subrecipient must comply with all confidentiality requirements of 34 U.S.C. § 10231 and 28 C.F.R. § 22 that are applicable to collection, use, and revelation of data or information. Subrecipient further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. §§ 22 and, in particular, 22.23. Privacy Certification forms must be signed by the subrecipient or implementing agency chief official or an individual with formal, written signature authority for the chief official.

13.0 **Conferences and Inspection of Work** - Conferences may be held at the request of any party to this agreement. At any time, a representative of the Department, of the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right of visiting the project site to monitor, inspect and assess work performed under this agreement.

14.0 **Insurance for Real Property and Equipment** - The subrecipient must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided to property owned by the non-Federal entity.

15.0 **Flood Disaster Protection Act** - The sub recipient will comply with Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, requiring that the purchase of flood insurance in communities where such insurance is available as a condition of the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards.

16.0 **Immigration and Nationality Act** - No public funds will intentionally be awarded to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e), Section 274A(e) of the Immigration and Nationality Act ("INA"). The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the subrecipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this contract by the Department.

SECTION II: CIVIL RIGHTS REQUIREMENTS

1.0 **Participant Notification of Non-discrimination** FDLE does not discriminate on the basis of race, color, religion, national origin, sex, disability or age in the delivery of services, benefits or in employment.

2.0 **Title VI of the Civil Rights Act of 1964** - The subrecipient at any tier, must comply with all applicable requirements of 28 CFR § 42, specifically including any applicable requirements in Subpart E that relate to an equal employment opportunity program.

Equal Employment Opportunity Certification (EEOC) - A subrecipient or implementing agency must submit an EEO Certification annually within 120 days of award.

Equal Employment Opportunity Program (EEOP) - A subrecipient or implementing agency must comply with all applicable requirements in 28 C.F.R. §42, Subpart E.

Subrecipients are advised to use the Office for Civil Rights EEO Reporting Tool to satisfy this condition (https://ojp.gov/about/ocr/eeop.htm).

3.0 **Title IX of the Education Amendments of 1972** If the subrecipient operates an education program or activity, the subrecipient must comply with all applicable requirements of 28 C.F.R. § 54, "Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance."

4.0 **Equal Treatment for Faith Based Organizations** The subrecipient at any tier, must comply with all applicable requirements of 28 C.F.R. § 38, "Equal Treatment for Faith Based Organizations", specifically including the provision for written notice to current or prospective program beneficiaries.

5.0 **Americans with Disabilities Act** - Subrecipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination on the basis of disability including provision to provide reasonable accommodations.

6.0 **Section 504 of the Rehabilitation Act of 1973 (28 C.F.R. § 42, Subpart G)** - Subrecipients must comply with all provisions prohibiting discrimination on the basis of disability in both employment and the delivery of services.

7.0 **Age Discrimination Act of 1975** - Subrecipients must comply with all requirements in Subpart I of 28 C.F.R. §42 which prohibits discrimination based on age in federally assisted programs.

8.0 **Limited English Proficiency (LEP)** - In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, subrecipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. FDLE strongly advises subrecipients to have a written LEP Language Access Plan. For more information visit www.lep.gov.

9.0 **Finding of Discrimination** - In the event a federal or state court or federal or state administrative agency makes, after a due process hearing, a finding of discrimination on the grounds of race, color, religion, national

origin, sex, or disability against a subrecipient of funds, the subrecipient will forward a copy of the finding to FDLE and to the Office for Civil Rights, Office of Justice Programs.

10.0 Filing a Complaint - If the subrecipient or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the subrecipient, with FDLE, or with the Office for Civil Rights.

Discrimination complaints may be submitted to FDLE at Office of the Inspector General, Post Office Box 1489, Tallahassee, Florida 32302-1489, or online at info@fdle.state.fl.us. Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.

Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, Northwest, Washington, D.C. 20531, or by phone at (202) 307-0690.

11.0 Retaliation - In accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

12.0 Non-discrimination Contract Requirements - Subrecipients must include comprehensive Civil Rights nondiscrimination provisions in all contracts funded by the subrecipient.

13.0 Pass-through Requirements - Subrecipients are responsible for the compliance of contractors and other entities to whom they pass-through funds including compliance with all Civil Rights requirements. These additional tier subrecipients must be made aware that they may file a discrimination complaint with the subrecipient, with FDLE, or with the USDOJ Office for Civil Rights and provided the contact information.

SECTION III: FINANCIAL REQUIREMENTS AND RESPONSIBILTY

1.0 Fiscal Control and Fund Accounting Procedures - All expenditures and cost accounting of funds shall conform to the DOJ Grants Financial Guide, the 28 C.F.R. § 66, and 2 C.F.R. § 200 as applicable, in their entirety.

Subrecipients are required to establish and maintain adequate accounting systems and financial records and to accurately account for funds awarded to them. Financial management systems must be able to record and report on the receipt, obligation, and expenditure of grant funds; and able to accommodate a fund and account structure to separately track receipts, expenditures, assets, and liabilities for awards, programs, and additional tiered subrecipients. The awarded funds may or may not be an interest bearing account, but any earned interest must be used for program purposes and expended before the federal grant period end date. Any unexpended interest remaining at the end of the federal grant period must be submitted to the Office of Criminal Justice Grants for transmittal to DOJ.

2.0 Match - The value or amount of any "non-federal share," "match," or cost-sharing contribution incorporated into the approved budget is part of the "project cost" for purposes of the 2 C.F.R. § 200 Uniform Requirements, and is subject to audit. In general, the rules and restrictions that apply to award funds from federal sources also apply to funds in the approved budget that are provided as "match" or through "cost sharing."

SECTION IV: SUBAWARD MANAGEMENT AND REPORTING REQUIREMENTS

1.0 Obligation of Subrecipient Funds - Subaward funds shall not under any circumstances be obligated prior to the effective date, or subsequent to the termination date, of the period of performance. Only project costs incurred on or after the effective date, and on or prior to the termination date of the subrecipient's project are eligible for reimbursement. All payments must be completed within forty-five (45) days of the end of the subaward period of performance.

2.0 Use of Funds - Grant funds may be used only for the purposes in the subrecipient's approved application. Subrecipients shall not undertake any work or activities not described in the approved grant award, and that use staff, equipment, or other goods or services paid for with grant funds, without prior written approval from FDLE's Office of Criminal Justice Grants (OCJG).

3.0 Advance Funding - Advance funding may be provided to a subrecipient upon a written request to the Department. The request must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

4.0 Performance and Reporting

Reporting Time Frames - The Project Director, Application Manager, or Performance Contacts shall submit Monthly or Quarterly Project Performance Reports to the Department, within fifteen (15) days after the end of the reporting period. In addition, if the subaward period is extended beyond the "original" project period, additional Project Performance Reports shall be submitted.

Failure to Submit - Performance Reports that are not complete, accurate, and timely may result in sanctions, as specified in Section IV, Subaward Management and Reporting Requirements.

Report Contents - Performance Reports must include a response to all objectives included in your subaward. A detailed response is required in the narrative portion for yes/no performance objectives. Submitted performance reports must clearly articulate, where appropriate, performance during the execution of the award has met a standard against which the subrecipient's performance can be measured. The narrative must also reflect on accomplishments for the period and identify problems with project implementation and address actions being taken to resolve the problems. Additional information may be required if necessary to comply with federal reporting requirements.

Requirement for Data on Performance and Effectiveness Under the Award - The subrecipient must collect and maintain data that measures the performance and effectiveness of work under this award. The data must be provided to OCJG in the manner (including within the timeframes) specified by OCJG. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

Financial Consequences for Failure to Perform - In accordance with s. 215.971 F.S., payments for state and federal financial assistance must be directly related to the scope of work and meet the minimum level of performance for successful completion. If the subrecipient fails to meet the minimum level of service or performance identified in this agreement, or is customary for subawards, then the Department will apply financial consequences commensurate with the deficiency. Financial consequences may include but are not limited to withholding payments or reimbursement until the deficiency is resolved, tendering only partial payment/reimbursement, imposition of other financial consequences according to the Standard Conditions as applicable, and/or termination of contract and requisition of goods or services from an alternate source. Any payment made in reliance on subrecipient's evidence of performance, which evidence is subsequently determined to be erroneous, will be immediately due to the Department as an overpayment.

5.0 Grant Adjustments - Subrecipients must submit a grant adjustment through SIMON for major substantive changes such as changes in project activities or scope of the project, target populations, service providers, implementation schedules, project director, and designs or research plans set forth in the approved agreement and for any budget changes that affect a cost category that was not included in the original budget. Adjustments are also required when there will be a transfer of 10% or more of the total budget between budget categories, or there is an indirect cost rate category change.

Subrecipients may transfer up to 10% of the total budget between current, approved budget categories without prior approval as long as the funds are transferred to an existing line item.

Under no circumstances can transfers of funds increase the total budgeted award.

Requests for changes to the subaward agreement must be electronically signed by the subrecipient or implementing agency's chief official or the chief official's designee.

All requests for changes must be submitted in SIMON no later than thirty (30) days prior to grant expiration date.

6.0 Financial Expenditures and Reporting

Reporting Requirements - The subrecipient shall have a choice of submitting either a Monthly or a Quarterly Project Expenditure Report to the Department. Project Expenditure Reports are due thirty (30) days after the end of the reporting period. In addition, if the subaward period is extended, additional Project Expenditure Reports shall be submitted.

All project expenditures for reimbursement of subrecipient costs shall be submitted on the Project Expenditure Report Forms prescribed and provided by the Office of Criminal Justice Grants (OCJG) through the SIMON (Subgrant Information Management Online).

All Project Expenditure Reports shall be submitted in sufficient detail for proper pre-audit and post-audit.

All reports must relate financial data to performance accomplishments.

Before the "final" Project Expenditure Report will be processed, the subrecipient must submit to the Department all outstanding project reports and must have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.

Reports are to be submitted even when no reimbursement is being requested.

Submission - The report must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

7.0 **Project Generated Income (PGI)** - All income generated as a direct result of a sub project shall be deemed program income. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (i.e., law enforcement entity).

Required Reports - The subrecipient shall submit Quarterly PGI Earnings and Expenditures Reports to the Department within thirty (30) days after the end of the reporting period covering subaward project generated income and expenditures during the previous quarter.

PGI Expenditure - Program income should be used as earned and expended as soon as possible and used to further the objects in which the award was made.

Submission - PGI Earnings and Expenditures reports must be electronically signed by the subrecipient or implementing agency's chief financial officer or the chief financial officer's designee.

Unexpended PGI - If any PGI remains unspent after the subaward ends, the subrecipient must continue submitting quarterly PGI reports until all funds are expended.

Additionally, any unexpended PGI remaining at the end of the federal grant period must be submitted to OCJG for transmittal to the Bureau of Justice Assistance.

8.0 **Subrecipient Integrity and Performance Matters** - Requirement to report information on certain civil, criminal, and administrative proceedings to OCJG, SAM and FAPIIS.

The subrecipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, subrecipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management ("SAM"), to the designated federal integrity and performance system ("FAPIIS").

SECTION V: MONITORING AND AUDITS

1.0 **Access to Records** - The Florida Department of Law Enforcement, the Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the subrecipient, implementing agency and contractors for the purpose of audit and examination according to the Financial Guide and the 28 C.F.R. § 66. At any time, a representative of the Department, the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right to visit the project site to monitor, inspect and assess work performed under this agreement.

The Department reserves the right to unilaterally terminate this agreement if the subrecipient, implementing agency, or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of s. 119, F.S., unless specifically exempted and/or made confidential by operation of s. 119, F.S., and made or received by the subrecipient or its contractor in conjunction with this agreement.

The subrecipient will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

2.0 **Monitoring** - The recipient agrees to comply with FDLE's grant monitoring guidelines, protocols, and procedures; and to cooperate with FDLE on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide FDLE all documentation necessary to complete monitoring of the award. Further, the recipient agrees to abide by reasonable deadlines set by FDLE for providing requested documents. Failure to cooperate with grant monitoring activities may result in sanctions affecting the recipient's award, including, but not limited to: withholding and/or other restrictions on

the recipient's access to funds, referral to the Office of the Inspector General for audit review, designation of the recipient as a FDLE High Risk grantee, or termination of award(s).

3.0 Property Management - The subrecipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the DOJ Grants Financial Guide, and 28 C.F.R. § 66. This obligation continues as long as the subrecipient retains the property, notwithstanding expiration of this agreement.

Property Use - The subrecipient must use equipment acquired under a Federal award for the authorized purposes of the project during the period of performance, or until the property is no longer needed. Subrecipients must use, manage and dispose of equipment acquired under a Federal award in accordance with ss. 274, F.S. Tangible Property and 200.313, F.S., Equipment.

4.0 Subaward Closeout - A Financial Closeout Audit shall be submitted to the Department within forty-five (45) days of the end date of the performance period.

The Financial Closeout Audit report located in SIMON must be electronically signed by the subrecipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

Subaward Closeout will be initiated by the Department after the Financial Closeout has been completed and approved. Failure to submit closeout reports timely will result in an Administrative Closeout by the Department.

5.0 High Risk Subrecipients - If a subrecipient is designated "high risk" by a federal grant-making agency, currently or at any time during the course of the period of performance under this award, the subrecipient must disclose that fact and certain related information to FDLE's OCJG. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the subrecipient's past performance, or other programmatic or financial concerns with the subrecipient. The subrecipient's disclosure must include the following: 1. The federal awarding agency that currently designates the subrecipient high risk, 2. The date the subrecipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

6.0 Imposition of Additional Requirements - The subrecipient agrees to comply with any additional requirements that may be imposed by OCJG during the period of performance for this award, if the subrecipient is designated as "high risk" for purposes of the DOJ high-risk grantee list.

7.0 Retention of Records - The subrecipient shall maintain all records and documents for a minimum of five (5) years from the date of the final financial statement and be available for audit and public disclosure upon request of duly authorized persons. The subrecipient shall comply with State of Florida General Records Schedule GS1-SL for State and Local Government Agencies: https://dos.myflorida.com/media/693576/gs1-sl-2017-final.pdf .

8.0 Disputes and Appeals - The Department shall make its decision in writing when responding to any disputes, disagreements, or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The subrecipient shall proceed diligently with the performance of this agreement according to the Department's decision. If the subrecipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The subrecipient's right to appeal the Department's decision is contained in § 120, F.S., and in procedures set forth in Rule 28-106.104, Florida Administrative Code. Failure to appeal within this time frame constitutes a waiver of proceedings under Chapter 120, F.S.

9.0 Failure to Address Audit Issues - The subrecipient understands and agrees that FDLE's OCJG may withhold award funds, or may impose award conditions or other related requirements, if (as determined by OCJG) the subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the 2 C.F.R. § 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews.

10.0 Single Annual Audit - Subrecipients that expend $750,000 or more in a year in federal awards shall have a single audit or program-specific audit conducted for that year. The audit shall be performed in accordance with the OMB 2 C.F.R. § 200 Subpart F – Audit Requirements and other applicable federal law. The contract for this agreement shall be identified in the Schedule of Federal Financial Assistance in the subject audit. The contract shall be identified as federal funds passed through the Florida Department of Law Enforcement and include the contract number,

CFDA number, award amount, contract period, funds received and disbursed. When applicable, the subrecipient shall submit an annual financial audit that meets the requirements of 2 C.F.R. § 200 Subpart F, "Audit Requirements" s. 215.97, F.S., "Florida Single Audit Act" and Rules of the Auditor General, Chapter 10.550, and Chapter 10.650, "Local Governmental Entity Audits" and "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."

A complete audit report that covers any portion of the effective dates of this agreement must be performed and submitted to the Federal Audit Clearinghouse within the earlier of thirty (30) calendar days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Submissions must include required elements described in Appendix X to 2 C.F.R. § 200 on the specified Data Collection Form (Form SF-SAC).

Records shall be made available upon request for a period of five (5) years from the date the audit report is issued, unless extended in writing by the Department.

Subrecipients that expend less than $750,000 in federal awards during a fiscal year are exempt from the Single Audit Act audit requirements for that fiscal year. In this case, written notification, in the form of the "Certification of Audit Exemption" form, shall be provided to the Department by the Chief Financial Officer, or designee, that the subrecipient is exempt. This notice shall be provided to the Department no later than March 1 following the end of the fiscal year.

SECTION VI: SUBAWARD PROCUREMENT AND COST PRINCIPLES

1.0 Procurement Procedures - Subrecipients must have written procedures for procurement transactions. Procedures must conform to applicable Federal law and the standards in 2 C.F.R. §§ 200.318-326.

This condition applies to agreements that OCJG considers to be a procurement "contract", and not a second tier subaward.

The details of the advance approval requirement to use a noncompetitive approach in a procurement contract under this award are posed on the OJP website at https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm.

Additional information on Federal purchasing guidelines can be found in the Guide to Procurements Under DOJ Grants and Cooperative agreements at https://ojp.gov/funding/Implement/Resources/GuideToProcurementProcedures.pdf.

2.0 Cost Analysis - A cost analysis must be performed by the subrecipient if the cost or price is at or above the $35,000 acquisition threshold and the contract was awarded non-competitively in accordance with s. 216.3475, F.S. The subrecipient must maintain records to support the cost analysis, which includes a detailed budget, documented review of individual cost elements for allowability, reasonableness, and necessity. See also Chief Financial Officer Memorandum No. 02 (2012-2013).

3.0 Allowable Costs - Allowance for costs incurred under the subaward shall be determined according to the general principles and standards for selected cost items set forth in the DOJ Grants Financial Guide, 28 C.F.R. § 66, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments", and 2 C.F.R. § 200.405(e), "Cost Principles".

4.0 Unallowable Costs - Payments made for costs determined to be unallowable by either the Federal awarding agency, or the Department, either as direct or indirect costs, must be refunded (including interest) to FDLE and the Federal Government in accordance with instructions that determined the costs are unallowable unless state or Federal statute or regulation directs otherwise. See also 2 C.F.R. §§ 200.300-309.

5.0 Indirect Cost Rate - A subrecipient that is eligible to use the "de minimis" indirect cost rate described in 2 C.F.R. § 200.414(f), and elects to do so, must advise OCJG in writing of both its eligibility and its election, and must comply with all associated requirements in the 2 C.F.R. § 200 and Appendix VII.

6.0 Sole Source - If the project requires a non-competitive purchase from a sole source, the subrecipient must complete the Sole Source Justification for Services and Equipment Form and submit to OCJG upon application for pre-approval. If the subrecipient is a state agency and the cost meets or exceeds $150,000, the subrecipient must also receive approval from the Department of Management Services (DMS) (s. 287.057(5), F.S.). The Sole Source form must be signed by the subrecipient or implementing agency chief official or chief official designee. Additional details on the sole source requirement can be found at 2 C.F.R. § 200 and the DOJ Grants Financial Guide.

7.0 Personal Services - Subrecipients may use

grant funds for eligible personal services including salaries, wages, and fringe benefits, including overtime in accordance with the DOJ Grants Financial Guide Section 3.9 - Compensation for Personal Services, consistent with the principles set out in 2 C.F.R. § 200, Subpart E and those permitted in the federal program's authorizing legislation. Subrecipient employees should be compensated with overtime payments for work performed in excess of the established work week and in accordance with the subrecipient's written compensation and pay plan.

Documentation - Charges for salaries, wages, and fringe benefits must be supported by a system of internal controls providing reasonable assurance that charges are accurate, allowable, and properly allocated. Documentation supporting charges must be incorporated into the official records of the organization.

Charges made to the Personnel Budget Category must reasonably reflect the total time and activity for which the employee is compensated by the organization and cover both federally funded and all other activities. The records may include the use of subsidiary records as defined in the organization's written policies. Where grant subrecipients work on multiple grant programs or cost activities, documentation must support a reasonable allocation or distribution of costs among specific activities or cost objectives.

8.0 Contractual Services - The subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts as described in 2 C.F.R. § 200.318, General procurement.

Requirements for Contractors of Subrecipients - The subrecipient assures the compliance of all contractors with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended 42 U.S.C. § 3711 et seq.; the provisions of the current edition of the DOJ Grants FinancialGuide(https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf); and all other applicable federal and state laws, orders, circulars, or regulations. The subrecipient must pass-through all requirements and conditions applicable to the federal grant award/subaward to any subcontract. The term "contractor" is used rather than the term "vendor" and means an entity that receives a contract as defined in 2 C.F.R. § 200.22, the nature of the contractual relationship determines the type of agreement.

Approval of Consultant Contracts Compensation for individual consultant services must be reasonable and consistent with that paid for similar services in the marketplace. The Federal awarding agency and pass-through entity must review and approve in writing all consultant contracts prior to employment of a consultant when the individual compensation rate exceeds $650 (excluding travel and subsistence costs) per eight-hour day, or $81.25 per hour. A detailed justification must be submitted to and approved by FDLE, who will coordinate written approval of the Federal awarding agency, prior to subrecipient obligation or expenditures of such funds. Approval shall be based upon the contract's compliance with requirements found in the Financial Guide Section 3.6 Consultant Rates, 28 C.F.R. § 66, and applicable state statutes. The Department's approval of the subrecipient agreement does not constitute approval of individual consultant contracts or rates. If consultants are hired through a competitive bidding process (not sole source), the $650 threshold does not apply.

FFATA Reporting Requirements - Subrecipients that enter into subawards of $25,000 or more should review the Federal Funding Accountability and Transparency Act of 2006 (FFATA), website for additional reporting requirements at https://ojp.gov/funding/Explore/FFATA.htm

9.0 Travel and Training - The cost of all travel shall be reimbursed according to the subrecipient's written travel policy. If the subrecipient does not have a written travel policy, cost of all travel will be reimbursed according to State of Florida Travel Guidelines § 112.061, F.S. Any foreign travel must obtain prior written approval from the Federal awarding agency and pass-through entity.

10.0 Expenses Related to Conferences, Meetings, Trainings, and Other Events - Subgrant funds requested for meetings, retreats, seminars, symposia, events, and group training activities and related expenses must receive written pre-approval from the Federal awarding agency and pass-through entity and comply with all provisions in 2 C.F.R. § 200.432 and DOJ Grants Financial Guide Section 3.10; Conference Approval, Planning, and Reporting. Subgrant applications requesting approval for meeting, training, conference, or other event costs must include a completed Conference & Events Submission Form for approval prior to obligating subgrant funds for these purposes.

11.0 Training and Training Materials – Any training or training materials that has been developed or delivered with grant funding under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at

www.ojp.gov/funding/ojptrainingguidingprinciples.htm.

12.0 Publications, Media and Patents Ownership of Data and Creative Material - Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the DOJ Grants Financial Guide, 28 C.F.R. §§ 66, and 200.315.

Publication or Printing of Materials - Publication costs for electronic and print media, including distribution, promotion, and general handling are allowable. If these costs are not identifiable with a particular direct cost objective, it should be allocated as indirect costs. Publication includes writing, editing, and preparing the illustrated material (including videos and electronic mediums).

Subrecipients must request pre-approval in writing for page charges for professional journal publications. All publication materials must comply with provisions in 2 C.F.R. § 200.461 and DOJ Grants Financial Guide, Section 3.9; Allowable Costs – Publication.

Subrecipients must submit for review and approval one (1) copy of any written materials to be published, including web-based materials and website content, to be paid under this award at least thirty (30) days prior to the targeted dissemination date.

All electronic and print materials paid under this award must contain the following statements identifying the federal award:

> *"This project was supported by Award No. 2018-MU-BX-0292 awarded by the Bureau of Justice Assistance, Office of Justice programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the authors and do not necessarily reflect the views of the Department of Justice or grant-making component."*

Any website funded in whole or in part under this award must include the same statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a web-based service, including any pages that provide results or outputs from the service.

Patents - Subrecipients are subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce (27 C.F.R. § 401 and 2 C.F.R. § 200.315(c)).

Subrecipients must promptly and fully report to FDLE and the Federal awarding agency if any program produces patentable items, patent rights, processes, or inventions, in the course of work sponsored under this award.

13.0 Information Technology Projects

Criminal Intelligence Systems - The subrecipient agrees that any information technology system funded or supported by the Office of Justice Programs funds will comply with 28 C.F.R. § 23, Criminal Intelligence Systems Operating Policies, if the Office of Justice Programs determines this regulation to be applicable. Should the Office of Justice Programs determine 28 C.F.R. § 23 to be applicable, the Office of Justice Programs may, at its discretion, perform audits of the system, as per 28 C.F.R. § 23.20(g). Should any violation of 28 C.F.R. § 23 occur, the subrecipient may be fined as per 42 U.S.C. § 3789g(c)-(d). The subrecipient may not satisfy such a fine with federal funds.

The subrecipient understands and agrees that no awarded funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. In doing so the subrecipient agrees that these restrictions will not limit the use of awarded funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecutions, or adjudication activities.

State IT Point of Contact - The subrecipient must ensure that the State IT Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditures period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the subrecipient must maintain an administrative file documenting the meeting of this requirement. For a list of State IT Points of Contact, go to https://it.ojp.gov/technology-contacts.

The State IT Point of Contact will ensure the subrecipient's project follows a statewide comprehensive strategy for information sharing systems that improve the functioning of the criminal justice system, with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole.

Interstate Connectivity - To avoid duplicating existing networks or IT systems in any initiatives funded by the Bureau of Justice Assistance for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the subrecipient can demonstrate to the satisfaction of the Bureau of Justice Assistance that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

ADP Justification - The subrecipient must complete an Automated Data Processing (ADP) equipment and Software and Criminal Justice Information and Communication Systems Request for Approval form if the purchase of any ADP equipment is to be made. This form must be submitted upon application if applicable and pre-approval must be obtained. ADP Justification must be signed by the subrecipient or implementing agency chief official or an individual with formal, written signature authority for the chief official.

14.0 Interoperable Communications Guidance - Subrecipients using funds to support emergency communications activities must comply with the current SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at https://www.dhs.gov/publication/funding-documents.

Subrecipients interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The subrecipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC). If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the subrecipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Subrecipients must provide a listing of all communications equipment purchased with grant award funding (plus the quantity purchased of each item) to FDLE once items are procured during any periodic programmatic progress reports.

15.0 Global Standards Package - In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at https://it.ojp.gov/gsp. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

SECTION VII: COMPLIANCE WITH 8 U.S.C. §§ 1373 and 1644

1.0 In regards to the program or activity funded in whole or in part under this subaward and throughout the period of performance for this award, no state or local government entity, agency or official may prohibit or in any way restrict:

Any government entity or official from sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. 1373(a); or a government entity or agency from sending, requesting or receiving, maintaining, or exchanging information regarding immigration status as described in either 8 U.S.C. 1373(b) or 1644. For the purposes of this subaward, any prohibition (or restriction) that violates this condition is an "information-communication restriction."

2.0 A subaward to a state or local government or a public institution of higher education, cannot be made unless a properly executed certification of compliance with 8 U.S.C. 1373 and 1644, signed by the chief legal officer of the subrecipient entity has been received by OCJG. Similarly, subrecipients cannot make a further subaward to a state or local government or a public institution of higher education, unless it first obtains a properly executed certification of compliance with 8 U.S.C. 1373 and 1644 signed by the chief legal officer of the third tier subrecipient.

3.0 Funding under this award cannot be subawarded to any subrecipient at any tier that is either a state or unit of local government or a public institution of higher education that is subject to any "information-communication restriction."

4.0 Subrecipients must notify FDLE (in writing) if it has credible evidence that indicates that a funded program or activity of a subrecipient at any tier that is either a state or local government or a public institution of higher education, may be subject to any "information-communication restriction."

5.0 For **STATE AGENCIES**: With respect to the program or activity that is funded by this subaward, as of the date the subrecipient accepts this subaward, and throughout the remainder of the period of performance for the award-

i. A state statute or a state rule, regulation, policy or practice must be in place that is designed to ensure that agents of the United States acting under color of federal law are given access to any state (or state contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

ii. A state statute, or a state rule, regulation, policy or practice must be in place that is designed to ensure that, when a state (or state contracted) correctional facility receives a formal written request authorized by the Immigration and Nationality Act from DHS that seeks advance notice of the scheduled release date and time for a particular alien, they will honor the request and as early as practicable, provide the request notice to DHS.

6.0 For units of **LOCAL GOVERNMENT**: With respect to the program or activity that is funded by this subaward, as of the date the subrecipient accepts this subaward, and throughout the remainder of the period of performance for the award-

i. A local ordinance, rule, regulation, policy or practice (or an applicable state statute, rule, regulation policy or practice) must be in place that is designed to ensure that agents of the United States acting under color of federal law are given access to any state (or state contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States.

ii. A local ordinance, rule, regulation, policy or practice (or an applicable state statute, rule, regulation policy or practice) must be in place that is designed to ensure that, when a local government (or local government contracted) correctional facility receives a formal written request authorized by the Immigration and Nationality Act from DHS that seeks advance notice of the scheduled release date and time for a particular alien, they will honor the request and as early as practicable, provide the request notice to DHS.

7.0 Monitoring of compliance with the requirements of this condition will be conducted by FDLE.

8.0 Nothing in this condition shall be understood to authorize any subrecipient at any tier to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to FDLE prior to award acceptance.

SECTION VIII: ADDITIONAL REQUIREMENTS

1.0 Environmental Protection Agency's (EPA) list of Violating Facilities - The subrecipient assures that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the Program Purpose are not listed on the EPA's list of Violating Facilities and that it will notify the Department of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

2.0 National Environmental Policy Act (NEPA)

The subrecipient agrees to assist FDLE in complying with the NEPA, the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of subaward funds by the subrecipient. This applies to the following new activities whether or not they are being specifically funded with these subaward funds. That is, it applies as long as the activity is being conducted by the subrecipient or any third party and the activity needs to be undertaken in order to use these subaward funds. Accordingly, the subrecipient

agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes.

If it is determined that any of the following activities will be funded by the grant, the recipient agrees to contact FDLE OCJG.

1) New construction;

2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain; a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;

3) A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;

4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments; and

5) Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The subrecipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by the Bureau of Justice Assistance. The subrecipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed by the Department of Justice at https://www.bja.gov/Funding/nepa.html, for programs relating to methamphetamine laboratory operations.

3.0 National Historic Preservation Act – The Act will assist the Department (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

4.0 Human Research Subjects - Subrecipient agrees to comply with the requirements of 28 C.F.R. part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

5.0 Disclosures

Conflict of Interest - The subrecipient and implementing agency will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. Subrecipients must disclose in writing any potential conflict of interest to FDLE (the non-federal pass-through entity).

Violations of Criminal Law - The subrecipient and implementing agency must disclose all violations of state or federal criminal law involving fraud, bribery or gratuity violations potentially affecting the sub award.

6.0 Uniform Relocation Assistance and Real Property Acquisitions Act - The subgrant recipient will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs.

7.0 Limitations on Government Employees Financed by Federal Assistance - The subrecipient will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

8.0 Funds to Association of Community Organizations for Reform Now (ACORN) Unallowable - Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

9.0 Text Messaging While Driving - Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), and §316.305, F.S., the subrecipient is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle

during the course of performing work funded by this subaward and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10.0 DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database - If PREA program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ FY 2012 DNA Backlog Reduction Program, available at https://www.ncjrs.gov/pdffiles1/nij/sl001062.pdf.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS (the National DNA Database operated by the FBI).

11.0 Environmental Requirements and Energy - For subawards in excess of $100,000, the subrecipient must comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). The subrecipient must comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871), if any.

12.0 Other Federal Funds - The subrecipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those awards have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, the subrecipient will promptly notify, in writing the grant manager for this award, and, if so requested by OCJG seek a budget modification or change of project scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

13.0 Trafficking in Persons - The subrecipient must comply with applicable requirements pertaining to prohibited conduct relating to the trafficking of persons, whether on the part of recipients, subrecipients or individuals defined as "employees" of the subrecipient. The details of the recipient and subrecipient obligations related to prohibited conduct related to trafficking in persons are incorporated by reference and posted at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 2, 2020

RE: **MARLOWE V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 04-2020-02-1743 dated February 28, 2020 from Cavendish Partners, P.A. for legal services rendered in February 2020 regarding the Marlowe v. City of St. Augustine matter.

The amount currently due is **$4,990.79**. We have reviewed the billing and submit same to you for placement on the consent agenda for the March 23, 2020 City Commission meeting.

WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S FEES AND COSTS ON THIS MATTER EQUALS $12,525.74.

Thank you.

Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
John M. Cary, Assistant City Attorney
Darlene Galambos, City Clerk
Mark Litzinger, Financial Services

CAVENDISH PARTNERS P.A.

200 West Forsyth Street, Suite 1610
Jacksonville, FL 32202

INVOICE

Date: 02/28/2020
Invoice #: 04-2020-02-1743
Matter: Marlowe
File #: 1743

INVOICE TOTAL AND BALANCE DUE $4,990.79

Bill To:
Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085
Due Date: 03/31/2020
Please Remit Payment To:
Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1610
Jacksonville, FL 32202

PAYMENTS RECEIVED AFTER 02/27/2020 ARE NOT REFLECTED IN THIS BALANCE DUE INVOICE

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 2, 2020

RE: **SEAVIN, INC. V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 20-2020-02-1711 dated February 28, 2020 from Cavendish Partners, P.A. for legal services rendered in February 2020 regarding the Seavin, Inc. v. City of St. Augustine matter.

The amount currently due is **$8,376.65**. We have reviewed the billing and submit same to you for placement on the consent agenda for the March 23, 2020 City Commission meeting.

WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S FEES AND COSTS ON THIS MATTER EQUALS $76,091.30.

Thank you.

Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
John M. Cary, Assistant City Attorney
Darlene Galambos, City Clerk
Mark Litzinger, Financial Services

CAVENDISH
PARTNERS
P.A.

200 West Forsyth Street, Suite 1610
Jacksonville, FL 32202

INVOICE

Date: 02/28/2020
Invoice #: 20-2020-02-1711
Matter: Seavin Inc.
File #: 1711

INVOICE TOTAL AND BALANCE DUE $8,376.65

Bill To:
Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085
Due Date: 03/31/2020
Please Remit Payment To:
Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1610
Jacksonville, FL 32202

PAYMENTS RECEIVED AFTER 02/27/2020 ARE NOT REFLECTED IN THIS BALANCE DUE INVOICE