



COMMUNICATIONS MEDIA TECHNOLOGY (CMT) MEETING

Pursuant to the Charter of the City of St. Augustine and Resolution 2019-21, an Emergency Meeting of the City of St. Augustine City Commission was held on Monday, April 27, 2020 at 10:00 a.m. The Emergency Meeting allows for the use of Communications Media Technology (CMT) under the authority granted by the Governor of the State of Florida pursuant to Executive Order 20-69.

The Alcazar Room at City Hall will be open for attendance with limited capacity consistent with the public health, and life safety requirements as promulgated by the CDC. These include mandated capacity and distancing requirements. Physical attendance will be prioritized as follows until maximum capacity is reached:

- a. Commission Members
- b. City Attorney
- c. City Manager
- d. City Clerk
- e. Required staff for public records and multi-media operation
- f. Public participants

HOW TO VIEW THE MEETING:

The meeting will be broadcast live at:

The City's website <http://CityStAugTV.com>

Government Comcast Channel 3 HOW TO PROVIDE PUBLIC COMMENT:

EMAIL

Members of the public wishing to provide public comment prior to the meeting may submit comments via email at cityclerk@citystaug.com. All comments must be received by (2 HOURS PRIOR TO MEETING). All public comment will be limited to three (3) minutes. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law but will only read into the record the equivalent of three (3) minutes or 400 words.

PHYSICALLY PRESENT

Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.

PHONE

Members of the public who wish to participate utilizing CMT are requested to dial in 904-293-4330 only when prompted for the specific item on the agenda or at open public comment. The callers will be placed on hold and queued for each agenda item public comment period.

All other Rules of Decorum shall apply to the extent they do not conflict or are not applicable. The meeting moderator will monitor adherence to the Rules of Decorum and may mute any persons determined to be in violation.



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, JULY 13, 2020 - 5:00 PM
COMMUNICATIONS MEDIA TECHNOLOGY
(CMT)**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

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

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

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

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

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.B.1. COVID update. (No presentation) (*J. Regan, City Manager*)

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

8.A.1. **Ordinance 2020-22**: Amends Section 11-89 of the City Code to correct a scrivener's error conforming lettering from numeric to alpha. (*I. Lopez, City Attorney*)

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

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

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.B. Resolutions

9.B.1. **Resolution 2020-25**: Modifies Communications Media Technology (CMT) public comment rules. (*I. Lopez, City Attorney*)

9.B.2. **Resolution 2020-24**: Schedules an initial public budget hearing and sets the 2020/2021 proposed millage rate. (*M. Simpson, Director Finance*)

10. STAFF REPORTS AND PRESENTATIONS

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

13. ITEMS BY CITY MANAGER

13.A. Approval of Quit Claim Deeds, Temporary Construction Easement and Permanent Maintenance Easement for 83 Coquina Avenue. (*J. Regan, City Manager*)

13.B. Notice and discussion regarding 2021 St. Johns County Legislative Action Plan. (*J. Regan, City Manager*)

14. ITEMS BY MAYOR AND COMMISSIONERS

14.A. Discussion regarding granting permission for the general use of the City seal. (*L. Freeman, Commissioner*)

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 - JULY 13, 2020

- CA.1.** Preview of upcoming Commission meetings.
- CA.2.** **THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JULY 27, 2020: NONE.**
- CA.3.** **Reminder of Upcoming Meetings :**
- July 27, 2020, 5pm, Regular City Commission Meeting
 - August 10, 2020, 5pm, Regular City Commission Meeting
 - August 24, 2020, 5pm, Regular City Commission Meeting
- CA.4.** **APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS: NONE.**
- CA.5.** **RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.**
- CA.6.** **PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.**
- CA.7.** **NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.**
- CA.8.** Approval of the placement and wording of plaque to be placed at 91 Coquina Avenue. *(R. Franklin, Director, Public Works)*
- CA.9.** Approval of invoice from Bledsoe, Jacobson, Schmidt, Wright and Sussman for mediation services in the amount of \$1,548.00 and approval of invoice in the amount of \$8,381.00 from Cavendish Partners, P.A. for legal services rendered in the Marlowe v. City of St. Augustine matter. *(I. Lopez, City Attorney)*

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: June 23, 2020

RE: **ORDINANCE 2020-22: AMENDING SEC. 11-89 TO CORRECT SCRIVENER'S ERROR**

Please find attached Ordinance 2020-22 amending Section 11-89 of the City Code regarding specific prohibitions against different types of noises to correct a scrivener's error.

Please place Ordinance 2020-22 on the regular City Commission agenda for second reading on July 13, 2020.

Thank you.

A handwritten signature in blue ink, appearing to read 'Isabelle C. Lopez', written over a horizontal line.

Isabelle C. Lopez
City Attorney

Attachment

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

Agenda Title:

Amends Section 11-89 of the City Code to correct a scrivener's error conforming lettering from numeric to alpha.

ORDINANCE NO. 2020-22

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 11-89 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO CORRECT A SCRIVENER'S ERROR IN ORDINANCE NO. 2000-16 RELATING TO NOISE CONTROL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 24, 2000, the City Commission for the City of St. Augustine, Florida, passed Ordinance No. 2000-16 amending Chapter 11 of the Code of the City of St. Augustine relating to Noise Control, which ordinance became effective May 4, 2000; and

WHEREAS, Ordinance No. 2000-16 contains a scrivener's error in Section 11-89; 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 amendments be adopted.

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

Section 1. Amending Chapter 11, Article IV, Section 11-89. Chapter 11, Article IV, Section 11-89 of the Code of the City of St. Augustine is hereby amended to read as follows:

Sec. 11-89. - Specific prohibitions against different types of noises.

In addition to the general prohibitions set out above and the maximum permissible sound levels set out in table 1, and unless otherwise exempted by this article or by act of the city, the following specific acts, or the causing or permitting thereof, are hereby declared to be in violation of such sections:

...

- (f) Construction and demolition. Operating or causing the operation of any tools used in construction, drilling, repair, alteration or demolition work between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between 6:00 p.m. and 10:00 a.m. on weekends or holidays in or within fifty (50) yards of any residential area or noise-sensitive zone, except for emergency work by public service utilities or by special permit approved by the city. This section shall not apply to the use of domestic power tools as specified in subsection (11 k).

...

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 Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

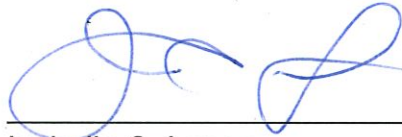
DATE: July 7, 2020

RE: **RESOLUTION 2020-25: PUBLIC COMMENT DURING REGULAR MEETINGS USING CMT**

Enclosed please find Resolution 2020-25 amending Exhibit "A" of Resolution 2020-13 which provided for certain City meetings to proceed utilizing Communication Media Technology ("CMT") procedures instead of in-person meetings. This amendment limits public comment during regular meetings of the City Commission, its boards and committees utilizing CMT.

Please place Resolution 2020-25 on the agenda for consideration at the July 13, 2020 City Commission meeting.

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



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

RESOLUTION NO. 2020-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING RESOLUTION 2020-13, LIMITING PUBLIC COMMENT DURING REGULAR MEETINGS OF THE CITY COMMISSION AND ITS BOARDS AND COMMITTEES UTILIZING COMMUNICATION MEDIA TECHNOLOGY.

WHEREAS, the City Charter provides for regular meetings, as well as special or emergency meetings of the City Commission; and

WHEREAS, Resolution 2019-21 was adopted by the City Commission on August 12, 2019 providing for rules, procedures and policies related to the conduct of the City Commission meetings; and

WHEREAS, Resolution 2019-21, as amended by Resolution 2020-23, provided for emergency meetings to comply with the requirements of federal, state, and local law; and

WHEREAS, Sec. 4.10 of the City Charter provides that the city manager shall take all reasonably necessary administrative action to preserve life, property, and the public welfare pursuant to a declared federal, state, or local state of emergency; and

WHEREAS, on March 1, 2020, Governor DeSantis declared a Public Health Emergency as a result of COVID-19; and, on March 9, 2020, Governor DeSantis issued Executive Order 20-52 (EO 20-52), declaring a State of Emergency as a result of COVID-19 and has subsequently extended and modified the terms of the State of Emergency through successive Executive Orders; and

WHEREAS, on March 11, 2020, the World Health Organization declared the spread of COVID-19 to be a global pandemic; and, on March 13, 2020, President Trump declared a national emergency concerning COVID-19; and

WHEREAS, in response to concerns raised by local government bodies, Governor DeSantis issued Executive Order Number 20-69 (EO 20-69), which suspended any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public place, and has extended this order through successive Executive Orders; and

WHEREAS, EO 20-69 allows a local government to utilize communications media technology (CMT) as provided in Section 120.54(5)(b)2, Florida Statutes; and

WHEREAS, the City Commission adopted Resolution 2020-13 providing for Communications Media Technology (CMT) Quasi-Judicial, Legislative, and Administrative hearing procedures; and

WHEREAS, the City Commission finds that due to the extensive ability for members of the public to comment via telephone call, and to have their correspondence read verbatim during regular CMT meetings, the duration of the meetings are extended beyond what is reasonable or necessary for the good order of the conduct of business; and

WHEREAS, the City Commission further finds that, consistent with Section 286.0114, Florida Statutes, the public has a reasonable opportunity to be heard on a proposition before the City Commission, however, matters that are not propositions for which the public body will take official action on may be provided a more limited opportunity for general public comment.

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

Section 1. The Communications Media Technology (CMT) Quasi-Judicial, Legislative, and Administrative Hearing Procedures are hereby amended as follows:

Paragraph 12 is hereby amended as follows:

12. A) PROPOSITIONS REQUIRING A SEPARATE PUBLIC HEARING. The following procedural rules apply to items placed on the regular meeting agenda of the City Commission, or any of its boards and committees, that are propositions requiring official action and a separate hearing pursuant to state law:
- (i) Public comment and participation will be conducted, and public commenters may be sworn, or may make unsworn comment consistent with Florida law. Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.
 - (ii) Members of the public who wish to participate utilizing CMT will be requested to dial in to the announced phone bank number only when prompted for the specific item next on the agenda. The callers will be placed on hold and queued for each agenda item public comment period. In the alternative, members of the public may provide written comment to the City Clerk prior to the hearing, via drop box, U.S. Mail, or email. The City Clerk will read any received written comments into the record. All public comment will be limited to three (3) minutes. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law but will only read into the record the equivalent of three (3) minutes or 400 words. These procedures will apply for CMT public

comment received by the designated staff member for the City's other boards and committees.

B) PROPOSITIONS NOT REQUIRING A SEPARATE PUBLIC HEARING. The following procedural rules apply to items placed on the regular meeting agenda of the City Commission, or any of its boards and committees, that are propositions requiring official action, but not requiring a separate hearing pursuant to state law:

- (i) Public comment and participation will be conducted, and public commenters may be sworn, or may make unsworn comment consistent with Florida law. Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.
- (ii) Members of the public who wish to participate utilizing CMT may provide written comment to the City Clerk no later than two (2) business days prior to the meeting, via drop box, U.S. Mail, or email. The City Clerk will forward all written comment received by the deadline to each City Commissioner prior to the meeting. In addition, the City Clerk will tally the number of comments in support or in opposition to the proposition and read that tally, and a brief synopsis of each written comment received, into the record. Written comments received after the deadline will be forwarded to each Commissioner as soon as reasonably possible. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law. These procedures will apply for written public comment received by the designated staff member for the City's other boards and committees.

C) GENERAL PUBLIC COMMENT. The following procedural rules apply to general public comment regarding issues not on the agenda, or not requiring official action, of the City Commission, or any of its boards and committees:

- (i) Public comment and participation will be conducted, and public commenters may be sworn, or may make unsworn comment consistent with Florida law. Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.
- (ii) Members of the public who wish to participate utilizing CMT may provide written comment to the City Clerk no later than two (2) business days prior to the meeting, via drop box, U.S. Mail, or email. The City Clerk will forward all written comment received by the deadline to each City Commissioner prior to the meeting. If multiple comments received relate to a common identifiable issue, the City Clerk will tally the number of comments in support of, or in opposition to, the issue and read that tally into the record. Written comments received after the deadline will be forwarded to each Commissioner as soon as reasonably possible. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law. These procedures will apply for written public comment received by the designated staff member for the City's other boards and committees.
- (iii) General Public Comment period may be placed after quasi-judicial and business items on an agenda, with a motion to reorganize the agenda and approval of that Commission, Board, or Committee, as appropriate.

D) EMERGENCY MEETINGS. The Mayor, or Vice-Mayor in their absence, may limit public comment to less than three (3) minutes for Emergency Meetings. The Mayor or Vice-Mayor may instruct the City Clerk to summarize any written public comment received, as well as, limit the time allotted for individual in-person or telephonic public speakers. The time constraints may be announced at the beginning of the emergency meeting, or prior to any specific proposition to be heard, and may vary depending on the circumstances of the Emergency Meeting. At a minimum, members of the public will be allowed to state whether they support or oppose any proposition to be voted on by the City Commission and be given the opportunity to briefly state the reasons why.

Section 2. All other terms of Resolution 2020-13 and Resolution 2020-23 shall apply to the extent they do not conflict or are not applicable.

ADOPTED in Regular Session of the City Commission of the City of St. Augustine, Florida, this ____ day of _____, 2020.

Tracy Upchurch, Mayor-Commissioner

ATTEST

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan
City Manager

DATE: July 1st, 2020

RE: Agenda Item – Resolution 2020-24
Proposed millage rate

Please place on the July 13, 2020, City Commission Meeting Agenda, Resolution 2020-24 setting the 2020/2021 proposed millage rate.

Additionally, this resolution will schedule the initial public budget hearing for Thursday, September 3, 2020, at 5:05 p.m. Pursuant to Resolutions 2020-20 and 2020-21, the City Manager will make a final determination, no later than forty-eight (48) hours prior to the time of the meeting, on whether the September 3, 2020 meeting will be via Communications Media Technology (“CMT”) or in-person. If held in person, the meeting will take place in the Alcazar Room at City Hall, 75 King Street. Notice of the format and procedures for the meeting will be posted on the City’s website, www.citystaug.com, on the door of the meeting room, and on the City Clerk’s bulletin board. To confirm the meeting format, the public may also contact the City Clerk’s office at (904) 825-1007 or cityclerk@citystaug.com prior to the time of the meeting.

If you have any questions, please feel free to contact me.



Mark E. Simpson, CPA
Finance Director

Attachment

cc: Darlene Galambos, City Clerk
Melissa Wissel, Communications Manager

RESOLUTION NO. 2020-24

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE, FLORIDA ADOPTING THE
TENTATIVE LEVY OF AD VALOREM TAXES FOR
FISCAL YEAR 2020-2021.**

WHEREAS, the City Commission of the City of St. Augustine, Florida has determined the proposed millage rate of the City of St. Augustine, Florida shall be 7.500 mills and;

WHEREAS, the City Commission of the City of St. Augustine, Florida has determined its rolled-back rate is 6.8920 mills and;

WHEREAS, the City Commission of the City of St. Augustine, Florida has determined a public hearing on the proposed millage rate and budget will be held on Thursday, September 3, 2020 at 5:05 p.m.

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

Section 1. The proposed millage rate of the City of St. Augustine, Florida, shall be 7.500 mills for the general operating budget which constitutes the total proposed millage rate and which represents a 8.82% increase over the rolled-back rate.

Section 2. The City Manager of the City of St. Augustine, Florida is hereby directed, as Chief Executive Officer of the City of St. Augustine, Florida to appropriately notify and advise the Property Appraiser of the County of St. Johns of such proposed millage rate and public hearing date.

Section 3. Pursuant to Resolutions 2020-20 and 2020-21, the City Manager will make a final determination, no later than forty-eight (48) hours prior to the time of the meeting, on whether the September 3, 2020 meeting will be via Communications Media Technology ("CMT") or in-person. If held in person, the meeting will take place in the Alcazar Room at City Hall, 75 King Street. Notice of the format and procedures for the meeting will be posted on the City's website, www.citystaug.com, on the door of the meeting room, and on the City Clerk's bulletin board. To confirm the meeting format, the public may also contact the City Clerk's office at (904) 825-1007 or cityclerk@citystaug.com prior to the time of the meeting. A copy of the City's CMT meeting procedures is incorporated herein as Exhibit "A".

ADOPTED in regular session of the City Commission of the City of St. Augustine, Florida, this 13th day of July 2020.

Tracy Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

COMMUNICATIONS MEDIA TECHNOLOGY (CMT) QUASI-JUDICIAL, LEGISLATIVE, AND ADMINISTRATIVE HEARING PROCEDURES

1. Communications Media Technology (CMT) shall mean any alternative forms of audio, video, electronic, or digital communication transmitted or hosted via telecommunications or computer web-based platform services.
2. Implementation of these CMT procedures shall only be utilized during the pendency of a declared State of Emergency by the Governor's office. The Executive Order of the Governor must allow for suspension of any Florida Statute requiring a quorum to be physically present.
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.
4. All Applicants have the option of deferring their case to be heard at a future date under established non-emergency hearing procedures.
5. Any Applicant choosing to have their case heard under these CMT procedures must complete the Acknowledgment and Waiver form provided. This form shall be completed by the Applicant or Applicant's Agent/Legal Counsel AND the property owner, if different. The form must be sworn to, or affirmed, and notarized.
6. Noticing provisions are not suspended. Noticing will be as required by the City Code and Florida Statutes. Noticing will include information on how the public or Applicants may participate by CMT.
7. Agenda packets shall be available online.
8. The public meeting room will be open for attendance consistent with public health, and life safety requirements, as those are promulgated, including any mandated capacity and distancing requirements. Attendance will be prioritized as follows:
 - a. Board/Commission Members
 - b. City Attorney/Assistant City Attorney
 - c. City Manager/Staff Presenters
 - d. City Clerk/Recording Secretary
 - e. Applicant and/or Applicant's Agent/Legal Counsel
 - f. Witnesses for Applicant
 - g. Public Participants
9. Board/Commission Members may attend physically or by CMT means reasonably available under the emergency circumstance.
10. Applicants and/or Applicants' Agent and witnesses may attend physically or by CMT. All testimony will be sworn, except for Applicant's legal counsel, consistent with Florida Bar rules.
11. Presentation materials must be provided to the City Clerk's office no later than five (5) business days prior to the meeting to allow for their display during the Applicant's case.
12. Public comment and participation will be conducted, and public commenters may be sworn, or may make unsworn comment consistent with Florida law. Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.

Members of the public who wish to participate utilizing CMT will be requested to dial in to the announced phone bank number only when prompted for the specific item next on the agenda. The callers will be placed on hold and queued for each agenda item public comment period. In the alternative, members of the public may provide written comment to the City Clerk prior to the hearing, via drop box, U.S. Mail, or email. The City Clerk will read any received written comments into the record. All public comment will be limited to three (3) minutes. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law but will only read into the record the equivalent of three (3) minutes or 400 words.

The Mayor, or Vice-Mayor in their absence, may limit public comment to less than three (3) minutes for Emergency Meetings. The Mayor or Vice-Mayor may instruct the City Clerk to summarize any written public comment received, as well as, limit the time allotted for individual in-person or telephonic public speakers. The time constraints may be announced at the beginning of the emergency meeting, or prior to any specific proposition to be heard, and may vary depending on the circumstances of the Emergency Meeting. At a minimum, members of the public will be allowed to state whether they support or oppose any proposition to be voted on by the City Commission and be given the opportunity to briefly state the reasons why.

13. All other Rules of Decorum shall apply to the extent they do not conflict or are not applicable. The meeting moderator will monitor adherence to the Rules of Decorum and may mute any persons determined to be in violation.
14. Applicants and/or Applicants' Agent/Legal Counsel may rebut public comments through the Chairperson.

Filed in the office of the City Clerk, of the City of St. Augustine, this 26th day of June, 2020.

John P. Regan, City Manager

COMMUNICATIONS MEDIA TECHNOLOGY (CMT) QUASI-JUDICIAL, LEGISLATIVE, AND ADMINISTRATIVE HEARING PROCEDURES

1. Communications Media Technology (CMT) shall mean any alternative forms of audio, video, electronic, or digital communication transmitted or hosted via telecommunications or computer web-based platform services.
2. Implementation of these CMT procedures shall only be utilized during the pendency of a declared State of Emergency by the Governor's office. The Executive Order of the Governor must allow for suspension of any Florida Statute requiring a quorum to be physically present.
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.
4. All Applicants have the option of deferring their case to be heard at a future date under established non-emergency hearing procedures.
5. Any Applicant choosing to have their case heard under these CMT procedures must complete the Acknowledgment and Waiver form provided. This form shall be completed by the Applicant or Applicant's Agent/Legal Counsel AND the property owner, if different. The form must be sworn to, or affirmed, and notarized.
6. Noticing provisions are not suspended. Noticing will be as required by the City Code and Florida Statutes. Noticing will include information on how the public or Applicants may participate by CMT.
7. Agenda packets shall be available online.
8. The public meeting room will be open for attendance consistent with public health, and life safety requirements, as those are promulgated, including any mandated capacity and distancing requirements. Attendance will be prioritized as follows:
 - a. Board/Commission Members
 - b. City Attorney/Assistant City Attorney
 - c. City Manager/Staff Presenters
 - d. City Clerk/Recording Secretary
 - e. Applicant and/or Applicant's Agent/Legal Counsel
 - f. Witnesses for Applicant
 - g. Public Participants
9. Board/Commission Members may attend physically or by CMT means reasonably available under the emergency circumstance.
10. Applicants and/or Applicants' Agent and witnesses may attend physically or by CMT. All testimony will be sworn, except for Applicant's legal counsel, consistent with Florida Bar rules.
11. Presentation materials must be provided to the City Clerk's office no later than five (5) business days prior to the meeting to allow for their display during the Applicant's case.
12. A) PROPOSITIONS REQUIRING A SEPARATE PUBLIC HEARING. The following procedural rules apply to items placed on the regular meeting agenda of the City

Commission, or any of its boards and committees, that are propositions requiring official action and a separate hearing pursuant to state law:

- (i) Public comment and participation will be conducted, and public commenters may be sworn, or may make unsworn comment consistent with Florida law. Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.
- (ii) Members of the public who wish to participate utilizing CMT will be requested to dial in to the announced phone bank number only when prompted for the specific item next on the agenda. The callers will be placed on hold and queued for each agenda item public comment period. In the alternative, members of the public may provide written comment to the City Clerk prior to the hearing, via drop box, U.S. Mail, or email. The City Clerk will read any received written comments into the record. All public comment will be limited to three (3) minutes. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law but will only read into the record the equivalent of three (3) minutes or 400 words. These procedures will apply for CMT public comment received by the designated staff member for the City's other boards and committees.

B) PROPOSITIONS NOT REQUIRING A SEPARATE PUBLIC HEARING. The following procedural rules apply to items placed on the regular meeting agenda of the City Commission, or any of its boards and committees, that are propositions requiring official action, but not requiring a separate hearing pursuant to state law:

- (i) Public comment and participation will be conducted, and public commenters may be sworn, or may make unsworn comment consistent with Florida law. Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.
- (ii) Members of the public who wish to participate utilizing CMT may provide written comment to the City Clerk no later than two (2) business days prior to the meeting, via drop box, U.S. Mail, or email. The City Clerk will forward all written comment received by the deadline to each City Commissioner prior to the meeting. In addition, the City Clerk will tally the number of comments in support or in opposition to the proposition and read that tally, and a brief synopsis of each written comment received, into the record. Written comments received after the deadline will be forwarded to each Commissioner as soon as reasonably possible. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law. These procedures will apply for written public comment received by the designated staff member for the City's other boards and committees.

C) GENERAL PUBLIC COMMENT. The following procedural rules apply to general public comment regarding issues not on the agenda, or not requiring official action, of the City Commission, or any of its boards and committees:

- (i) Public comment and participation will be conducted, and public commenters may be sworn, or may make unsworn comment consistent with Florida law. Members of the public physically present in chambers may make public comment consistent with adopted administrative rules.

- (ii) Members of the public who wish to participate utilizing CMT may provide written comment to the City Clerk no later than two (2) business days prior to the meeting, via drop box, U.S. Mail, or email. The City Clerk will forward all written comment received by the deadline to each City Commissioner prior to the meeting. If multiple comments received relate to a common identifiable issue, the City Clerk will tally the number of comments in support of, or in opposition to, the issue and read that tally into the record. Written comments received after the deadline will be forwarded to each Commissioner as soon as reasonably possible. The City Clerk will receive and preserve all written comment consistent with Florida Public Records law. These procedures will apply for written public comment received by the designated staff member for the City's other boards and committees.
- (iii) General Public Comment period may be placed after quasi-judicial and business items on an agenda, with a motion to reorganize the agenda and approval of that Commission, Board, or Committee, as appropriate.

D) EMERGENCY MEETINGS. The Mayor, or Vice-Mayor in their absence, may limit public comment to less than three (3) minutes for Emergency Meetings. The Mayor or Vice-Mayor may instruct the City Clerk to summarize any written public comment received, as well as, limit the time allotted for individual in-person or telephonic public speakers. The time constraints may be announced at the beginning of the emergency meeting, or prior to any specific proposition to be heard, and may vary depending on the circumstances of the Emergency Meeting. At a minimum, members of the public will be allowed to state whether they support or oppose any proposition to be voted on by the City Commission and be given the opportunity to briefly state the reasons why.

- 13. All other Rules of Decorum shall apply to the extent they do not conflict or are not applicable. The meeting moderator will monitor adherence to the Rules of Decorum and may mute any persons determined to be in violation.
- 14. Applicants and/or Applicants' Agent/Legal Counsel may rebut public comments through the Chairperson.

Filed in the office of the City Clerk, of the City of St. Augustine, this 13th day of July, 2020.

John P. Regan, City Manager

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: July 2, 2020

RE: Agreement to construct a flood protection berm on private property.

Executive Summary

The purpose of this agenda item is to provide a friendly agreement between the Morrows and the City that delineates the ownership boundary at the northern existing creek top of bank and construction of a flood protection berm that protects the South Davis Shores neighborhood from nuisance flooding and provides a built environment to maintain a safe neighborhood adjacent to the park.

The agreement will trade approximately 3,550 square feet (or 0.08 acres) of City property in exchange for construction and maintenance of a concrete riprap and earth berm to an elevation between 6' to 7' NAVD88 behind the Morrow home at 83 Coquina Ave. Additionally, the Morrows will grant a permanent berm easement that requires the Morrows or their successors to maintain the berm in perpetuity. The construction of the berm on private property is in the public interest to alleviate sunny day flooding and storm surge.

There are four documents attached that work together to provide a clear delineation of land ownership and construction of a berm that provides the same or similar protection to the neighborhood as Coquina Park. The four documents are as followed:

1. A quit-claim deed from the Morrows to the City relinquishing claim to the top of bank of the existing creek.
2. A quit claim-deed from the City to the Morrow's transferring approximately 0.08 acres from the top of bank of the existing creek to the center line of the platted creek adjacent to the Morrows' parcel at 83 Coquina Ave. The quit- claim deed contains a reverter clause that would return the property back to the City if the Morrows do not complete the work behind 83 Coquina Ave. within six months.
3. A temporary blanket construction easement from the Morrows to the City for construction of the berm along top of bank of the 0.08 acres (construction by the City).
4. A permanent berm easement from the Morrows that requires that they construct approximately 35 feet of berm on the 83 Coquina Ave. parcel and maintenance in

perpetuity of the City constructed and Morrow constructed berm. The City will provide materials to the Morrows.

Agreement Details

The proposed agreement would be for the City to convey a Quit-Claim Deed for the property north of the top of bank to the centerline of the platted creek, and similarly, the Morrows would convey a Quit-Claim Deed from the top of bank south to Lot 1. In exchange the Morrows would convey a blanket temporary construction easement for construction of a protective berm that would extend from the Coquina Avenue right-of-way to the centerline of the platted creek which is the northern boundary of the City owned property.

The elevation and construction would be as the parties agreed in the field. The final protective elevation would be between 6' to 7' NAVD88. The berm materials, final elevation and all construction methods will be mutually agreed upon.

The second easement would be a permanent berm easement which would function as a maintenance easement in perpetuity. This easement requires the Morrows to construct approximately 35' of concrete riprap/earth berm on the top of bank behind 83 Coquina Ave. The City will provide the materials for the berm. The easement requires the Morrows and their successors to maintain the entire berm. The width of the easement would be 15' from top of bank and the length would be from the Coquina Avenue Right-of-Way and would terminate approximately 35' north of the platted creek centerline following the top of bank.

Public Benefits

1. **Nuisance flood control**-The agreement creates improved flood protection on private land. Absent the agreement, the City could construct the berm on the 0.08 acres. But the next lowest elevation is behind the Morrow property at 83 Coquina Ave. This trade provides for a higher level of neighborhood protection because of the improvement on 83 Coquina Ave. The combination of the park and the berm construction will ultimately tie to higher elevation private land northerly of 83 Coquina Ave. There is no motivation for the Morrows to independently improve 83 Coquina Ave. (other than good will) because their finished floor elevation is above 7'. Improving 83 Coquina Ave. enhances the protection for neighborhood properties with finished floor elevations below 7'. Many homes have finished floor elevations around 5.5' NAVD88. Importantly, the projects will prevent "sunny day flooding" on Coquina Ave. which affects everyone in the neighborhood multiple times a year.
2. **Crime Prevention through Environmental Design (Cpted)**- Absent the trade, we would realistically have to put up a privacy fence along the property line on the Morrow side. It would create an .08 acre area with a 2' berm with a lot of vegetation that would be difficult for the public and police to observe activities from the park. A privacy fence would shield the Morrows as well. The area would be a hidden enclave that could become a haven for criminal activity next to a public park that attracts children. It has always been a neighborhood concern that the City design the park to minimize its'

attraction to a criminal element. Transferring the property to the Morrow's will give the Morrow's the ability to safeguard the property and enforce "No Trespassing" which is a superior Cpted design. This issue has been reviewed by Chief Fox, Chief of Police, and he endorses the agreement to transfer the property to the Morrows in the interest of crime prevention.

If you have any questions, please do not hesitate to call me at (904) 669-1873 or email me at jregan@citystaug.com.


John P. Regan, P.E.

cc: File
Isabelle Lopez, City Attorney
Michael Cavendish, Esq., Cavendish and Partners
Reuben Franklin, P.E., Public Works Director

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



QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made by **JOHN and MARY ANN MORROW**, whose mailing address is 83 Coquina Avenue, St. Augustine, Florida 32080 ("GRANTOR"), to the **CITY OF ST. AUGUSTINE**, a Florida municipal corporation, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085 ("GRANTEE").

WITNESSETH:

GRANTOR, for and in consideration of the sum of Ten AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms to GRANTEE all the right, title, interest, claim and demand which the said GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

[SEE EXHIBIT "A"]

TO HAVE AND TO HOLD the same in fee simple forever, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit and behalf of the said GRANTEE.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the dates set forth below.

Signed, sealed and delivered
in the presence of:

"GRANTOR"

Witness #1
Print: _____

JOHN MORROW

Witness #2
Print: _____

MARY ANN MORROW

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

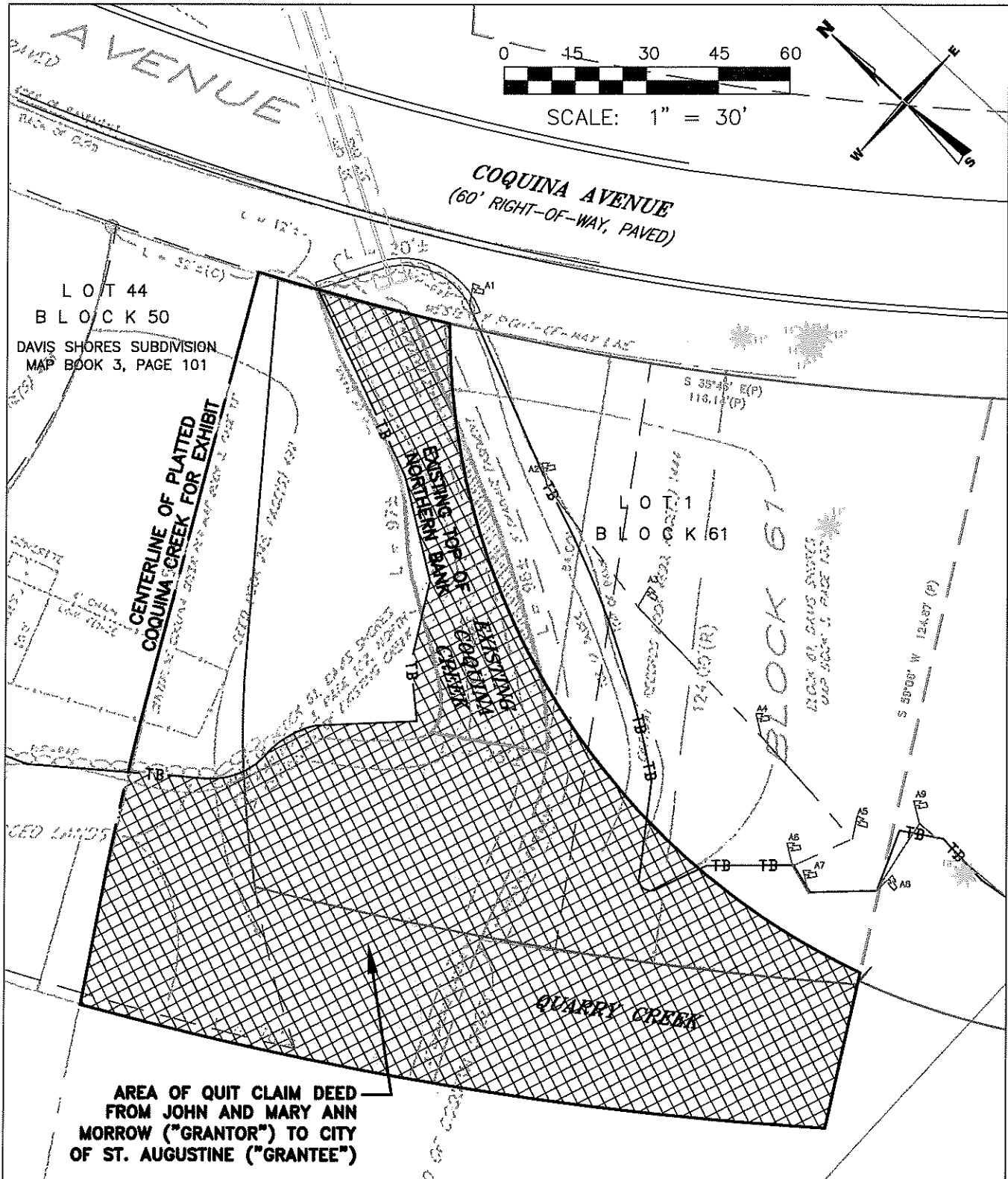
CITY ATTORNEY

EXHIBIT "A"

CITY OF
ST. AUGUSTINE

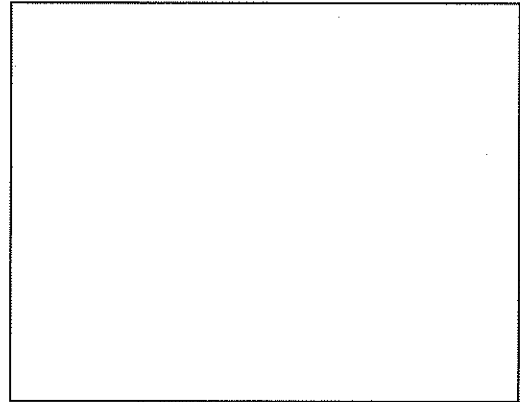
83 COQUINA AVE.
QUIT CLAIM DEED (MORROW TO CITY) - EXHIBIT "A"

PUBLIC WORKS
DEPARTMENT



QUIT CLAIM DEED: That area extending in a southerly direction from the top of the northern bank of the existing creek or ditch, to the adjoining Lot 1, Block 61, Davis Shores Subdivision, and westerly to Quarry Creek, as those reference points are identified in the above sketch.

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



QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made by the **CITY OF ST. AUGUSTINE**, a Florida municipal corporation, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085 ("GRANTOR"), to **JOHN and MARY ANN MORROW**, whose mailing address is 83 Coquina Avenue, St. Augustine, Florida 32080, ("GRANTEE").

WITNESSETH:

GRANTOR, for and in consideration of the sum of Ten AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms to GRANTEE all the right, title, interest, claim and demand which the said GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

[SEE EXHIBIT "A"]

TO HAVE AND TO HOLD the same in fee simple forever, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit and behalf of the said GRANTEE, upon completion to the satisfaction of GRANTOR of the following condition:

GRANTEE's completion of the berm contemplated by the parties in that Grant of Permanent Berm Easement within six (6) months from the date of that easement. GRANTEE'S failure to construct that portion of the berm along Quarry Creek, north of the centerline of the platted Coquina Creek, as described in the Grant of Permanent Berm Easement, shall cause title to this property to revert back to GRANTOR as required by the terms of this Quit Claim Deed.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the dates set forth below.

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

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

By: _____
Tracy Upchurch, Mayor-Commissioner

Date: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

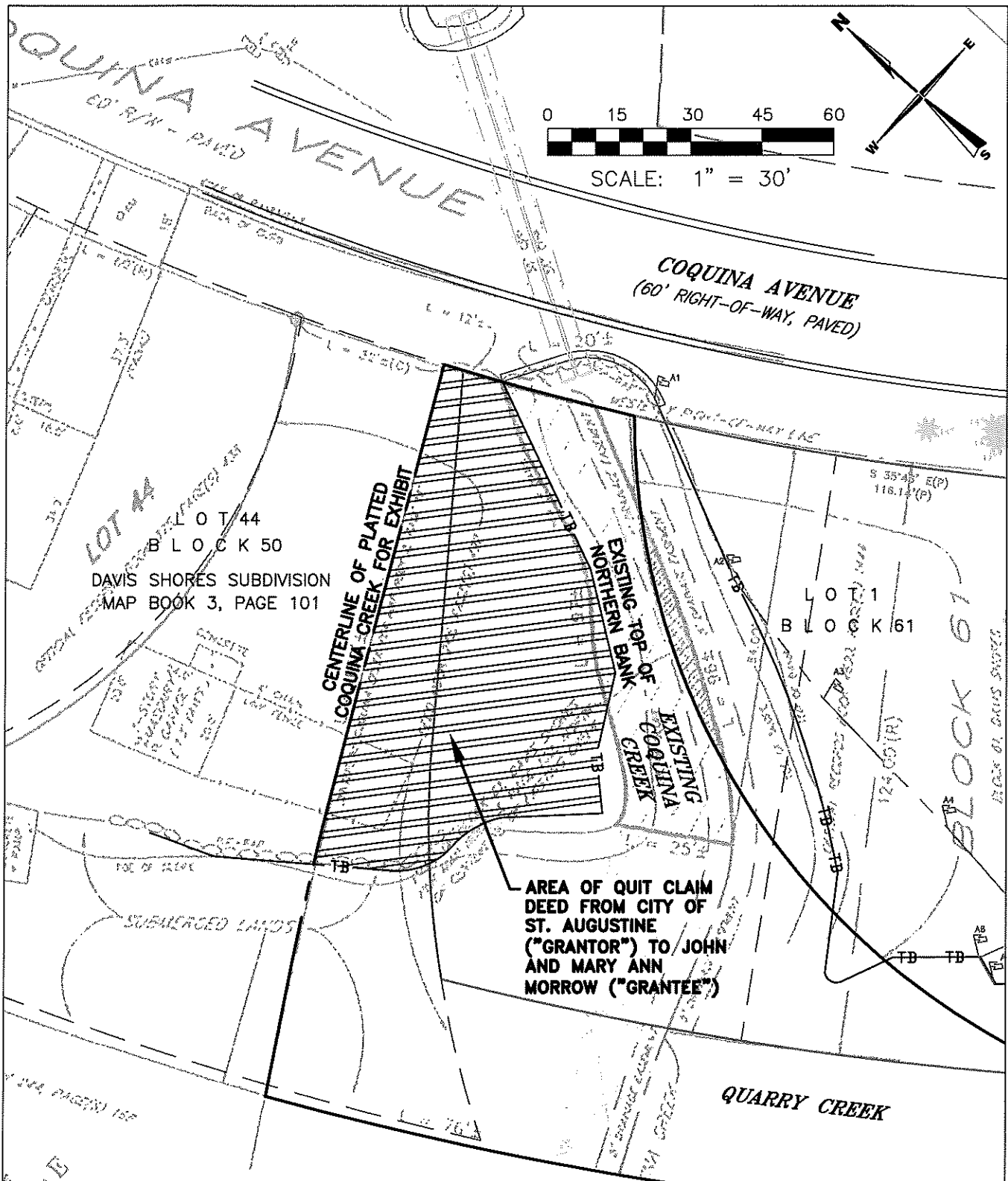
CITY ATTORNEY

EXHIBIT "A"

CITY OF
ST. AUGUSTINE

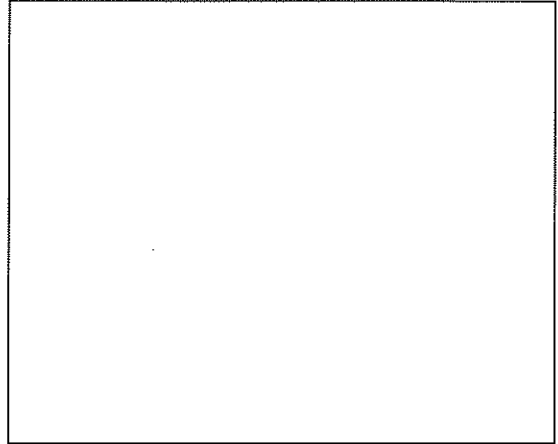
83 COQUINA AVE.
QUIT CLAIM DEED (CITY TO MORROW) - EXHIBIT "A"

PUBLIC WORKS
DEPARTMENT



QUIT CLAIM DEED: That area extending in a northerly direction from the top of the northern bank of the existing creek or ditch, from Coquina Avenue westerly to Quarry Creek, terminating at the centerline of the platted Coquina Creek, as those reference points are identified in the above sketch.

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



GRANT OF TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is made by **JOHN and MARY ANN MORROW**, whose mailing address is 83 Coquina Avenue, St. Augustine, Florida 32080, hereinafter referred to as "Grantor", to **THE CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation, E.I.D. No. 59-6000420, whose address is P.O. Box 210, St. Augustine, Florida, 32085-0210, hereinafter referred to as "Grantee".

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, including the mutual covenants and conditions as provided herein, the receipt and adequacy of which are hereby acknowledged, has granted, bargained and sold to Grantee a temporary, non-exclusive Construction Easement for the purpose of constructing a continuous berm, six-to-seven feet high N.A.V.D., with final elevation, grade and materials to be agreed to by the parties, along the northern top of bank of the existing creek or ditch, extending in a northerly direction from said northern top of bank, from Coquina Avenue westerly to Quarry Creek terminating at the centerline of the platted Coquina Creek as described in the attached and incorporated by reference description, to-wit:

[SEE EXHIBIT "A"]

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS ON AND OVER SAID PROPERTY FOR THE PURPOSES OF CONSTRUCTION OF THE DESCRIBED BERM.

The term of this Temporary Construction Easement shall be **SIX (6) MONTHS** commencing on **July 13, 2020**, and it shall terminate upon that date without need to file any further release.

The undersigned Grantor hereby reserves the right to use their real property for all purposes which will not interfere with the Temporary Construction Easement granted herein and further reserves the right to grant easements to other parties on, over and under their real property.

Grantee does not make any representation nor extends any warranties of any kind, either express, implied, statutory, or otherwise, with respect to the berm, nor does Grantee relinquish or waive any of its rights as a sovereign local government and Grantee reserves all rights and defenses under applicable sovereign immunity law. Grantor shall hold harmless Grantee from any liability related to the improvements described in this agreement.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this _____ day of _____, 2020.

Signed, sealed and delivered
in the presence of:

Witness
Print: _____

By: _____
JOHN J. MORROW

Witness
Print: _____

By: _____
MARY ANN MORROW

Witness
Print: _____

Witness
Print: _____

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, **JOHN and MARY ANN MORROW**, as Owners of property described within this document, by means of ☐ physical presence or ☐ online notarization, who are personally known to me or who have produced _____ as identification, who are the persons described in and who executed the foregoing instrument and who acknowledged before me that they 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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

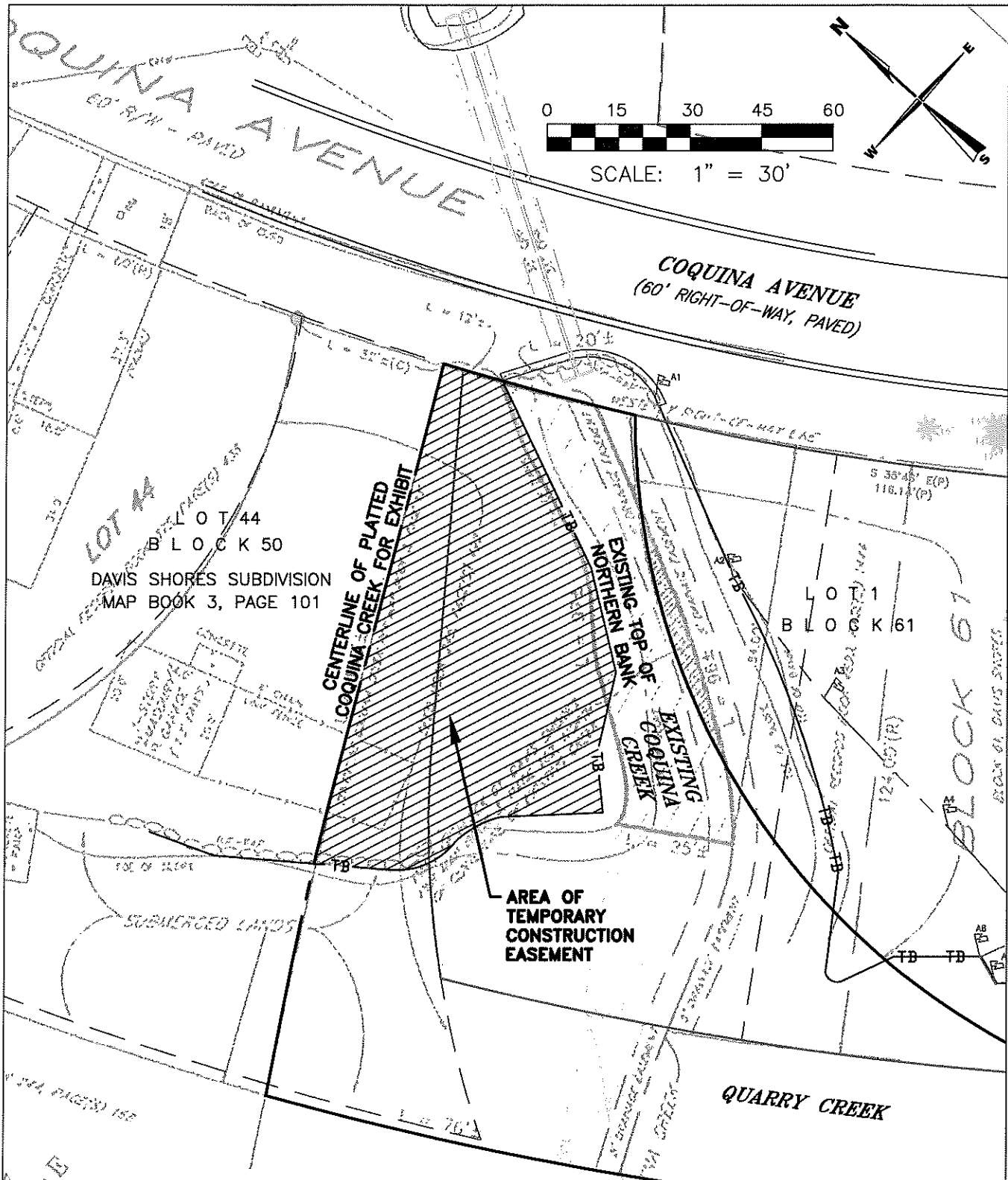
CITY ATTORNEY

EXHIBIT "A"

CITY OF
ST. AUGUSTINE

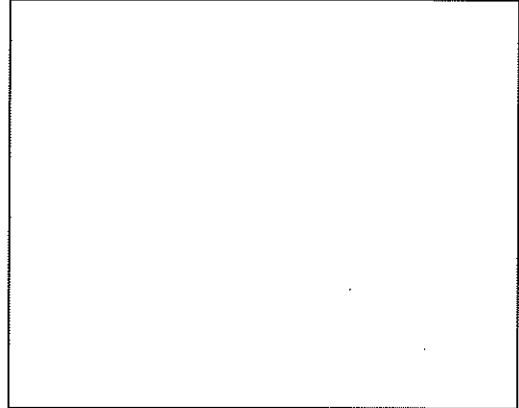
83 COQUINA AVE. TEMPORARY CONSTRUCTION EASEMENT - EXHIBIT "A"

PUBLIC WORKS
DEPARTMENT



EASEMENT: That area extending in a northerly direction from the top of the northern bank of the existing creek or ditch, from Coquina Avenue westerly to Quarry Creek, terminating at the centerline of the platted Coquina Creek, as those reference points are identified in the above sketch.

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



GRANT OF PERMANENT BERM EASEMENT

THIS PERMANENT BERM EASEMENT is made by **JOHN and MARY ANN MORROW**, whose address is 83 Coquina Avenue, St. Augustine, Florida 32080, hereinafter referred to as "Grantor", to **THE CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation, E.I.D. No. 59-6000420, whose address is P.O. Box 210, St. Augustine, Florida, 32085-0210, hereinafter referred to as "Grantee".

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, and the mutual covenants and conditions as provided herein, the receipt and adequacy of which are hereby acknowledged, has granted, bargained and sold to Grantee a fifteen (15) feet wide, permanent, non-exclusive Berm Easement for the maintenance of a six-to-seven feet high N.A.V.D berm that crosses from Grantee property to Grantor property along the northern top of bank of the existing creek or ditch, extending in a northerly direction, from Coquina Avenue westerly to Quarry Creek terminating approximately thirty-five (35') feet north of the centerline of the platted Coquina Creek to be maintained by Grantor, their successors and assigns, for the benefit of Grantee, as described in the attached and incorporated by reference description, on and over the following described real property ("Property") situated in St. Johns County, Florida, to-wit:

[SEE EXHIBIT A]

The term of this Permanent Berm Easement shall be **indefinite and perpetual** commencing on **July 13, 2020**.

The parties acknowledge and agree that Grantee shall construct the aforementioned berm up to the southernmost point of the existing riprap wall on Grantee's property and easement.

The parties acknowledge and agree that Grantor shall construct a berm/wall from the southernmost point of the existing riprap wall and the termination of the berm constructed by Grantee, in a northerly direction, terminating approximately thirty-five (35') north of the centerline of the platted Coquina Creek.

The parties acknowledge and agree that Grantee shall supply the construction materials to Grantor for its construction of the berm/wall described in the immediately preceding paragraph, to the specifications of Grantor.

The parties acknowledge and agree that the continuous berm crosses from Grantee property to Grantor property, and nothing herein is intended to modify underlying real property

ownership. The continuous Permanent Berm Easement is described as one easement for ease of reference. The parties reserve the right to use their real property for all purposes which will not interfere with the Permanent Berm Easement granted herein and further reserve the right to grant easements to other parties on, over and under said real property so long as they do not interfere with the Permanent Berm Easement.

Grantee does not make any representation nor extends any warranties of any kind, either express, implied, statutory, or otherwise, with respect to the berm, nor does Grantee relinquish or waive any of its rights as a sovereign local government and Grantee reserves all rights and defenses under applicable sovereign immunity law. Grantor shall hold harmless Grantee from any liability related to the improvements described in this agreement.

IN WITNESS WHEREOF, Granter has caused this instrument to be executed on this ____ of _____, 2020.

Signed, sealed and delivered
in the presence of:

Witness

Print: _____

By: _____
JOHN J. MORROW

Witness

Print: _____

By: _____
MARY ANN MORROW

Witness

Print: _____

Witness

Print: _____

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, **JOHN and MARY ANN MORROW**, as Owners of property described within this document, by means of ☐ physical presence or ☐ online notarization, who are personally known to me or who have produced _____ as identification, who are the persons described in and who executed the foregoing instrument and who acknowledged before me that they executed the same for the uses and purposes therein expressed.

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CITY ATTORNEY

Notary Public, State of Florida

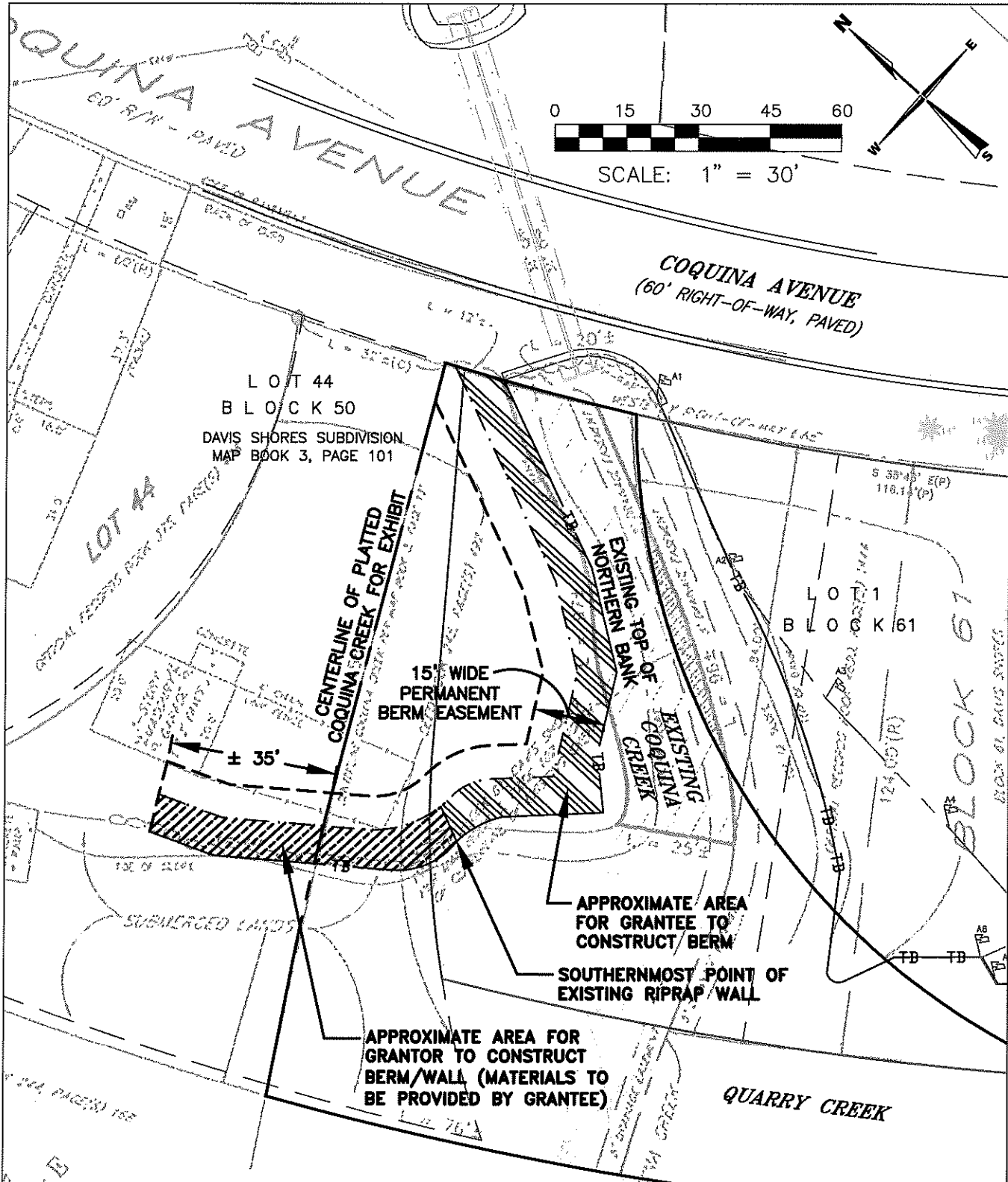
Permanent Easement
Morrow – 83 Coquina Ave.
Page 2 of 2

EXHIBIT "A"

CITY OF
ST. AUGUSTINE

83 COQUINA AVE.
PERMANENT BERM EASEMENT - EXHIBIT "A"

PUBLIC WORKS
DEPARTMENT



EASEMENT: That 15' wide area extending in a northerly direction from the top of the northern bank of the existing creek or ditch, from Coquina Avenue westerly to Quarry Creek, terminating approximately 35' north of the centerline of the platted Coquina Creek, as those reference points are identified in the above sketch.



St. Johns County Board of County Commissioners

Office of the County Administrator
Hunter S. Conrad, County Administrator

July 9, 2019

John Regan, City Manager
City of St. Augustine
P.O. Box 210
St. Augustine, FL 32085

Dear Mr. Regan:

This letter is to solicit input from the City of St. Augustine as we prepare recommended items to include in the 2021 St. Johns County Legislative Action Plan. The document is a focused list of St. Johns County issues for which we request financial or legislative assistance and other support from our state and/or federal legislative delegation members.

Topics of consideration could include regulatory issues, requests for financial assistance, legal requirements, or any other potential legislative action that would impact your organization or St. Johns County. I invite you to submit any items you feel should be included in the upcoming Legislative Action Plan. When submitting an item, please include the specific action(s) being requested from members of our delegation.

Please submit all items in writing to this office no later than Friday, July 24, 2020. If no response is received, we will presume you have no issues to include in the 2021 Legislative Action Plan.

Sincerely,

A handwritten signature in dark ink that reads "Hunters Conrad".

Hunter S. Conrad
County Administrator

HC/sb

Ancient City Art.com



6-30-2020

To the Saint Augustine City Commission:

My name is Thaddeus Swestyn and I have a fine art printing business called Ancient City Art. I also make my own art. I recently completed a piece of wood art (cnc machined) that is a panorama of Saint Augustine. I would like to ask the City Commission for permission to use the City Crest in one of the top corners. The other corner I will probably put a standard Spanish Coat of Arms. Would it be possible for me to get permission to do this? It would be a painted wood carving of the Crest. This art piece is a limited edition and I'm only making so many. It is 1' tall by 4' wide. Shown below is the art piece that I am requesting to use the City Crest in.

Sincerely, Thad Swestyn



Ancient City Art

Tel 904-907-4799
thad@ancientcityart.com

611 Seville Parkway
Saint Augustine, FL 32086

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

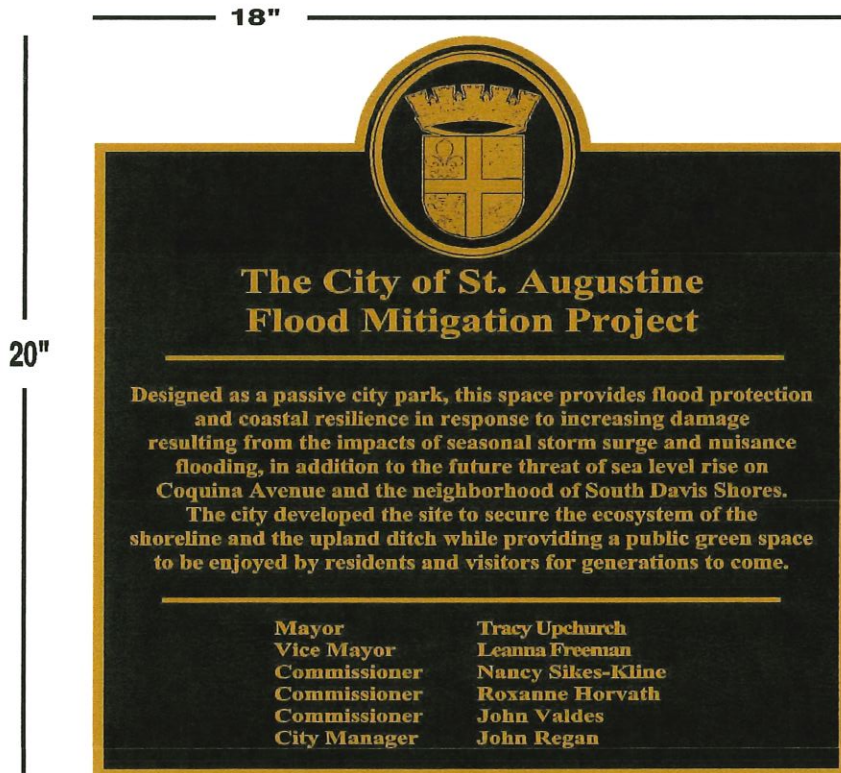
DATE: June 25, 2020

RE: Consent Agenda Item for July 13, 2020 City Commission Meeting;
Approval for Bronze Plaque Wording and Placement at 91 Coquina Avenue

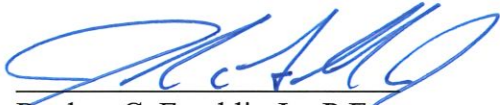
The City of St. Augustine staff request Commission approval for the placement and wording of a bronze plaque at 91 Coquina Avenue as pictured below:



Signs by
Darrel Galles
51 SOUTH DIXIE HWY.
ST. AUGUSTINE, FL.
32084



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

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

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

cc: City Attorney & Department Heads

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: July 1, 2020

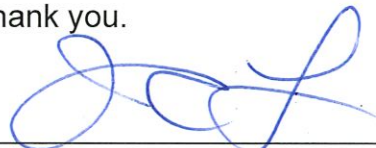
RE: **MARLOWE V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 08-2020-06-1743 dated June 30, 2020 from Cavendish Partners, P.A. for legal services rendered in June 2020 regarding the Marlowe v. City of St. Augustine matter.

The amount currently due is **\$8,381.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the July 13, 2020 City Commission meeting.

*WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$39,107.40.*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Denise C. May, Assistant City Attorney
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1610
Jacksonville, FL 32202

INVOICE

Date: 06/30/2020
Invoice #: 08-2020-06-1743
Matter: Marlowe
File #: 1743

INVOICE TOTAL AND BALANCE DUE **\$8,381.00**

Bill To:

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

Due Date: 07/31/2020

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1610
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 06/30/2020 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**