CITY OF ST. AUGUSTINE CITY COMMISSION

A M E N D E D

REGULAR MEETING AGENDA
MONDAY, DECEMBER 14, 2020 - 5:00 PM
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

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.A.1. ***Ordinance 2020-31***: Provides for notifications required by Section 162.09(1), Florida Statutes, to be made to the City Manager and for the board to hear applications for reduction of fines and fees prior to and after recording liens. *(D. May, Assistant City Attorney)*

8.A.2. ***Ordinance 2020-32***: Amends the Hilton Bayfront Inn Planned Unit Development to allow for an additional 1% lot coverage.*(D. Birchim, Director Planning and Building)*

8.A.3. ***Ordinance 2020-33***: Amends the Firefighter's Pension Trust Fund to comply with changes to the mandatory distribution age and the allocation of the Share Plan. *(I. Lopez, City Attorney)*

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

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

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.B. Resolutions

10. STAFF REPORTS AND PRESENTATIONS

10.A. An overview of the Waste Water Treatment Plant flood mitigation. *(T. Grant, Utilities Director)*

10.B. Discussion to address high water bills due to accidental leaks or breaks on a customer's property. *(T. Grant, Utilities Director)*

10.C. Municipal utility rate comparison. *(T. Grant, Utilities Director)*

10.D. Request for consensus to work with Lightner museum to amend current agreement. *(M. Breidenstein, Assistant City Manager)*

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

12.A. Request for three appointments to the Code Enforcement Adjustment and Appeals Board. *(D. Galambos, City Clerk)*

12.B. Request for two appointments to the Civil Service Board. *(D. Galambos, City Clerk)*

12.C. Request for one appointment to the St. Augustine Police Officers' Retirement Board of Trustees. *(D. Galambos, City Clerk)*

13. ITEMS BY CITY MANAGER

13.A. Update on 80 acre discussions with county representatives, appraiser and Florida Housing Coalition. *(J. Regan, City Manager)*

13.B. Discussion on options for future City Commission and other City Board meetings. *(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 - DECEMBER 14, 2020

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JANUARY 25, 2021: NONE

CA.3. Reminder of Upcoming Meetings:

- January 11, 2021, 5pm, regular City Commission Meeting
- January 25, 2021, 5pm, regular City Commission Meeting
- February 8, 2021, 5pm, regular City Commission Meeting

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

- October 26, 2020, Regular City Commission Meeting
- November 9, 2020, Regular City Commission Meeting

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

Vida Baas Sizemere - 1110 4th Street

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

Proclamation 2020-14: Proclaims January 1 through December 31, 2021 as Trinity Parish Church's Bicentennial Year. *(R. Horvath, Commissioner)*

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

CA.8. Approval of annual routine carryover request list. *(M. Simpson, Director Finance)*

CA.9. Financial report through month ending November 20, 2020. *(M. Simpson, Director Finance)*

CA.10. Recommendations from St. Johns County Transportation Advisory Group of the 2021 St. Johns County Road Capacity Project Priorities. *(R. Franklin, Director Public Works)*

CA.11. Correction to previously approved park name from Maria Andreu Conservation Park to *Maria Andreu Conservation Area at Lighthouse Park*. *(M. Wissel, Director Communications)*

CA.12. Approval of invoice from Cavendish Partners, P.A. for services in the amount of $4,669.00 for legal services rendered in the Marlowe 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: November 10, 2020

RE: **ORDINANCE 2020-31: CEAAB DUTIES**

Please find attached Ordinance 2020-31 amending Sections 2-212 and 2-213 of the City Code regarding the powers and duties of the Code Enforcement Adjustment and Appeals Board. These amendments provide for notifications required by Section 162.09(1), Florida Statutes, to be made to the City Manager and for the board to hear applications for reduction of fines and fees prior to and after recording liens. The amendments are to make explicit the process currently followed by the board.

Please place Ordinance 2020-31 on the regular City Commission agenda for second reading on December 14, 2020.

Thank you.

Denise C. May
Assistant City Attorney

Attachment

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

Agenda Title:

Provides for notifications required by Section 162.09(1), Florida Statutes, to be made to the City Manager and for the board to hear applications for reduction of fines and fees prior to and after recording liens.

ORDINANCE NO. 2020-31

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING CHAPTER 2, ARTICLE V, DIVISION 2, SECTIONS 2-212 AND 2-213 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE NOTIFICATION TO CITY MANAGER OR HIS OR HER DESIGNEE; TO PROVIDE FOR APPLICATION TO THE CODE ENFORCEMENT, ADJUSTMENTS, AND APPEALS BOARD FOR REDUCTION OF FINES AND FEES PRIOR TO LIEN RECORDATION OR FOR RECOMMENDATION TO THE CITY COMMISSION FOR REDUCTION OF FINES OR FEES ON RECORDED LIENS; 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, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances by municipalities; and,

WHEREAS, the designation of a point of contact for notification to the governing body of the City of St. Augustine will clarify the existing informal process by designating the City Manager or his or her designee as the notification point of contact consistent with Chapter 162, Florida Statutes; and

WHEREAS, individuals seeking a reduction of fines and fees prior to recording of a lien against the property due to a resolved code enforcement matter will be able to address the Code Enforcement, Adjustments, and Appeals Board directly, thus minimizing unnecessary procedural steps; and

WHEREAS, individuals seeking a full or partial reduction of a recorded lien due to a code enforcement violation will first be required to obtain a recommendation from the Code Enforcement, Adjustments, and Appeals Board prior to City Commission hearing the matter; and

WHEREAS, the Code Enforcement, Adjustments, and Appeals Board has greater familiarity with the details of the case and the prior representations of the parties during the code enforcement process in order to provide a more meaningful recommendation to the City Commission; 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. Amendment to Chapter 2, Article V, Division 2, Sections 2-212 and 2-213. Chapter 2, Article V, Division 2, Sections 2-212 and 2-213 of the Code of the City of St. Augustine, Florida are hereby amended, as follows:

"Sec. 2-212. - Organization.

The members of the code enforcement board shall elect a chairman from among the members of the board. The presence of four (4) or more members shall constitute a quorum of the enforcement board. Members shall serve without compensation, but may be reimbursed for such travel, mileage and per diem expenses as may be authorized by the city commission or as are otherwise provided by law. All notifications to the local governing body required by section 162.09(1), Florida Statutes shall be made by notification to the City Manager or his or her designee.

Sec. 2-213. - Powers.

Enforcement proceedings, conducting of hearings and powers of the code enforcement board shall be as provided by the Local Government Code Enforcement Board Act [F.S. § 162.01 et seq.].

The code enforcement board shall hear applications for reduction of fines or fees prior to recordation of lien and approve or deny applications based on the evidence presented after consideration of factors as outlined in section 162.09(2)(b).

The code enforcement board shall hear application for reduction of recorded liens and make recommendation for approval or denial to the City Commission. The City Commission shall make final determination and approve or deny reduction, modification, or release of recorded liens.**"**

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 following effective date, pursuant to s. 166.041(4), Florida Statutes.

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

ATTEST:

_____	_____
Darlene Galambos, City Clerk	Tracy Upchurch, Mayor-Commissioner
(SEAL)	

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: December 14, 2020

RE: Ordinance 2020-32 – Amending the Hilton Bayfront Inn Planned Unit Development (PUD) – Second Reading

The property at 32 Avenida Menendez is the Hilton Bayfront Inn. The Hilton Bayfront Inn is a 72 room hotel and restaurant and it has a zoning designation of Planned Unit Development (PUD). The property's Future Land Use Map designation, identified in the Comprehensive Plan 2040, is Historic Preservation and the city's Historic Architectural Review Board (HARB) has design review authority over this property.

On February 7, 2020, an application to the Planning and Zoning Board was submitted to amend the Hilton Bayfront Inn PUD to allow for an additional 543 square feet of lot coverage. The current PUD narrative defines the maximum lot coverage as 52%, this amendment would increase the maximum lot coverage to 53%.

On July 7, 2020, the Planning and Zoning Board made a positive recommendation to the City Commission to amend the Hilton Bayfront Inn PUD to allow for an additional 1% lot coverage. This increase is for a covered entry to the hotel lobby and a small storage room.

On October 15, 2020, the Historic Architectural Review Board approved a Certificate of Appropriateness for the design of the covered entry to the lobby and the storage room.

On November 9, 2020, the City Commission passed Ordinance 2020-32 at first reading

Please place Ordinance 2020-32 on the December 14, 2020 City Commission agenda for second reading and a public hearing.

If you have any questions, please let me know.

David Birchim

David Birchim, AICP
Director, Planning and Building

ORDINANCE NO. 2020-32

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE HILTON BAYFRONT INN PLANNED UNIT DEVELOPMENT (PUD) ESTABLISHED PURSUANT TO ORDINANCE NO. 2009-02 IN ORDER TO PROVIDE FOR ADDITIONAL LOT COVERAGE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3194, Florida Statutes, requires that after a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted; and

WHEREAS, the City of St. Augustine Comprehensive Plan provides for a Historic Preservation land use designation and associated use and density criteria for development within the designation for the subject property; and

WHEREAS, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances initiated by other than the municipality which change the actual zoning map designation of a parcel or parcels of land; and

WHEREAS, Section 28-289 of the Code of the City of St. Augustine provides procedures for the establishment and amendment of a PUD; and

WHEREAS, on February 9, 2009, the City Commission passed Ordinance No. 2009-02 establishing the Hilton Bayfront Inn Planned Unit Development (PUD); and

WHEREAS, on July 7, 2020, the Planning and Zoning Board considered an application to amend the Hilton Bayfront Inn PUD to allow for additional lot coverage and recommended approval for this PUD amendment to the City Commission.

WHEREAS, on October 15, 2020, the Historic Architectural Review Board approved a Certificate of Appropriateness to construct a covered entry to the hotel lobby in the interior courtyard and to construct a small storage room on the west side of the building.

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

Section 1. Establishment of Planned Unit Development. The Hilton Bayfront Inn Planned Unit Development (PUD) was created for the property described in the PUD application, with a submittal date of October 22, 2008, attached hereto and incorporated herein by reference.

Section 2. Amendment of Planned Unit Development. The Hilton Bayfront Inn PUD, as modified, is hereby amended to incorporate an additional 543 square feet of roofed area, increasing the total lot coverage from 52% to 53%, in accordance with the attached narrative dated February 20, 2020, attached hereto as "Exhibit C" and incorporated herein by reference, for property described in the said attached narrative.

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.

ATTEST: _____
Tracy Upchurch, Mayor-Commissioner

_____
Darlene Galambos, City Clerk

(SEAL)

RECEIVED
By Patrick Doty at 4:30 pm, Feb 20, 2020

THE HILTON BAYFRONT INN

Amendment to Planned Unit Development Text
(Approved at Ord. 2009-02)

Submittal Date:
February 7, 2020
February 20, 2020 (Amended per Staff Request for Clarification)

Request:
Amendment to the previously approved Planned Unit Development (PUD), to add a small covered walkway area to the existing hotel, over a small part of the interior courtyard/drive area, to allow for covered pedestrian travel from the main building to the building facing the bayfront. Additionally, to enclose a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage; this area is barely visible on the Charlotte street elevation and is set back in an open indention that currently exists. These very minor additions have been designed to mesh seamlessly into the current buildings and will meet all HARB-approved architecture/features. Accordingly, these minor additions are proposed to meet all city codes. These minor modifications will allow the applicant to provide for covered pedestrian travel that is currently lacking, and for a very small additional maid storage area, both as depicted in the diagrams provided. The site is approximately 48,239 gsf and the approved building coverage is 24,736 sf (approx. 52 %). The proposed covered walkway and enclosure will add approximately 543 sf; thus, the applicant requests the lot coverage be amended to reflect approval for 53% lot coverage to accommodate for these minor improvements.

Applicant/Owner:
Sea Wall Motor Lodge, Inc. / Kanti M. Patel
32 Avenida Menendez
St. Augustine, FL 32084

Authorized Agent for the Applicant:
James G. Whitehouse, Esq. / Anish Patel, Esq.
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080

Exhibits:

Exhibit A	Application
Exhibit B	Legal Description
Exhibit C	Development Plan Narrative
Exhibit D	Location Map/Aerial
Exhibit E	Proof of Ownership/Deed
Exhibit F	Authorizations
Exhibit G	Master Site Plan
Exhibit H	Diagrams/Renderings of Minor Additions

Parcel Identification Numbers:
196320 0000

Exhibit "A"

Application

RECEIVED

FEB 07 2020

Planning/Building Dept.

CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: 400.00 (plus advertising costs) Project Number: 2020-0023

Receipt Number: 1790499 Meeting Date: 03/03/2020

Advertising Costs: $ 104.39 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: James G. Whitehouse, Esq. Contact Number: 904-495-0400
   Business (*if applicable*): St. Johns Law Group
   Address: 104 Sea Grove Main Street City: St. Augustine State: FL Zip: 32080
   E-Mail Address: jameswhitehouse@sjlawgroup.com

2. NAME OF PROPERTY OWNER: Sea Wall Motor Lodge, Inc. Contact Number: _____
   Business (*if applicable*): _____
   Address: 32 Avenida Menendez City: St. Augustine State: FL Zip: 32084
   E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
   Lot: _____ Block: _____
   Subdivision: _____ Parcel Number: 196320 0000

4. PROJECT STREET ADDRESS: 32 Avenida Menendez

5. SPECIFIC PROPOSED USE: Hilton Bayfront Inn (as currently approved)

6. ACTION REQUESTED:
   ☐ Conservation Zone Development ☐ Appeal of Staff Determination
   ☐ Exception ☐ Land Use Plan Amendment
   ☐ Variance ☒ Rezoning
   ☒ Other: minor modification to currently approved Hilton Bayfront Inn PUD

7. DESCRIPTION OF ACTION REQUESTED:

   SEE ATTACHED

8. JUSTIFICATION FOR ACTION REQUESTED:

   SEE ATTACHED

9. **IF APPLYING FOR A VARIA. .E, PLEASE COMPLETE THE FOLLOWI. . AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:**

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity:_____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property:_____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant:_____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section:_____

10. PREVIOUS APPPLICATIONS:
Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?
☐ Yes ☒ No If yes, please give date and final disposition below.

_____

11. AGREEMENT:
In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

2/4/2020

Signature of Applicant Date

* OWNER'S AUTHORIZATION ATTACHED *

Signature of Property Owner Date

Exhibit "B"

Legal Description

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler; together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.

ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer arid water pipes under said Baya Lane.

Together with the South 4 ½ feet of the North 9 feet of Lot 3, Block 3, according to the official map of the City of St. Augustine, Florida.

Exhibit "C"

DEVELOPMENT PLAN NARRATIVE

THE HILTON BAYFRONT INN
PLANNED UNIT DEVELOPMENT

SECTION I- INTRODUCTION AND REQUEST

This is an application for amendment to the previously approved Planned Unit Development (PUD). Included is the request to add a small covered walkway area to the existing hotel, over a small part of the interior courtyard/drive area, to allow for covered pedestrian travel from the main building to the building facing the bayfront, and to enclose a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage, as well as all accompanying documents as required by the City of St. Augustine Zoning Code ("Zoning Code"). This Application is filed on behalf of the Applicant, Sea Wall Motor Lodge, Inc. The Applicant is requesting an amendment to the previously-approved PUD in accordance with the City of St. Augustine Zoning Code, which includes a small addition to the interior of the courtyard/driveway area, for the addition of a covered walkway to allow for covered pedestrian travel from the main building to the buildings facing the Bayfront, and to allow for the enclosure of a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage, to protect this storage from the weather and elements. The current PUD has been in place since the parcel containing the Hilton Bayfront Inn was rezoned from HP-3 to PUD for the continued operation of this exquisite hotel. The PUD was approved in 2009 (Ord. 2009-02).

The current configuration of the interior courtyard and drive area leaves the area uncovered at all times, which has become cumbersome during inclement weather. As the hotel continues to strive to provide appropriate facilities to its guests, and to meet all ADA requirements, the need for this covered walkway area has become essential to the continued feasibility of the hotel's current configuration. This very small addition to the interior of the courtyard area will allow for the covered walkway for covered pedestrian travel to the other buildings facing the bayfront as well as for vehicle loading and unloading, which in turn will promote quicker mobility services in the hotel's interior driveway areas. Further, the enclosure of the very small storage area will allow for access from the interior of the hotel and for additional needed maid storage space. The applicant had already engaged the services of the late city architect, Mr. Dixon, and his office and is prepared to move forward with these minor additions in a manner that will, first and foremost, meet all of the all HARB requirements, including all approved architecture/features, as well as meeting all of the other city codes. Moreover, these modifications will allow the applicant to continue to provide off street disembarking of visitors to the hotel during check-in and check-out and for the enclosure of the very small storage area. Through the guidance and advice of Mr. Dixon, before his passing, and now through his office, these minor additions for the arched covered walkway and small enclosed storage area will simply be seamlessly added to the hotel in the interior of the courtyard area between the main building and the buildings facing the Bayfront and on the rear in an already indented area, and these minor additions will not be apparent to the general view of the building as a whole. Further, as aforementioned, these very minor additions will meet all of the HARB requirements and will blend seamlessly into the overall design of the hotel, as depicted in the elevations, pictures and site plan provided. Applicant herein seeks these modifications, including the rezoning, as presented.

The objective of the PUD as modified is to continue the operation of the Hilton Bayfront Inn on this site. The current establishment was constructed in 2005 on this site as a 24,344 square foot, 72-unit hotel, contained within 22 buildings, and then slightly modified in 2009 during the establishment of this PUD, to allow for the enclosure of an additional 392 square foot dining area, which had been used as an outdoor seating area.

A. Location/Surrounding Areas: The property within the PUD currently consists of approximately 1.08 acres, described by the Legal Description as included in the Proof of Ownership documents, attached. The property is located on the city's bayfront, along Avenida Menendez.

B. Ownership/Agreement: The Property is owned by Sea Wall Motor Lodge, Inc., as shown by the Proof of Ownership documents in the Application materials, who has authorized St. Johns Law Group to represent it. Evidence of authorization is contained within the Application materials, as well.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission with the amendments as outlined. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB), Historic Architectural Review Board (HARB) and the City of St. Augustine City Commission. The Applicant understands that any architectural site changes to any property in the PUD must be in compliance with the AGHP and is subject to HARB approval.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The property currently contains the afore-mentioned hotel, a restaurant, with associated bar and lounge serving alcohol beverages, some conference room areas and a parking garage area. This current mix of uses will continue to be allowed along with any other uses as allowed in the HP-3 zoning district. This PUD shall not relieve the Applicant, its successors and assigns, of their obligations from complying with all Federal, State and local applicable laws and does not otherwise limit, nor expand, the authority of the City of St. Augustine to enforce such laws nor limit, nor expand, defenses available to the property owner.

Uses by exception shall be provided for and any changes to the uses described herein by an amendment to the PUD.

B. Development Standards for NEW Structures within the PUD: The attached Site Plan depicts the current site plan and layout of the current structures and parking area, as well as the very minor additions to the main structure for the proposed arched covered walkway located in the interior of the courtyard/drive area and the small enclosed area on the rear. The only difference from that which was approved previously is the inclusion of this arched covered walkway to the area between the main building and the buildings facing the Bayfront and the enclosure of the small storage area. No material departures from the Site Plan are permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

1. **Maximum lot coverage:** Fifty-three percent (53%)

2. **Maximum building height:** Maximum thirty-five (35) feet, measured from a ten foot finished floor elevation.

3. **Parking:** Parking spaces are provided in conformance with the City of St. Augustine Zoning Code and constructed in accordance with all City requirements and receipt of appropriate permits.

4. **Signage:** Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements. Any and all signs currently in use shall continue to be allowed and may be maintained and repaired in their current form. These signs conform to the City of St. Augustine Sign Ordinance requirements, may be incorporated into a wall and may be lighted (lights are not directed towards traffic) and do not obstruct visibility

5. **Stormwater:** Stormwater is retained on site within the retention areas. The drainage structures and facilities have been designed and constructed in compliance with the regulations of the City of St. Augustine and conform with the permit requirements established by the St. Johns River Water Management District.

6. **Access:** Vehicular and pedestrian access to the property will be provided.

7. **Fencing:** All existing fencing on the Property is either masonry (fronting Avenida Menendez) or wooden (along Charlotte Street). No additional fencing is proposed or required as a result of the proposed enclosure.

8. **Utilities:** All electrical and telephone lines are installed underground on the site: Electrical power is provided by Florida Power and Light Company or other franchised utility provider. Security lighting may be provided as needed.

9. **Potable Water:** Potable water will be provided by the City of St. Augustine via existing connections.

10. **Fire Protection/Assessment:** Fire protection will be afforded by fire hydrants in accordance with City standards. Applicant will comply with the non-ad valorem assessment for fire services adopted by the City through Ordinance Number 97-25 and Resolution Number 97-04. This will include the re-adoption or continuance on an annual basis of such assessment, by Resolution of the City Commission.

11. **Sanitary Sewer:** The development is served by central sewer collection from the City of St. Augustine. Any extensions or new connections shall be in accordance with City requirements and construction shall conform to current permit standards.

12. **Sidewalks:** Sidewalks are in place along Avenida Menendez and Charlotte Street. There is no opportunity for sidewalks along Treasury Street or on the north side of the existing Hotel.

13. **Design:** The design of the existing hotel and 392-square foot enclosure addition were reviewed by the Historic Architectural Review Board ("HARB") to assure

that the Hotel reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. HARB granted its approval for the existing Hotel in 2005 and approved the proposed 392-square foot enclosure on September 11, 2008. The design of the minor additions shall be submitted to and reviewed by the Historic Architectural Review Board to assure that it reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. These amendments do not change the design or architectural elements.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its assigns. The Applicant, it successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner or owners has been established, which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV- PUD ORDINANCE CRITERIA

Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future land Use Map category for the property.

Response: The Hilton Bayfront Inn PUD as proposed is consistent with the goals, policies and objectives of the Comprehensive Plan, including:

FUTURE LAND USE ELEMENT

FLU Objective 1

The future land use map and subsequent amendments to it shall be adopted and implemented in a manner consistent with topography, soil conditions, and the availability of facilities and services to support such development. This is implemented by FLU Policies 1.1, 1.7, 1.8, 3.2, 6.1, 11.1, and A. The measurable targets for this objective are: (1) the number of development proposals reviewed by compliance with the Future Land Use Plan as implemented by the City's development regulations contained in the City Code; and (2) approval of large scale comprehensive plan amendments by DCA, and adoption of small scale comprehensive plan amendments by the City according to the requirements contained in the Rules and Florida Statutes, and consistent with the adopted Comprehensive Plan.

The subject property does not have any constraints related to topography or soil conditions. Water and wastewater lines are already connected to the site.

FLU Objective 11

The City will act to discourage the proliferation or urban sprawl. This objective is implemented by FLU Policies 1.1, 1.2, 1.8, 3.2, 7.2, 7.3, 8.1, 11.1, 11.2, 11.3, and CI Policies 4.1 and 4.2

FLU Policy 1.1: The City shall continue to implement the adopted comprehensive

plan by including all land development regulations governing the use of land in the City Code. All applications for development shall be subject to site plan review by the City. Site plan review shall consist of review of the development proposal for compliance with all applicable chapters of the City Code including but not limited to land development regulations relating to: zoning and on-site parking; environmental protection and conservation overlay zones; concurrency management and on-site storm drainage; signs; landscaping; subdivisions; building code and coastal construction code; utilities – potable water, sanitary sewer, solid waste and city storm sewer; archaeology; and flood control. Building permits shall not be issued which result in a reduction of the level of service for the affected public facilities below the adopted levels of service standards. Ordinances amending the City Code shall be codified at least annually. They City Code shall be on display for the public in the City Clerk's office. This policy implements FLU Objectives 1, 9 and 11.

The location of the subject property is within the city limits. The provisions of the PUD regarding parking and utilities are fully consistent with these policies.

FLU Objective 4

Encourage the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments, and other mixed land use development techniques, infill development, redevelopment, wastewater reuse and solid waste recycling. The measurable target for this objective is the continued presence of innovate land development regulations in the City Code.

The original approval of PUD Ordinance 2009-02 for this site and this Application's goal of seeking the same conditions contained within the originally-approved PUD Ordinance, will result in the continued operation of an existing property, using existing services and facilities, as intended by this Objective.

INFRASTRUCTURE ELEMENT

SANITARY SEWER SUB-ELEMENT

SS Objective 1.3

The City shall act to discourage the proliferation of urban sprawl and maximize the use of the existing wastewater facilities. The measurable target for this objective is the area served by the City wastewater system.

The subject property is in the area served by the City wastewater system and will employ the existing connections to the City's sanitary sewer system and comply with the adopted level of service.

POTABLE WATER SUB-ELEMENT

PW Goal

Water facilities shall continue to be provided in an efficient manner supporting the intended development of the City depicted by the Future Land Use Map.

PW Objective 1.4

The City shall act to discourage the proliferation of urban sprawl and maximize the use of the existing potable water facilities. This objective is implemented by PW Policies 1 and 4. The measurable target for this objective is the area served by the City potable water system.

The subject property will employ the existing connections to the City's potable water system. The Property is within the City's service area and will comply with the adopted level of service.

INFRASTRUCTURE IMPACT ANALYSIS

An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns and infrastructure of the city.

The infrastructure impact analysis shall include site specific design improvements related to traffic circulation and the movement of pedestrians, bicycles and vehicles on and off-site.

As depicted in the site plans attached, submitted and presented, by way of this modification, this minor addition to the interior of the courtyard area will allow for the covered walkway for covered pedestrian travel to the other building facing the bay front as well as for vehicle loading and unloading, which in turn will promote quicker mobility services in the hotel's interior driveway areas. The applicant had already engaged the services of the late city architect, Mr. Dixon, and his office and is prepared to move forward with this minor addition in a manner that will, first and foremost, meet all of the all HARB requirements, including all approved architecture/features, as well as meeting all of the other city codes. Moreover, this modification will allow the applicant to continue to provide off street disembarking of visitors to the hotel during check-in and check-out. Through the guidance and advice of Mr. Dixon, before his passing, and now through his office, this minor addition for the arched covered walkway will simply be seamlessly added to the main structure in the interior of the courtyard area between the main building and the building facing the Bayfront and the minor addition will not be apparent to the general view of the building as a whole. Further, as aforementioned, the very minor addition will meet all of the HARB requirements and should blend seamlessly into the overall design of the building, as depicted in the elevations, pictures and site plan provided. As stated, though applicant is required to re-write the PUD text to include this minor addition for the arched covered walkway, the applicant fully intends to continue to utilize the property as currently configured and operating. In fact, the minor addition will not have any impact on the current motor vehicle and pedestrian traffic to the property. Notably, the applicant will continue to provide parking for their guests and patrons. This addition will not affect that provision at all. Further, this site's location in the downtown core will continue to encourage pedestrian, bicycle and other modal use and applicant will continue to make the site accessible to visitors so as to encourage movement by foot or bicycle or by way of one of the many other less intense transportation means. <u>The applicant has worked with the city on many occasions regarding this objective in regards to their provision of parking as well as pedestrian access to their site</u>.

To further the objectives of the city, as well as the hotel/restaurant, during their patronage at our site, the guests will be informed of the many other attractions as well as the many, less-intense transportation options, and the many other sites that are easily accessible by foot.

In sum, the only change from the former PUD is the minor addition for the arched covered walkway and the enclosed maid area and these minor additions have no impact upon the traffic circulation patterns of the city. Further, since this PUD property continues to provide the same parking as well as off street stacking and loading and unloading, the PUD as a whole does not in fact unreasonably affect the current traffic patterns and flow in this area of the city.

HISTORIC PRESERVATION ELEMENT

HP Goal

Maintain and enhance the historic integrity and ambiance within the City of St. Augustine while encouraging economic growth and the identification, Preservation, continued use and adaptive reuse of existing historic structures.

The proposed minor additions will maintain and enhance the historic integrity and ambiance of the City of St. Augustine and will be designed in a manner to match the current architectural design of the building and it will not affect any architecture of the structure in place.

1. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Response: This property is currently a PUD, this is merely a modification to the same.

2. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

Response: The Development Plan Narrative, attached above, contains the required development conditions sought by Applicant.

3. Compliance with the intent and criteria in section 28-286.

Section 28-286 provides: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of the city's general planning program and comprehensive plan. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial or industrial developments, or combinations thereof, which are in keeping with overall land use density and intensity standards,

and open space objectives. The intent of a PUD is to permit flexibility from the strict application of setback, lot size, and other zoning district requirements, and provide performance criteria which:

(1) Permit a creative approach to the development of land; and

(2) Accomplish a more desirable environment than would be possible through the strict application of minimum zoning district requirements; and

(3) Provide for an efficient use of land; and

(4) Improve the appearance of the area through the preservation and enhancement of natural features, recreation areas, and open space; and

(5) Provide an environment of stable character compatible with surrounding areas; and

(6) Retain property values over the years.

Response: The Development Plan Narrative, attached above, demonstrates this proposed PUD's compliance with Section 28-286.

4. Compliance with section 28-288 and justification for any zoning uses.

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." The property is currently zoned PUD under the City of St. Augustine's 2030 Comprehensive Plan ("Comp. Plan"), but it was previously located within the HP-3 Historic Preservation category and that was the reason for rezoning to PUD in 2009. Further, it is surrounded by HP-3 zoning. Thus, since Policy 1.3 of the Comp. Plan provides that historic preservation districts permit compatible nonresidential uses that will encourage the restoration and reproduction of historic structures, this PUD and the minor additions are appropriate to allow the continued existing use of the property that has been such for many years.

5. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB,

building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance, or other related permit.

Response: The project is a currently existing PUD and the very minor additions for the covered walkway and small storage area are planned to be commenced as a single phase, within a reasonable time of the approval of the Ordinance approving the PUD, and completed within a reasonable time thereafter.

6. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

Response: No such areas exist on the Property.

7. A termination date after which all or part of a PUD that has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

Response: It is the landowner's understanding and intent that should this Application be denied, the existing zoning approvals remain unchanged.

8. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

Response: Any reversion to a pre-PUD zoning district would not render the existing uses inconsistent with the Comprehensive Plan.

9. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their

application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

Response:

The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

OWNER/APPLICANT:

Kanti M. Patel
As Authorized Signer for
Sea Wall Motor Lodge, Inc.

SECTION V - SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development as amended, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, is justified in that:

1. The project will not adversely affect the orderly development of the City of St. Augustine as embodied by the City Zoning Ordinance and the respective Comprehensive Plan of the City, as the proposal is in conformance with the Plan and its goals and objectives, and the use, as included in the Narrative, is compatible with the surrounding zoning. The project allows control over the size and intensity over development and assurance of compatibility with surrounding residential uses.

2. The project will not adversely affect the orderly development of the City of St. Augustine and will not adversely affect the health, safety and welfare of the residents or visitors to the area, will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood as a result of the conditions and safeguards included in the application.

3. The project will accomplish the objective, standards and criteria set forth within the Zoning Ordinance and provides for strict regulation and maintenance of the project to provide the City with the assurance of an attractive and beneficial asset.

4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

THEREFORE, This Planned Unit Development request meets all of the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of the Comp. Plan and is consistent with the Comp. Plan. and City Code.

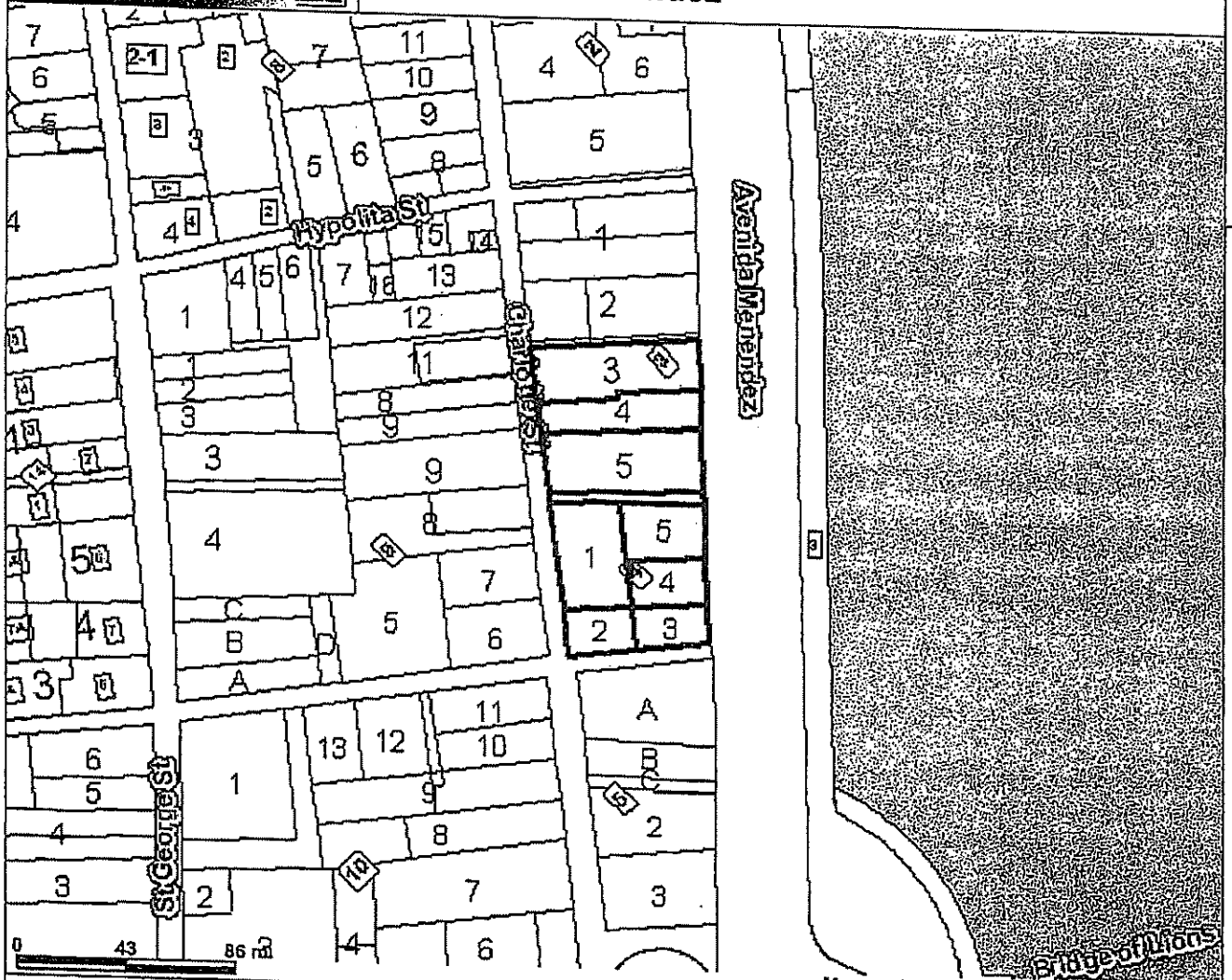
RECEIVED
By Patrick Doty at 4:31 pm, Feb 20, 2020

Exhibit "D"

Aerial Location Map

Sharon Oatland, C.F.A.
Property Appraiser, St. Johns County
(904) 827-5500 (904) 477-5165 (Fax)

32 Avenida Menendez



Map center: 29° 53' 39.3" N, 81° 18' 41.1" W

Legend

- Parcels
- Rights of Way
- Water Bodies
- Condominiums
- Subdivision Boundaries
- Section-Township-Range
- Railroad
- Major Road Centerlines
- Minor Road Centerlines

Scale: 1:2,447

The information provided on this map was derived from data that was compiled by the St.Johns County Property Appraiser's Office solely for the governmental purpose of property assessment. This information is not a survey and should not be relied upon by anyone for a determination of property ownership. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. www.sjcpa.us.

Notes: PIN 196320 0000

PROPERTY APPRAISER St. Johns County, FL

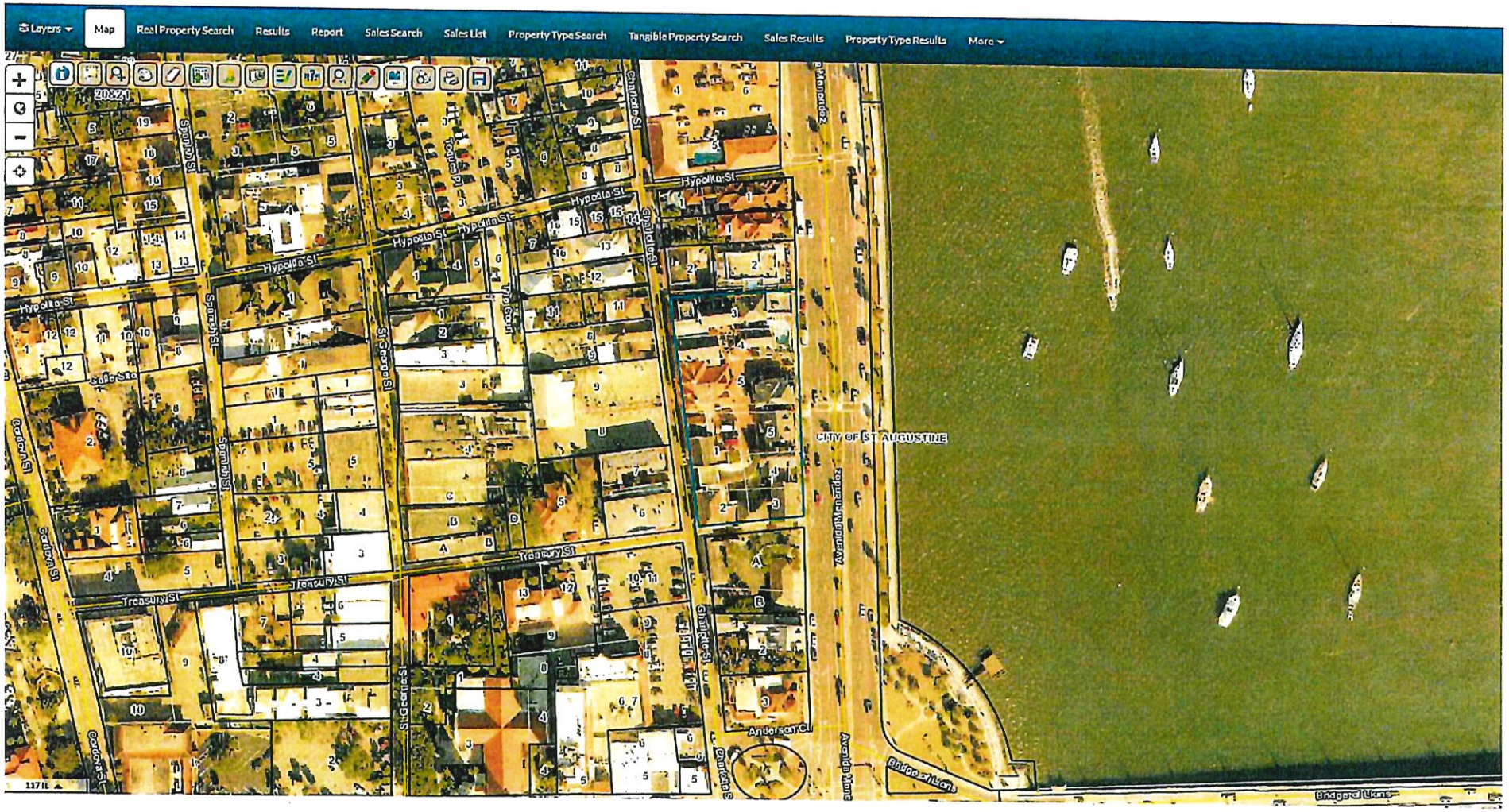


Exhibit "E"

Proof of Ownership

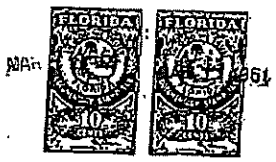
OFF REC 4 PAGE 281

WARRANTY DEED

THIS INDENTURE, Made this 8th day of August, 1960 between WILLIAM W. FAW joined by his wife, LUBA FAW, of the County of St. Johns and State of Florida, parties of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation organized and existing under the Laws of the State of Florida, having its principal place of business in St. Johns County, Florida and its mailing address at 32 Bay Street, St. Augustine, Florida, party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of $10.00, and other good and valuable considerations, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto the said party of the second part all those certain parcels of land lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler; together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.



ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer and water pipes under said Baya Lane.

TOGETHER with all fixtures, furnishings, furniture, utensils, tools, equipment and all other personal property used or useful in connection with operation of hotel and motel situate on the above described land.

SUBJECT to mortgage of record.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the said parties of the first part do covenant with the said party of the second part that they are lawfully seized of the said premises, that they are free from all incumbrances except

as above stated; and that they have good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

William W Faw (SEAL)

Luba V Faw (SEAL)

Signed, sealed and delivered
in the presence of:

Sue W Lapey

Mary B Jones

As to William W. Faw

Thomas Faw

As to Luba Faw

STATE OF FLORIDA
ST. JOHNS COUNTY:

I HEREBY CERTIFY that on this day before me, the undersigned officer, personally appeared WILLIAM W. FAW to me well known and known to me to be one of the persons described in and who executed the foregoing instrument; and he acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 5th day of August, 1960.

Mary B. Jones
Notary Public of the State of Florida
at Large

My commission expires September 12, 1961

STATE OF TENNESSEE
COUNTY OF WASHINGTON

I HEREBY CERTIFY that on this day before me, the undersigned

officer, personally appeared LUBA FAW, to me well known and known to me to be the wife of the said WILLIAM W. FAW and one of the persons described in and who executed the foregoing instrument; and she acknowledged to and before me separate and apart from her said husband that she executed the foregoing instrument freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

WITNESS my hand and official seal this 6TH day of ~~[illegible]~~ MARCH, 1961.

Notary Public, State of TENNESSEE

My commission expires APRIL 20TH, 1964

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

MAR 11 11 34 AM '61

CLERK CIRCUIT COURT
~~BY~~ ~~DEP. CLK~~

SEE OFF REC NO 6 PAGE 544 (SAT) 1-5051

Lamar Walsworth—Form 110—Rev.

OFF REC 4 PAGE 285

91295

THIS MORTGAGE DEED, Executed the 7th day of March A. D., 19 61,
by RAY S. ETTEL, joined by his wife, DOROTHY V. ETTEL,

hereinafter called the Mortgagor S, which term shall include the heirs, legal representatives, successors and assigns of the said Mortgagor wherever the context so requires or admits,
to MOI M. MONROE, SR., of Waycross, Georgia

hereinafter called the Mortgagee, which term shall include the heirs, legal representatives, successors and assigns of the said Mortgagee wherever the context so requires or admits.

WITNESSES: That for divers good and valuable considerations, and also in consideration of the aggregate sum named in the promissory note of even date herewith hereinafter described, the said Mortgagor S do hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee his heirs, successors and assigns, all the certain piece, parcel or tract of land, of which the said Mortgagor S are now seized and possessed and in actual possession, situate in the County of St. Johns and State of Florida, described as follows:

Lots 3 to 8 inclusive, and Lots 13 to 18 inclusive, of Block 21, Jackson Park Subdivision, according to plat thereof recorded in Plat Book 3, page 51 of the public records of St. Johns County, Florida, (said property adjoins the Casper Alligator Farm on the Southand was formerly known as Snug Harbor Motel).

Received $ 30.00 in payment of taxes due on class "C" Intangible Personal Property pursuant to Chapter 20724, Laws of Florida, Acts of 1941.

R. D. Hill
Tax Collector, St. Johns County, Florida

TO HAVE AND TO HOLD the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and also all the estate, right, title, interest, property, possession, claim and demand whatsoever as well in law as in equity of the said Mortgagor S is and to the same and every part and parcel thereof unto the said Mortgagee, and his heirs, successors and assigns, in fee simple.

And said Mortgagor S, for themselves and their heirs, legal representatives, successors and assigns, hereby covenant with said Mortgagee, his heirs, legal representatives, successors and assigns, that said Mortgagors are indefeasibly seized of said land in fee simple; that the said Mortgagor S have full power and lawful right to convey the same in fee simple as aforesaid; that it shall be lawful for said Mortgagee, his heirs, legal representatives, successors and assigns, at all times peaceably and quietly to enter upon, hold, occupy and enjoy said land and every part thereof; that said land is free from all incumbrances; that said Mortgagor S, their heirs, legal representatives, successors and assigns, will make such further assurances to perfect the fee simple title to said land in said Mortgagee, his heirs, legal representatives, successors and assigns, as may reasonably be required; and that said Mortgagor S do hereby fully warrant the title to said land and every part thereof and will defend the same against the lawful claims of all persons whomsoever.

PROVIDED ALWAYS, That if said Mortgagor S shall pay unto the said Mortgagee the certain promissory note of which the following is words and figures is a true copy, to-wit:

Form 1190 Florida WARRANTY DEED

OFF REC 20 PAGE 319

This Indenture,

Made this 5th *day of* March *A. D. 19* 62

Between WILLIAM W. FAW joined by his wife, LUBA A. FAW

of the County of Washington *and State of* Tennessee

party of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation existing under the Laws of the State of Florida, with its principal place of business in St. Johns County, Florida and its mailing address at: 32 Bay Street, St. Augustine, Florida

~~of the County of~~ ~~and State of~~

party of the second part,

Witnesseth, *that the said party of the first part, for and in consideration of the sum of* $10.00 and other good and valuable considerations ~~Dollars~~, *to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto the said party of the second part all that certain parcel of land lying and being in the County of* St. Johns *, and State of Florida, more particularly described as follows:*

The South 4½ feet of the North 9 feet of Lot 3, Block 3, according to the official map of the City of St. Augustine, Florida.

ST. JOHNS COUNTY

STATE OF FLORIDA DOCUMENTARY STAMP TAX

020

Together *with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining;*

To Have and to Hold *the same in fee simple forever.*

And the said party of the first part does covenant with the said party of the second part that he is lawfully seized of the said premises, that they are free from all incumbrances and that he has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, *the said party of the first part has hereunto set his hand and seal the day and year above written.*

Signed, Sealed and Delivered in Our Presence:

Witness: Kathryn C. Koch — William W. Faw

Witness: Peggy Hutto — Luba A. Faw

Exhibit "F"

Authorizations

Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ./ ANISH PATEL, ESQ. is hereby authorized TO ACT ON BEHALF OF Kanti Patel and/or Sea Wall Motor Lodge, Inc., the owner of those lands described within the attached application and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine, for an application related to a MODIFICATION TO THE HILTON BAYFRONT HOTEL PUD, and any other matter related to properties located at 32 Avenida Menendez, St. Augustine, FL, and including the following Parcel No.: 196320 0000.

BY: _____
Signature of Owner

Kanti Patel, Sea Wall Motor Lodge, Inc.
Print Name of Owner

904-829-2627
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 28th day of August, 2019

By Kanti Patel

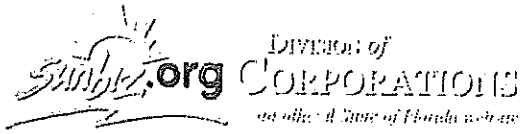
Identification verified: ✓

Oath sworn: ✓ Yes ____ No

Notary Signature: _____

My Commission expires: Aug 27, 2022

VIKI MEI-YING WAI
MY COMMISSION # GG 252890
EXPIRES: August 27, 2022
Bonded Thru Notary Public Underwriters



Detail by Entity Name

Florida Profit Corporation
SEA-WALL MOTOR LODGE INC

Filing Information

Document Number	228446
FEI/EIN Number	59-0881447
Date Filed	09/28/1959
State	FL
Status	ACTIVE

Principal Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE, FL 32084

Changed: 04/03/2000

Mailing Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE, FL 32084

Changed: 04/27/2005

Registered Agent Name & Address

Patel, Anish
1 Riberia Street
ST. AUGUSTINE, FL 32084

Name Changed: 01/04/2019

Address Changed: 01/04/2019

Officer/Director Detail

Name & Address

Title PD

PATEL, KANTI
32 AVENIDA MENENDEZ
ST AUGUSTINE, FL 32084

Title VPSD

PATEL, KALA

32 AVENIDA MENENDEZ
ST. AUGUSTINE, FL 32084

Annual Reports

Report Year	Filed Date
2017	01/17/2017
2018	03/16/2018
2019	01/04/2019

Document Images

01/04/2019 -- ANNUAL REPORT	View image in PDF format
03/16/2018 -- ANNUAL REPORT	View image in PDF format
01/17/2017 -- ANNUAL REPORT	View image in PDF format
03/01/2016 -- ANNUAL REPORT	View image in PDF format
03/25/2015 -- ANNUAL REPORT	View image in PDF format
02/27/2014 -- ANNUAL REPORT	View image in PDF format
02/27/2013 -- ANNUAL REPORT	View image in PDF format
04/12/2012 -- ANNUAL REPORT	View image in PDF format
06/02/2011 -- ANNUAL REPORT	View image in PDF format
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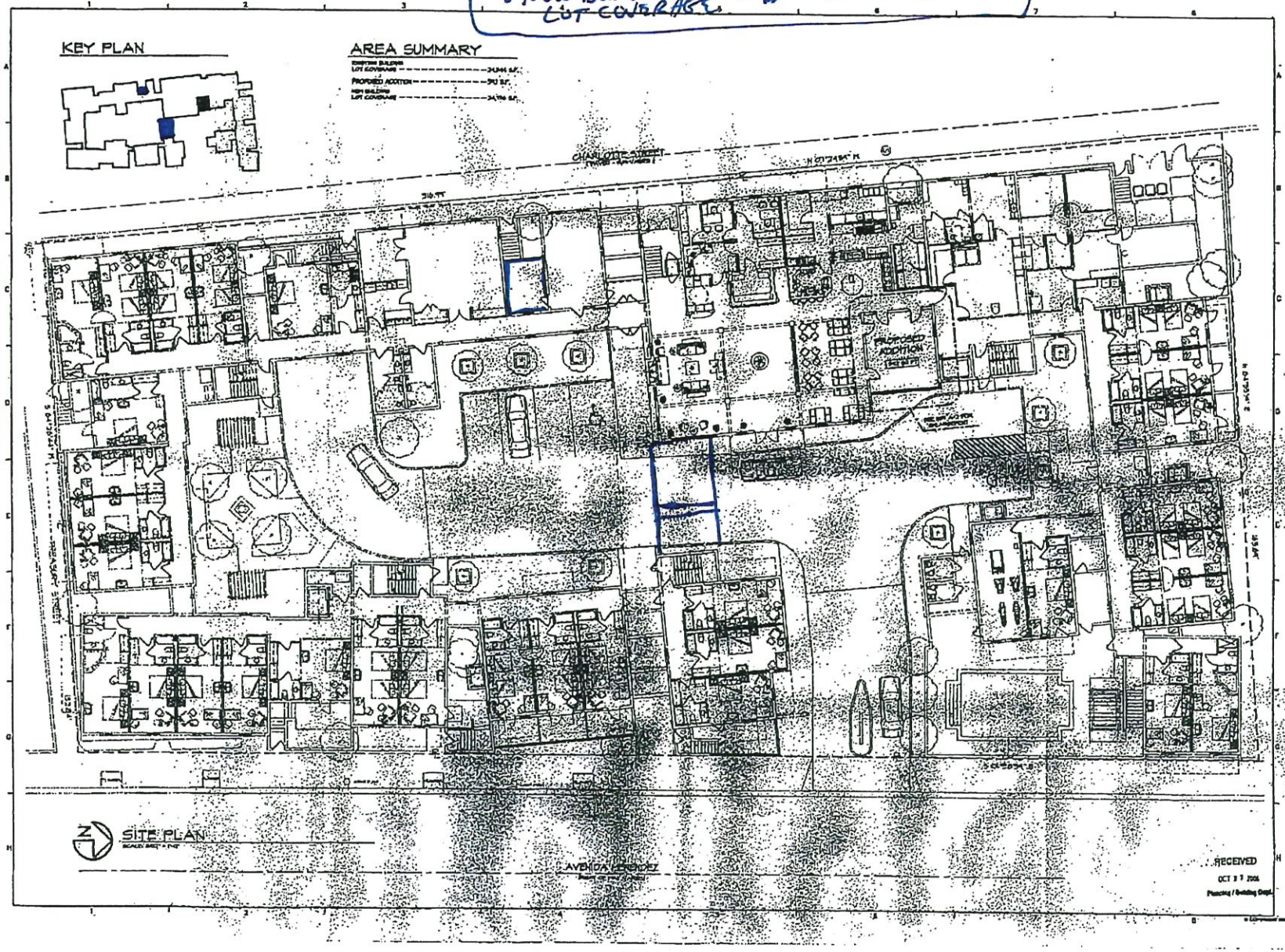
07/08/1998 -- DEBIT MEMO	View image in PDF format
03/17/1998 -- ANNUAL REPORT	View image in PDF format
03/07/1997 -- ANNUAL REPORT	View image in PDF format
06/19/1996 -- ANNUAL REPORT	View image in PDF format
03/06/1995 -- ANNUAL REPORT	View image in PDF format

Exhibit "G"

Master Site Plan

SITE
48,239 gsf

AREA SUMMARY
- EXISTING BUILDING LOT COVERAGE → 24,736 s.f.
- PROPOSED ADDITION → 543 s.f.
- NEW BUILDING LOT COVERAGE → 52.5%



LANG & ASSOCIATES

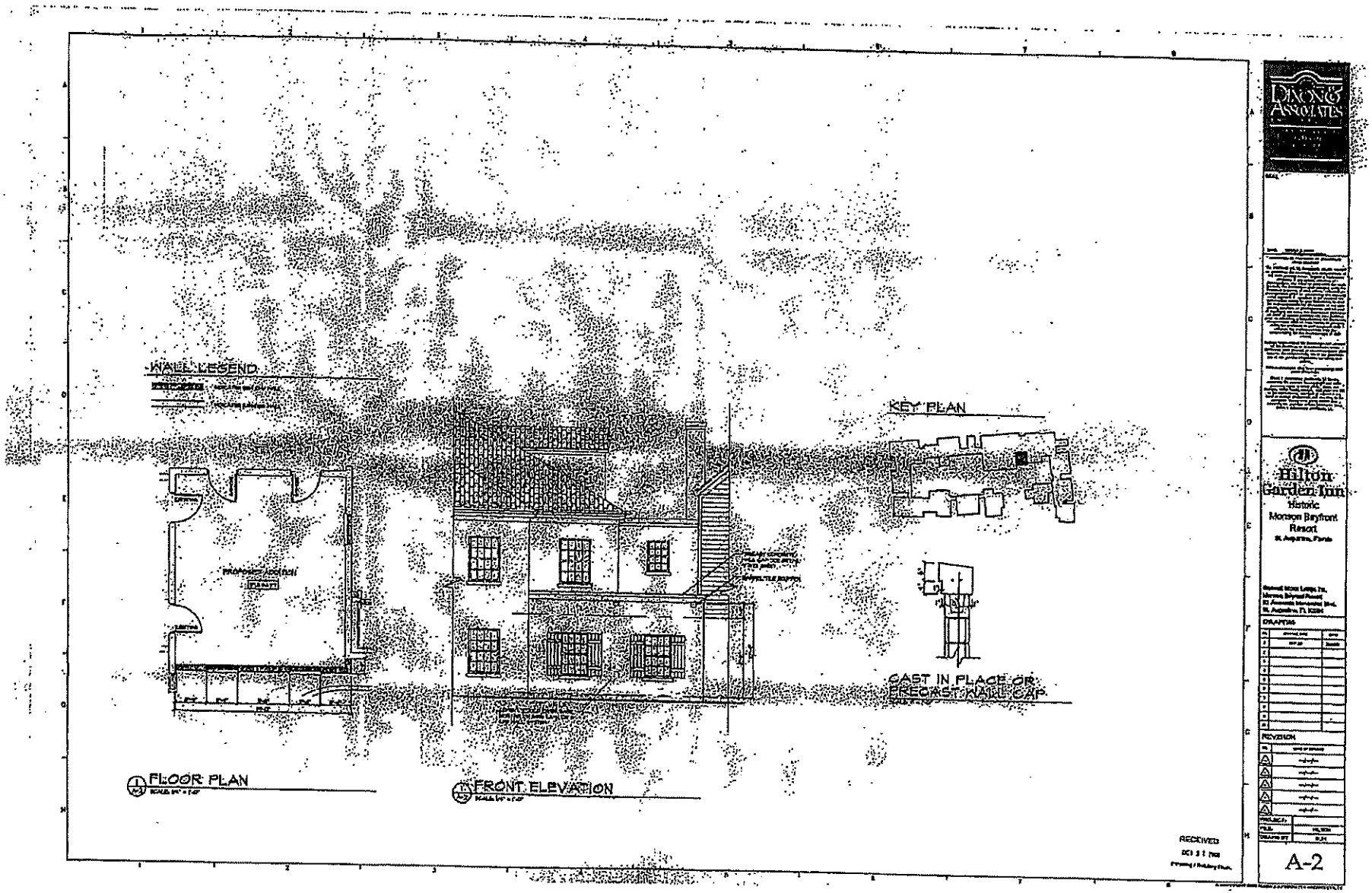
Hilton Garden Inn
Historic Monson Bayfront Resort
St. Augustine, Florida

DRAWING

REVISION

PROJECT: HILTON
DATE:
DRAWN BY: DJH

A-1


WALL LEGEND
KEY PLAN
CAST IN PLACE OR PRECAST WALL CAP
FLOOR PLAN
FRONT ELEVATION
RECEIVED
DINONO & ASSOCIATES
Hilton Garden Inn
Historic Monson Bayfront Resort
DRAWING
REVISION
A-2

RECEIVED
By Patrick Doty at 4:32 pm, Feb 20, 2020

Attachment 3 - Architectural Renderings

EXHIBIT

H

DIXON
DESIGN STUDIO LLC
ARCHITECTS

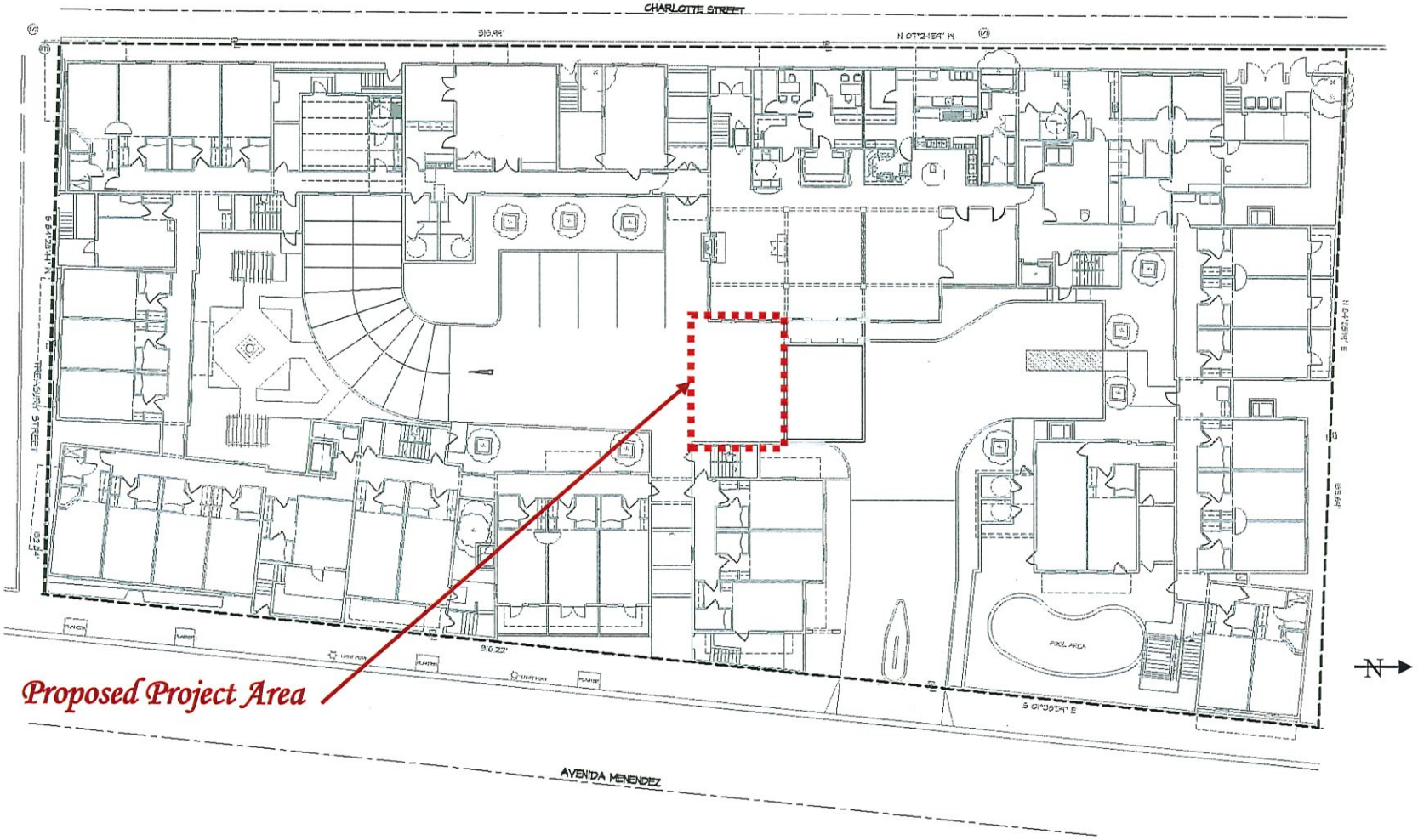
Historic Hilton Bayfront

32 Avenida Menendez
City of St. Augustine
Historic Architectural Review Board Presentation
October 2020

DIXON DESIGN STUDIO LLC
ARCHITECTS

Current Covered Entry Overall Plan

Historic Hilton Bayfront



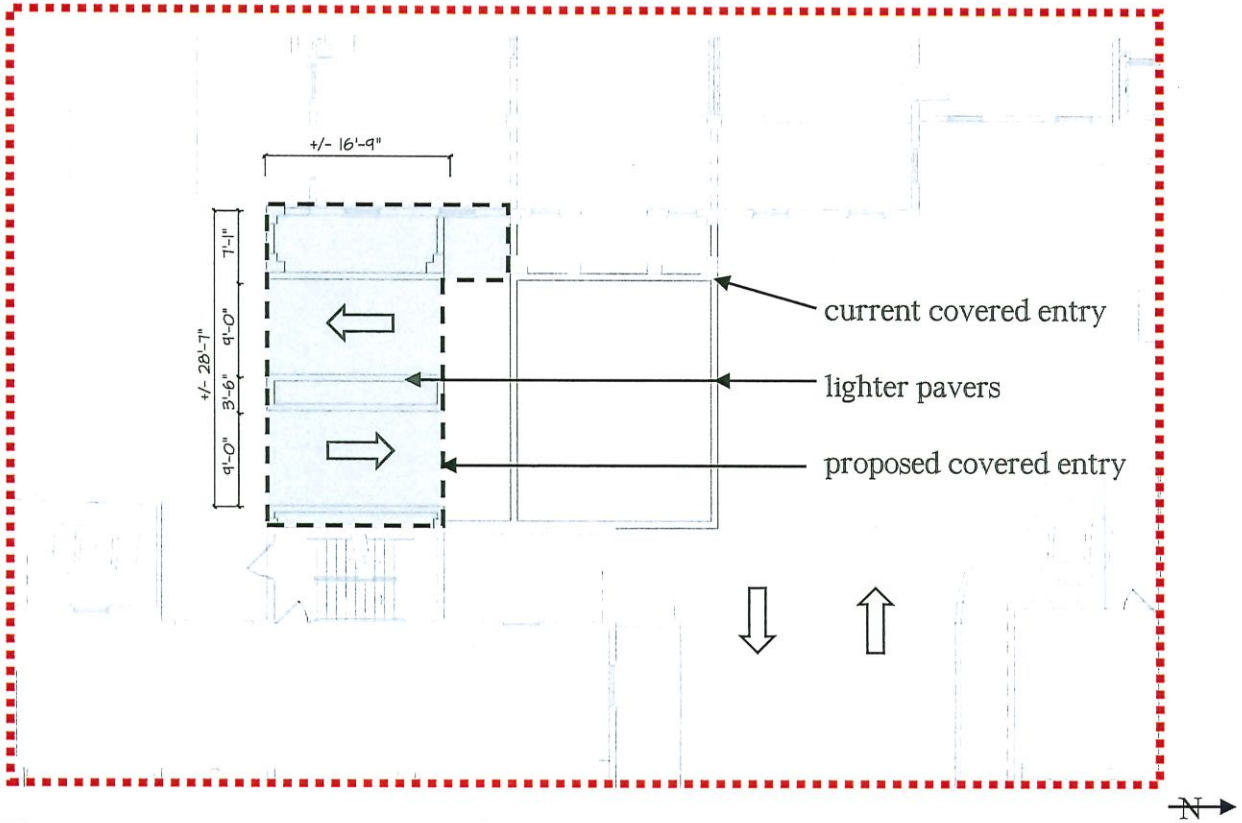
DIXON DESIGN STUDIO LLC
ARCHITECTS

Historic Hilton Bayfront

Proposed Covered Entry Plan

Floor Plan Modifications:

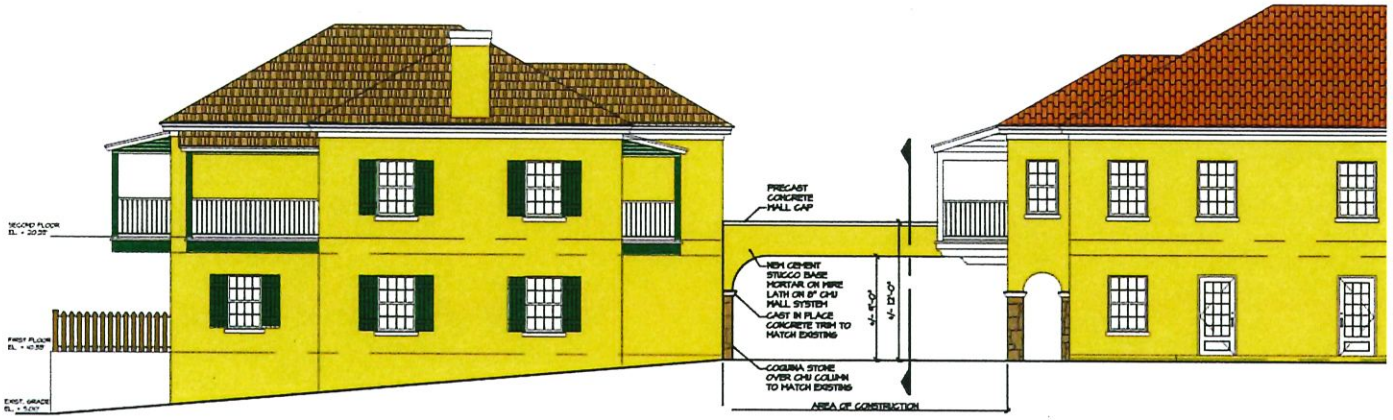
- Add 543 sq.ft. Covered Entry adjacent to the existing stairwell
- Use of the lighter pavers to help delineate circulation paths
- Incorporate adjacent cement stucco arched pathway and coquina stone clad columns



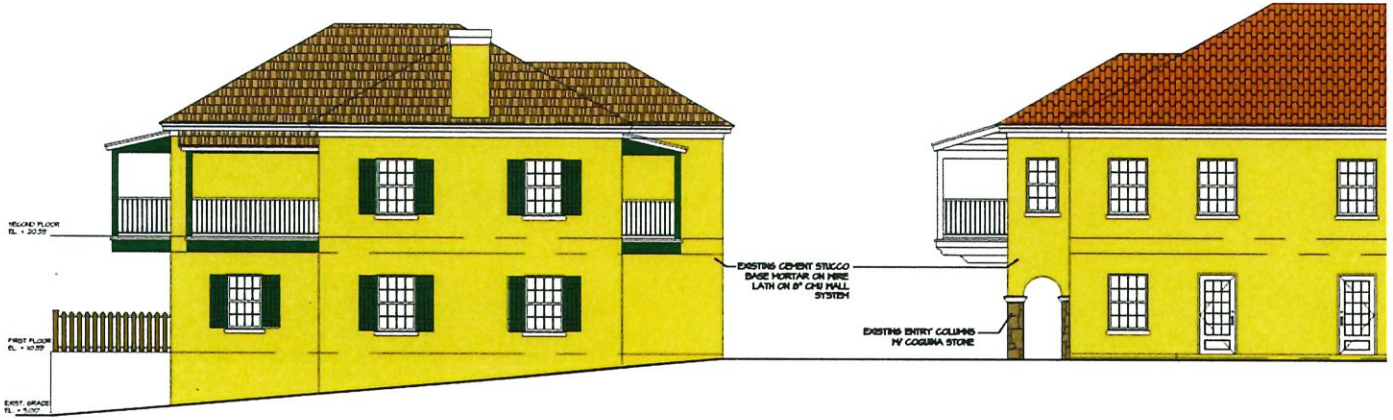
DIXON DESIGN STUDIO LLC
ARCHITECTS

Proposed Covered Entry North

Historic Hilton Bayfront



Proposed

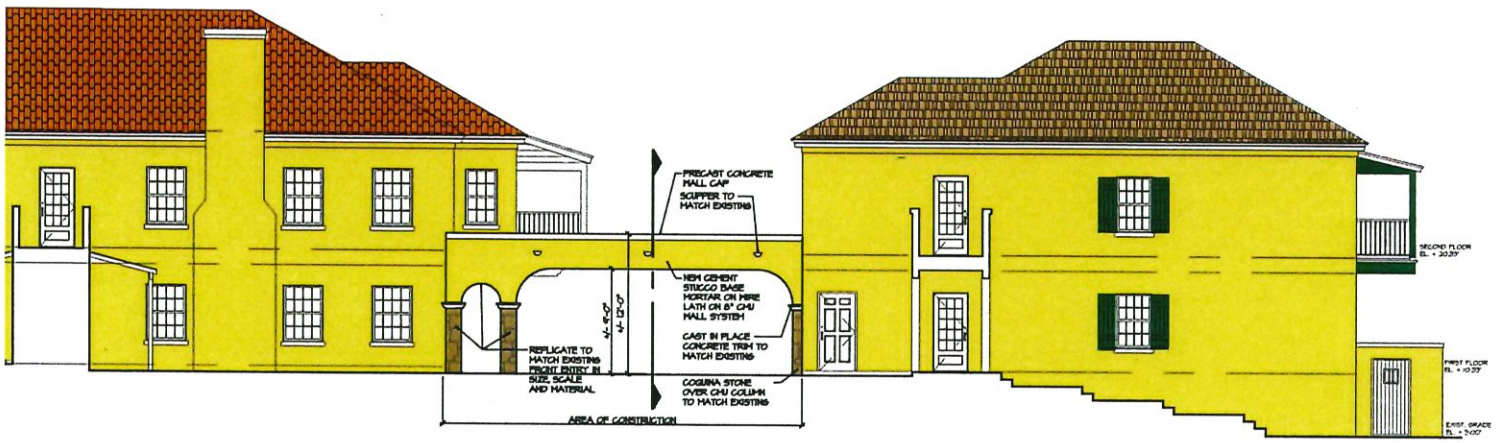


Current

DIXON
DESIGN STUDIO LLC
ARCHITECTS

Proposed Covered Entry South

Historic Hilton Bayfront



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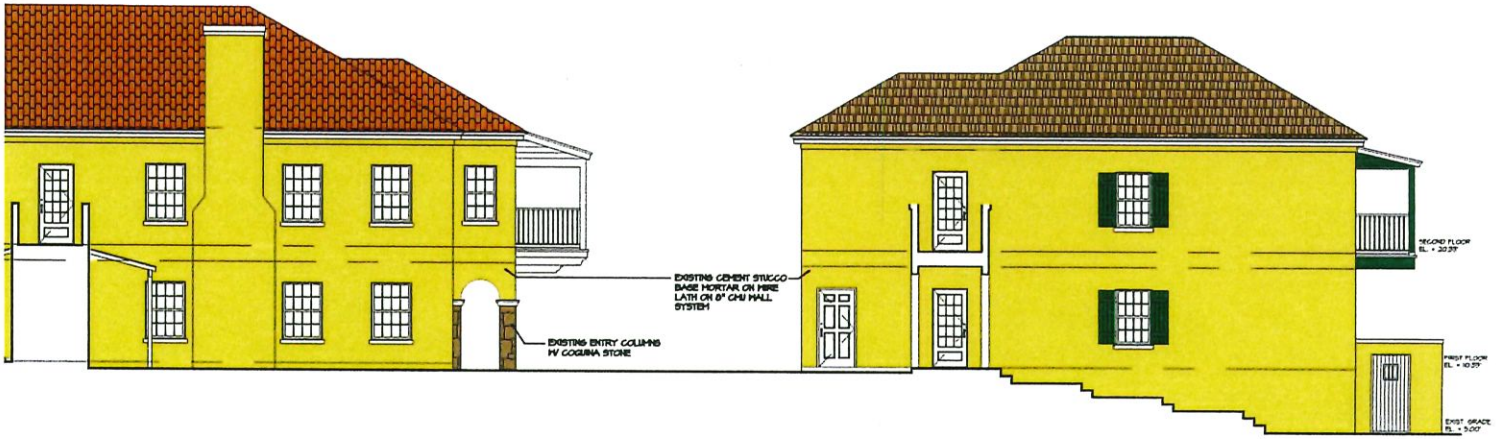
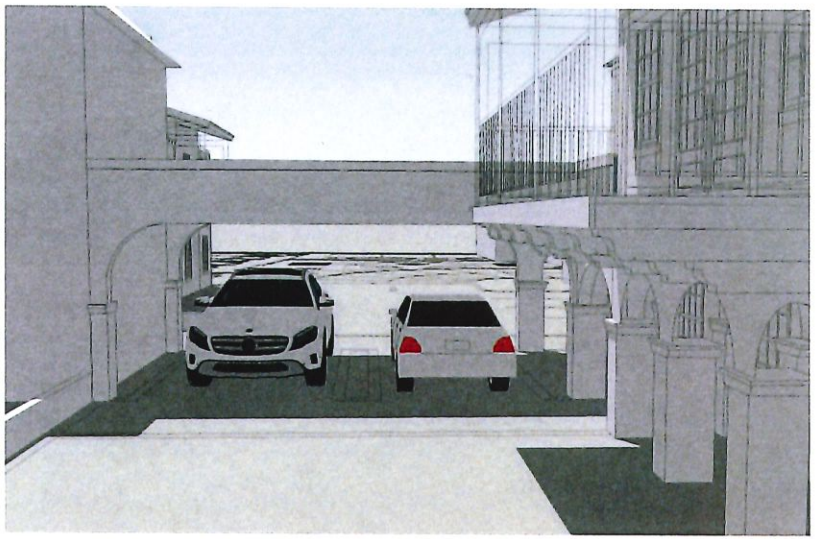


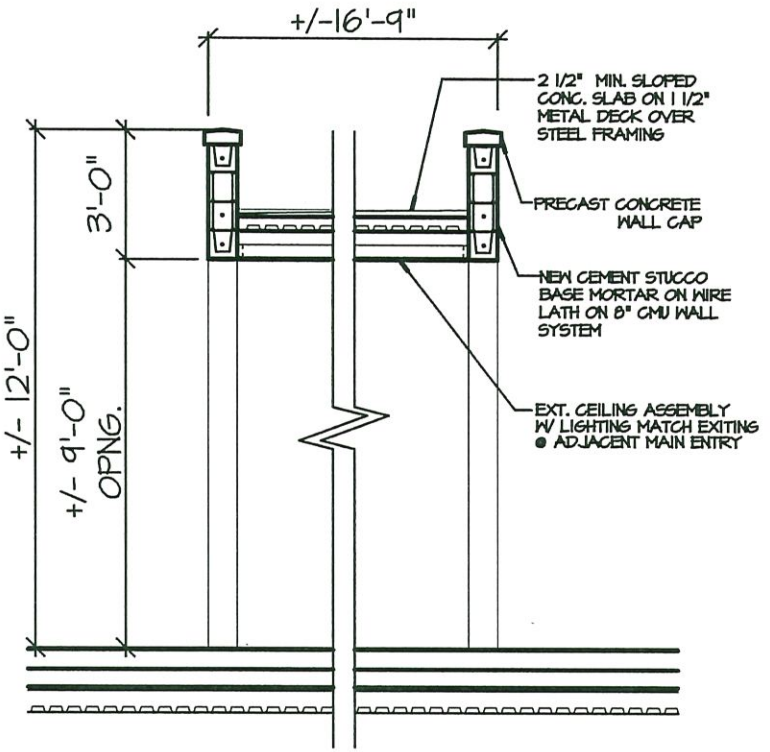
Current

DIXON DESIGN STUDIO LLC ARCHITECTS

Proposed Covered Entry Section

Historic Hilton Bayfront

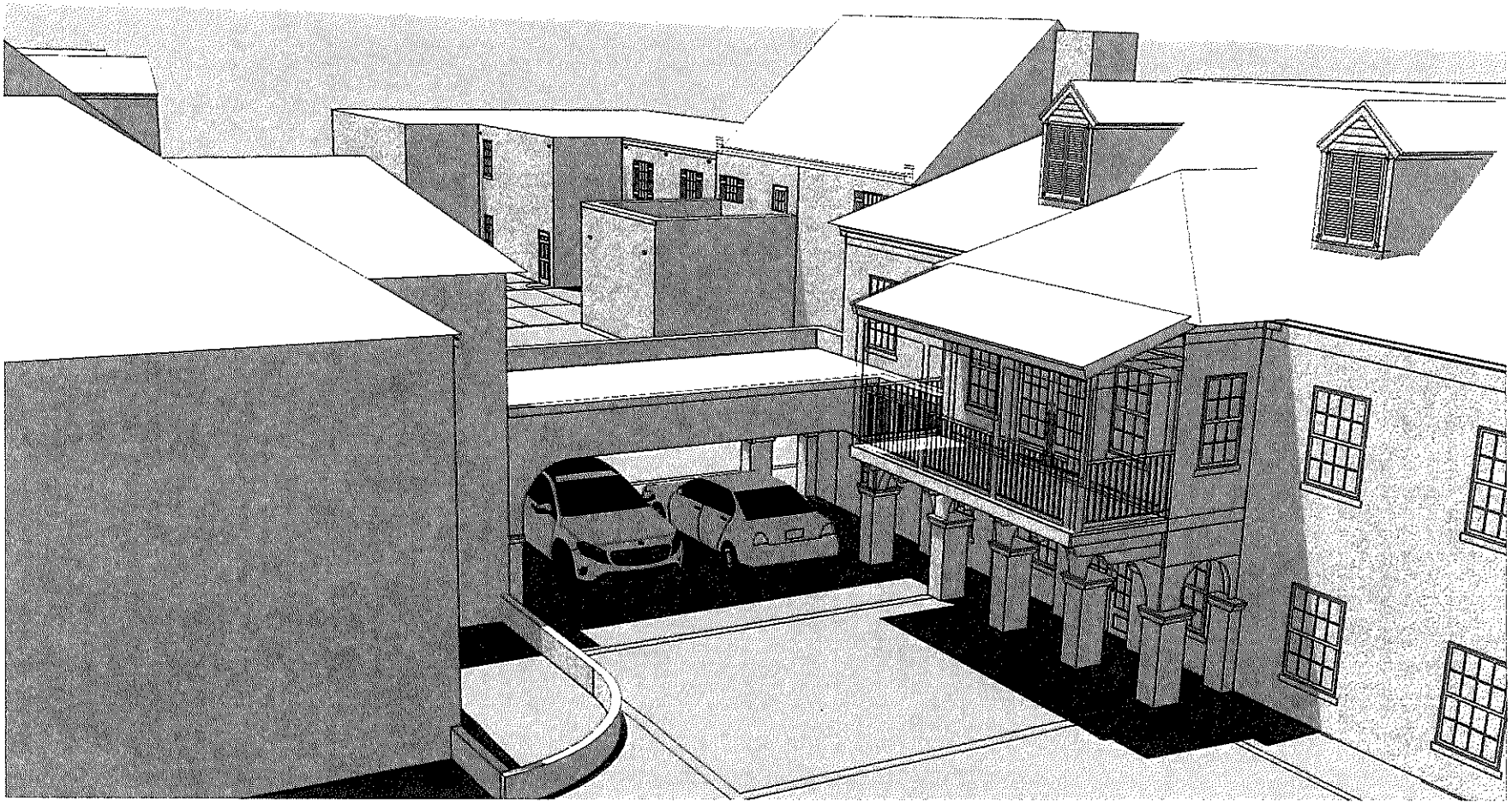




DIXON
DESIGN STUDIO LLC
ARCHITECTS

Proposed Covered Entry North

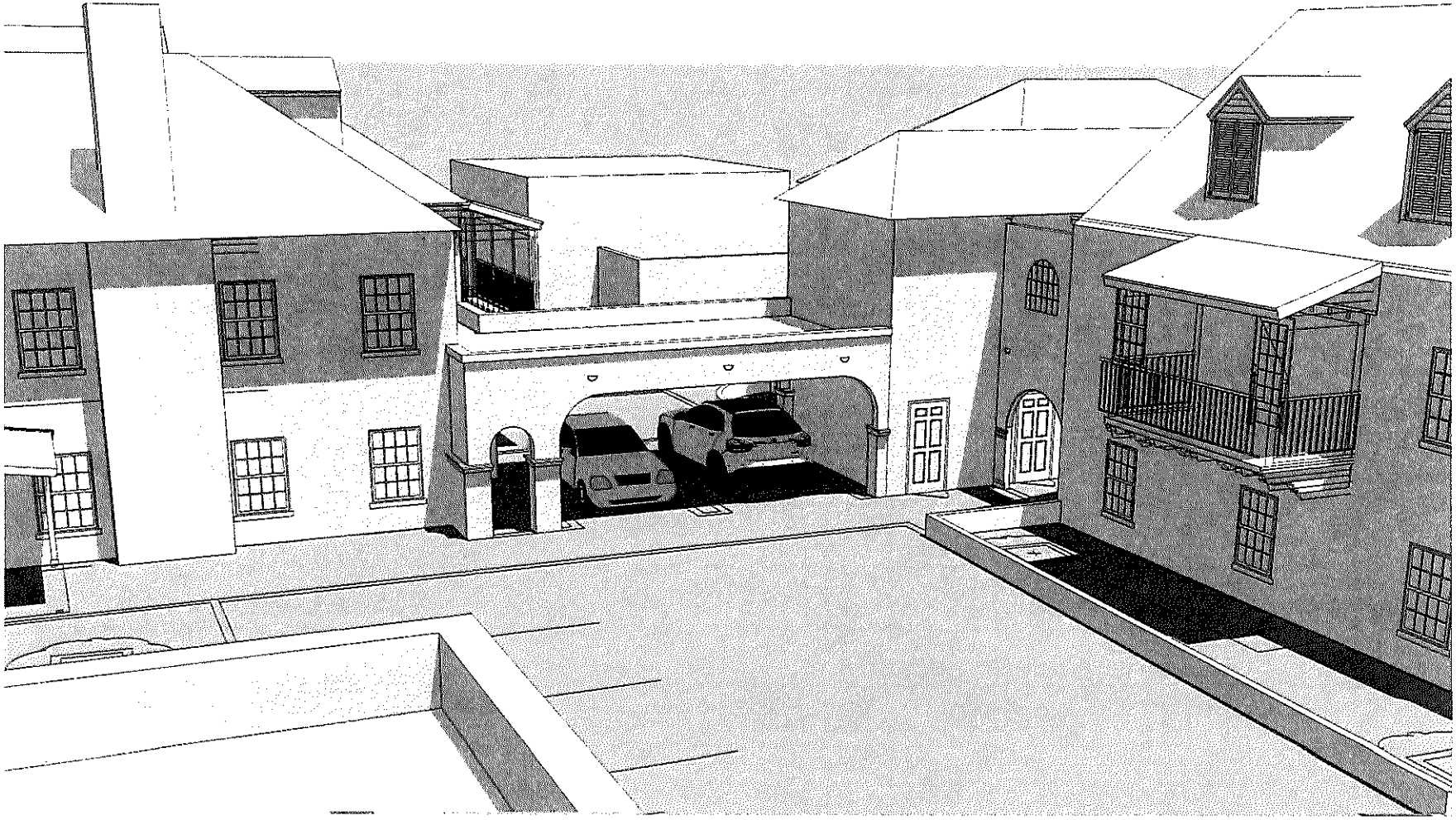
Historic Hilton Bayfront



DIXON
DESIGN STUDIO LLC
ARCHITECTS

Proposed Covered Entry South

Historic Hilton Bayfront



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DESIGN STUDIO LLC
ARCHITECTS

Historic Hilton Bayfront

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Planning/Building Dept.

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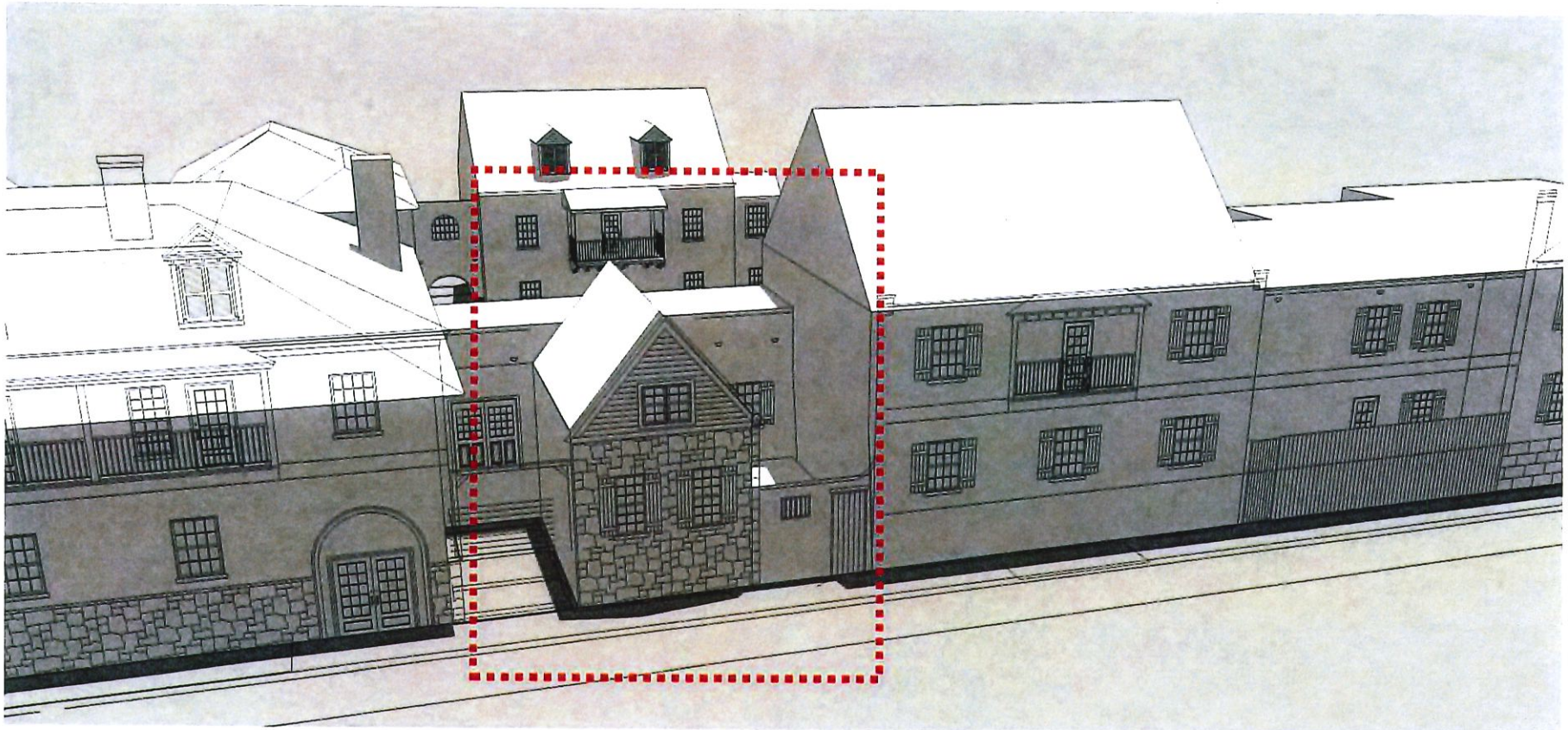
ARCHITECTS

Current Design Perspective view

Historic Hilton Bayfront



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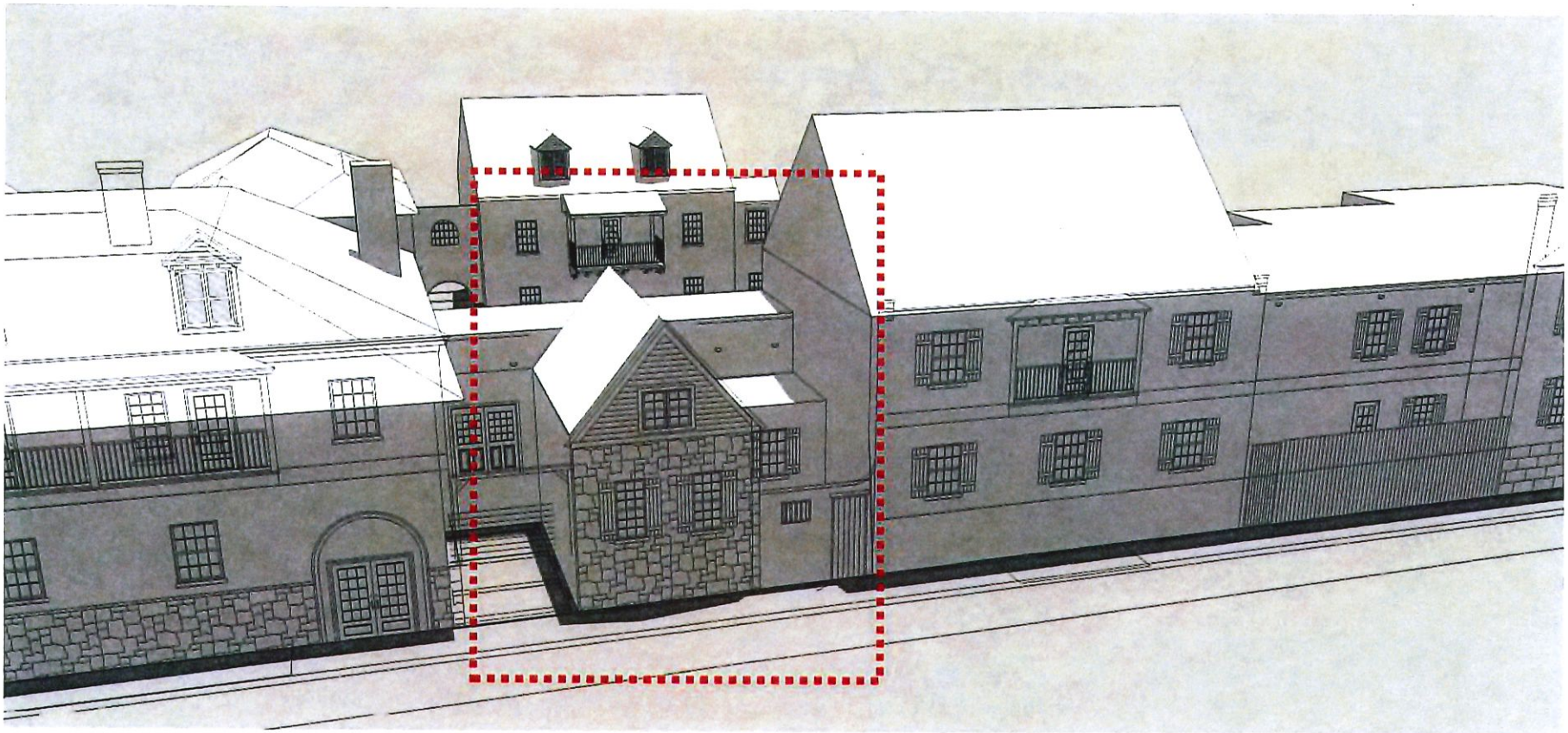
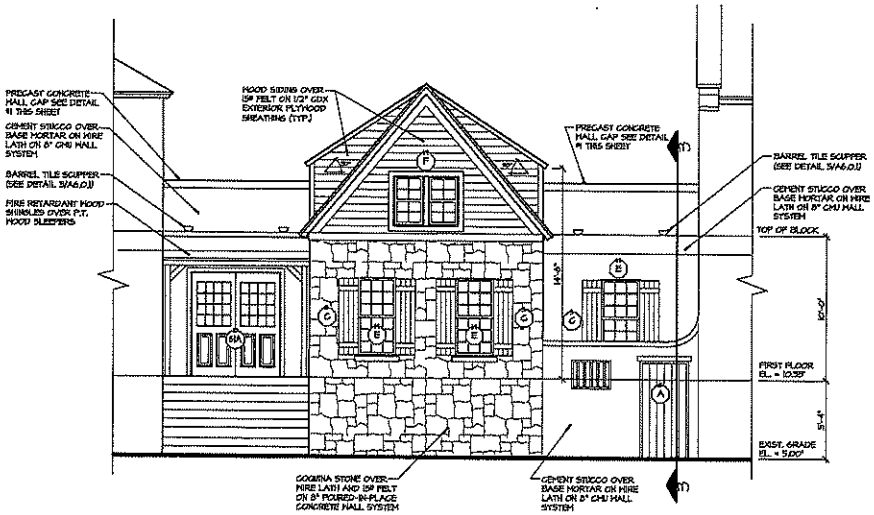
DIXON DESIGN STUDIO LLC
ARCHITECTS

Proposed Design Perspective view

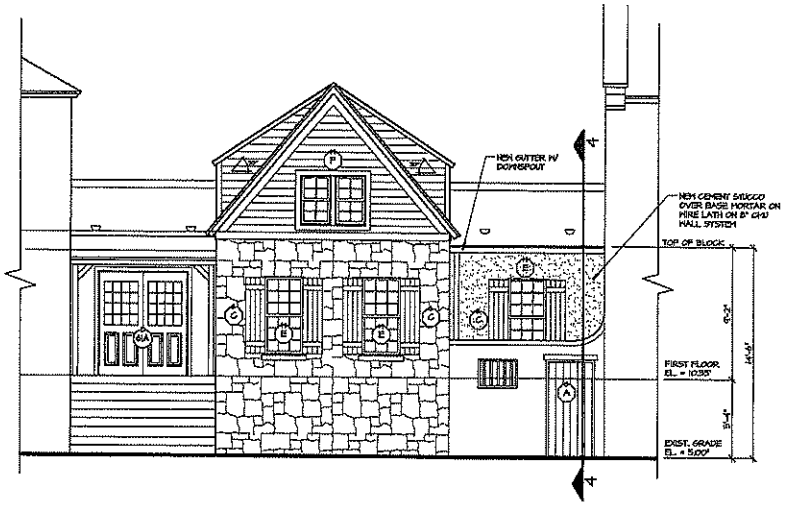
Historic Hilton Bayfront



CHARLOTTE STREET ELEVATION
NOT TO SCALE



1 EXISTING CHARLOTTE STREET ELEVATION
SCALE: 1/8" = 1'-0"
(BUILDING #8)



2 PROPOSED CHARLOTTE STREET ELEVATION
SCALE: 1/8" = 1'-0"
(BUILDING #8)

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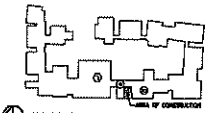
SEP 11 2020
Planning/Building Dept.

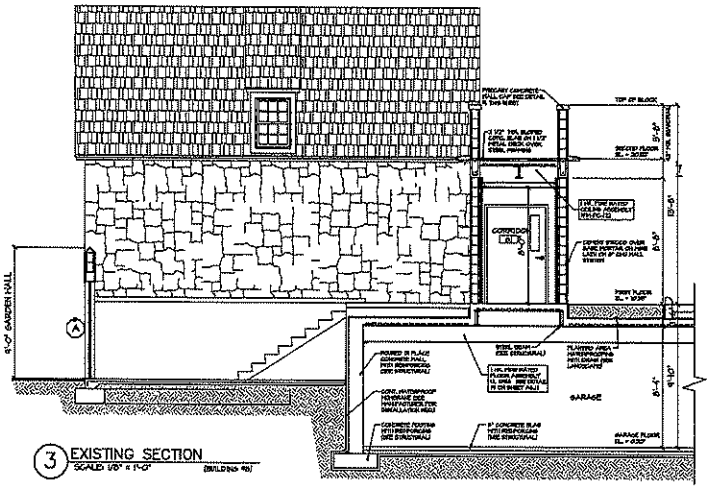


CHARLOTTE STREET KEY PLAN

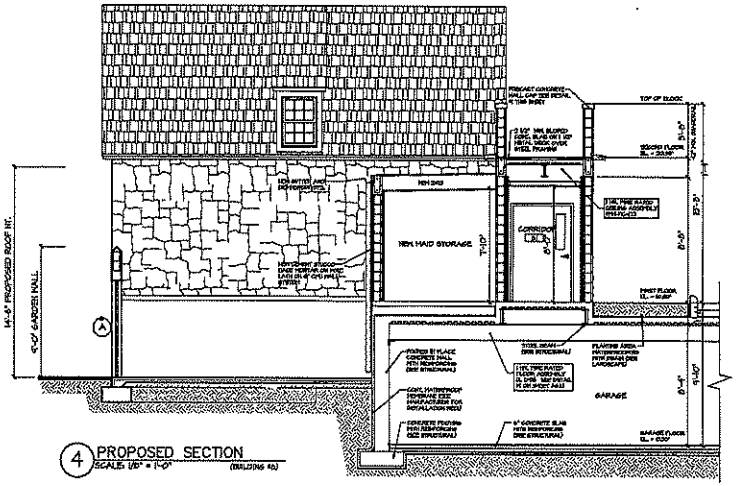
DIXON
Design Studio LLC
ARCHITECTS
88 RIBERIA STREET #430
ST. AUGUSTINE, FL 32084
(904) 829-9277

ORIGINAL DRAWING SIZE 11"x17"

CHARLOTTE STREET ELEVATION
NOT TO SCALE



3 EXISTING SECTION
SCALE: 1/8" = 1'-0" (BUILDING #6)



4 PROPOSED SECTION
SCALE: 1/8" = 1'-0" (BUILDING #6)

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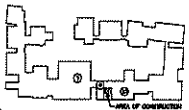
Planning/Building Dept.



CHARLOTTE STREET KEY PLAN

DIXON
Design Studio LLC
ARCHITECTS
88 RIBERIA STREET #430
ST. AUGUSTINE, FL 32084
(904) 829-9277

ORIGINAL DRAWING SIZE 11"x17"

DIXON DESIGN STUDIO LLC
ARCHITECTS

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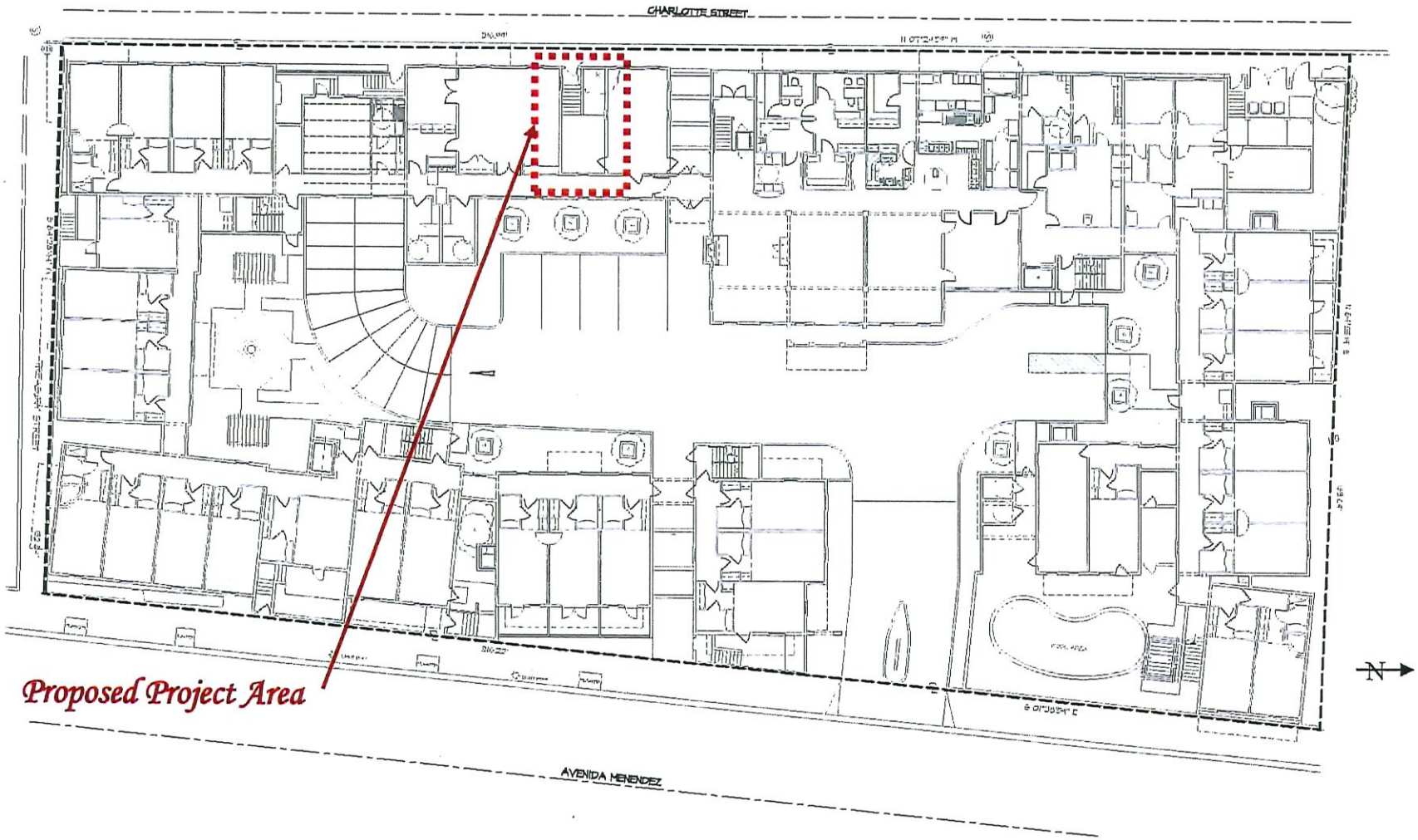
Planning/Building Dept.

Current Design Overall Plan

Historic Hilton Bayfront



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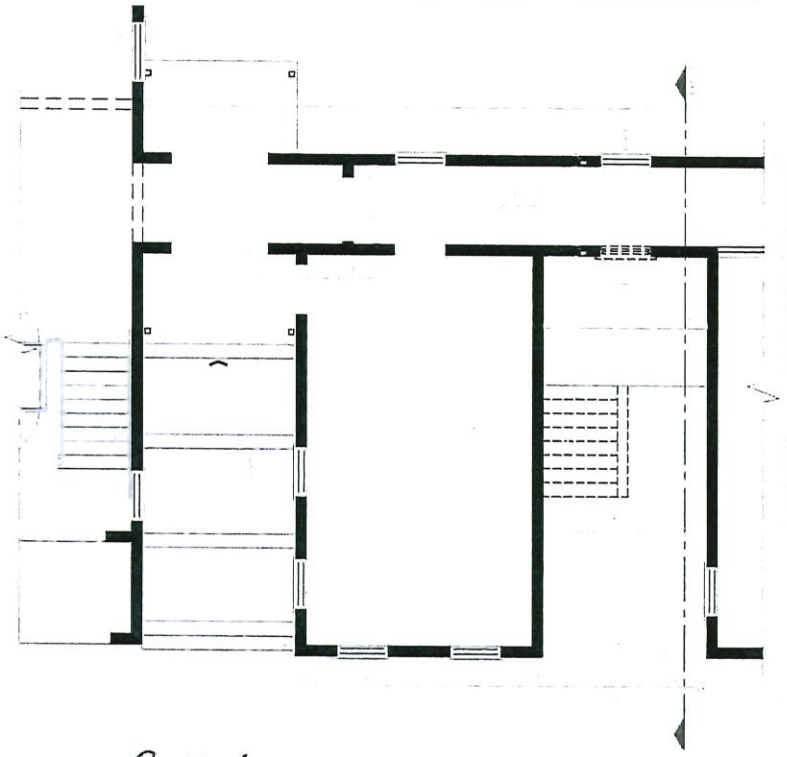
DIXON DESIGN STUDIO LLC
ARCHITECTS

Historic Hilton Bayfront

Proposed Design

Floor Plan Modifications:

- Add a block wall the stucco cement finish to match existing
- Include window and shutters to match existing



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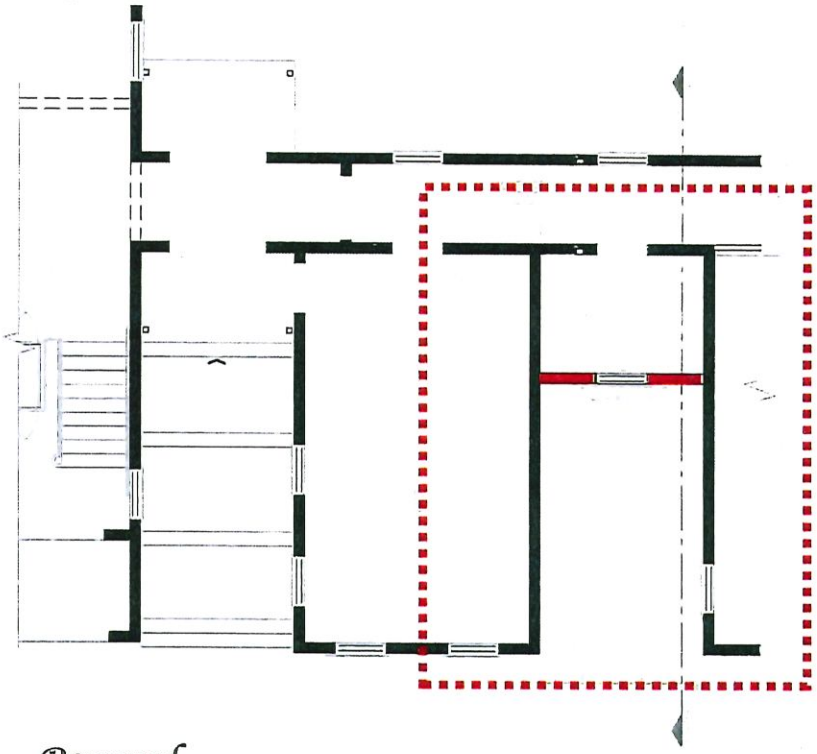

Proposed

N

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Planning/Building Dept.

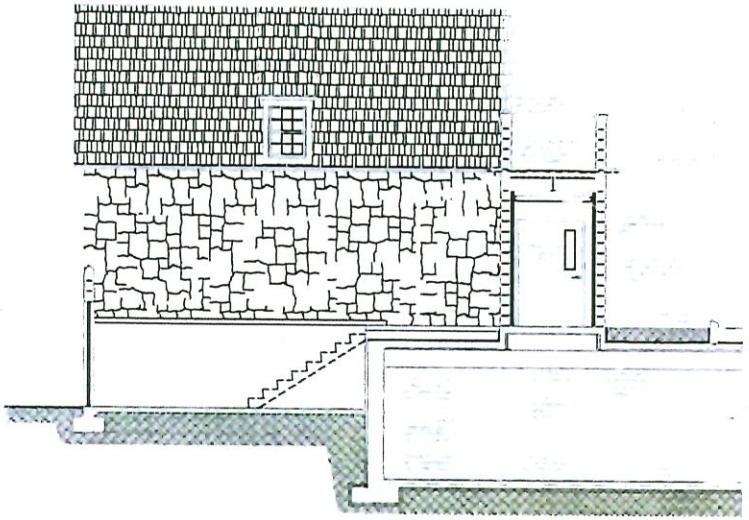
DIXON DESIGN STUDIO LLC
ARCHITECTS

Historic Hilton Bayfront

Proposed Design

Section Modifications:

- The design incorporates a flat roof
- The new maids storage room will be accessed from the hotel interior



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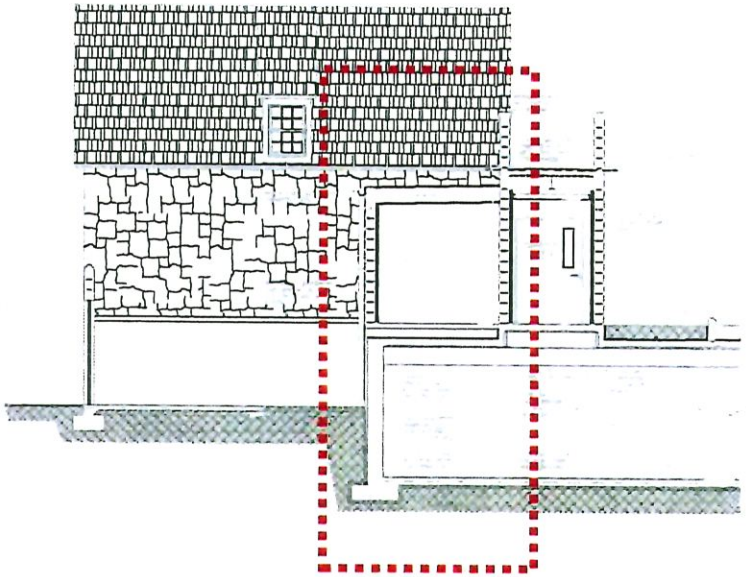

Proposed

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Planning/Building Dept.

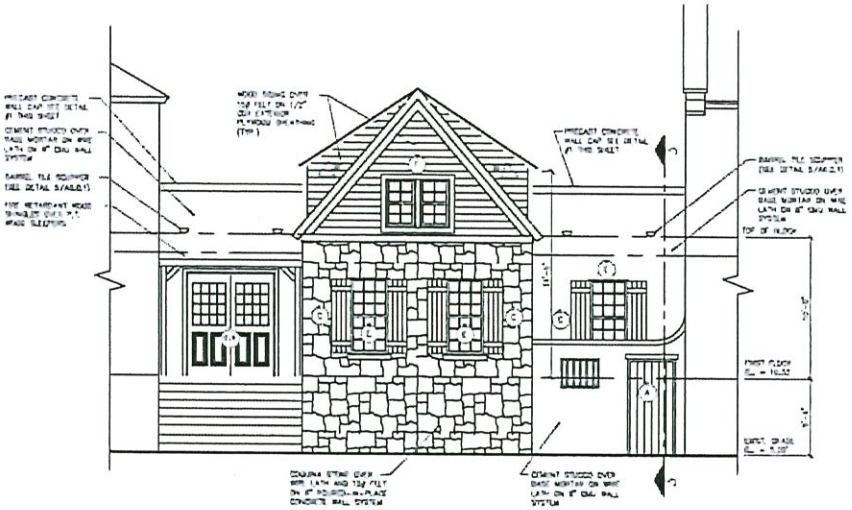
DIXON DESIGN STUDIO LLC
ARCHITECTS

Historic Hilton Bayfront

Proposed Design Charlotte Street Elevation

Elevation Modifications:

- Add wall with cement stucco and flat roof to enclose 90 sq.ft maid storage room. A window will be included to match the existing elevation



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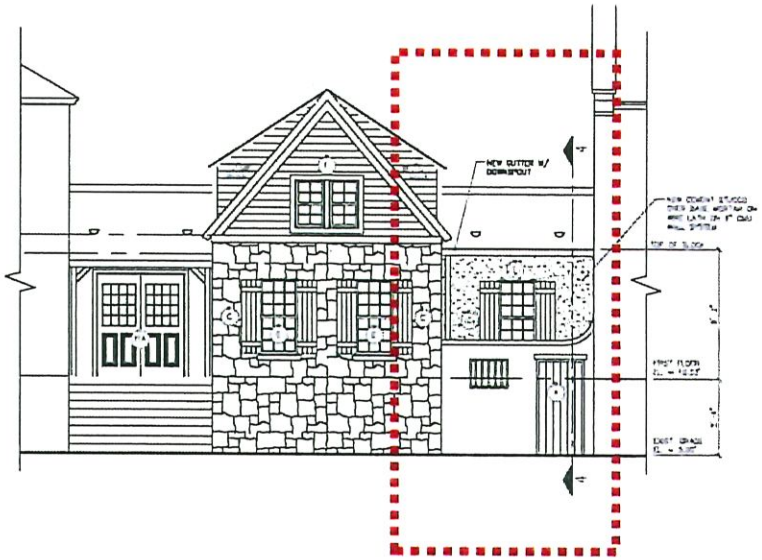

Proposed

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Planning/Building Dept.

DIXON DESIGN STUDIO LLC
ARCHITECTS

Proposed Design Charlotte Street Elevation

Elevation Modifications:

- Minimal impact to the overall street elevation

Proposed

Current

Historic Hilton Bayfront

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: November 19, 2020

RE: **ORDINANCE 2020-33: UPDATES TO FIREFIGHTER'S PENSION TRUST FUND**

Ordinance 2020-33 is an update to our Firefighter's Pension Trust Fund incorporating recent changes in federal and state law. The two main changes include:

1) Changing the age for required mandatory distributions from 70 ½ to 72, consistent with changes to the Internal Revenue Code as adopted in the SECURE Act.
2) Describing how premium state tax monies are allocated and how the Share Plan funds will be allocated to members, consistent with Chapter 175.351, Florida Statutes.

The ordinance has been drafted and reviewed by the City's Pension special counsel Mr. Jim Linn, and the Firefighter's Retirement Board attorney Mr. Pedro Herrera. The Professional Fire Fighters of St. Augustine, IAFF Local 2282 union has voted in favor of the proposed changes.

The Firefighter Retirement Board met on November 4, 2020 to instruct its actuary to perform the statutorily required actuarial estimate of costs. The proposed changes will not have a material impact. The actuarial impact statement is included herein and will be forwarded to the Florida Division of Retirement prior to the last public hearing, consistent with Chapter 175.351(11), Florida Statutes.

Please place Ordinance 2020-33 on the regular City Commission agenda for second reading on December 14, 2020.

Thank you.

Isabelle C. Lopez
City Attorney

Attachment

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

Agenda Title:

Amends the Firefighter's Pension Trust Fund to comply with changes to the mandatory distribution age and the allocation of the Share Plan.

ORDINANCE NO. 2020-33

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING PART II, CHAPTER 20, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 20-195, CONTRIBUTIONS; AMENDING SECTION 20-196, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 20-200, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 20-206, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 20-219, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Amendment to Chapter 20, Article V, Section 20-195. Chapter 20, Article V, Section 20-195 of the Code of the City of St. Augustine, Florida, is hereby amended to read as follows:

Sec. 20-195. - Contributions.

...

(2) *State contributions.* Any monies received or receivable by reason of laws of the State of Florida, for the express purpose of funding and paying for retirement benefits for firefighters of the city shall be deposited in the fund comprising part of this system immediately and under no circumstances more than five (5) days after receipt by the city. In accordance with F.S. § 175.351, all annual premium tax revenues received up to $162,412.61 shall be used to reduce the city's annual required contribution to the Plan. Annual premium tax revenues received in excess of $162,412.61 shall be split 50/50, with 50 percent of the excess used to fund the share plan provided in section 20-219, and the other 50 percent used to reduce the city's annual contribution to the system.

...

Section 2. Amendment to Chapter 20, Article V, Section 20-196. Chapter 20, Article V, Section 20-196 of the Code of the City of St. Augustine is hereby amended to read as follows:

"Sec. 20-196. - Benefit amounts and eligibility.

...

(7) *Required distribution date.* The member's benefit under this section must begin to be distributed to the member no later than April 1 of the calendar year following the later of the calendar year in which the member attains age seventy and one-half (70½), age 72 for members who attain age 70½ on or after January 1, 2020, or the calendar year in which the member terminates employment with the city.

..."

Section 3. Amendment to Chapter 20, Article V, Section 20-200. Chapter 20, Article V, Section 20-200 of the Code of the City of St. Augustine is hereby amended to read as follows:

"Sec. 20-200. - Optional forms of benefits.

...

(5) Retirement income payments shall be made under the option elected in accordance with the provisions of this section and shall be subject to the **following limitations:**

...

(e) The member's benefit under this section must begin to be distributed to the member no later than April 1 of the calendar year following the later of the calendar year in which the member attains age seventy and one-half (70½), age 72 for members who attain age 70½ on or after January 1, 2020, or the calendar year in which the member terminates employment with the city.

..."

Section 4. Amendment to Chapter 20, Article V, Section 20-206. Chapter 20, Article V, Section 20-206 is hereby amended to read as follows:

"Sec. 20-206. - Minimum distribution of benefits.

...

(2) *Time and manner of distribution.*

(a) *Required beginning date.* The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date which shall not be later than April 1 of the calendar year following the later of the calendar year in which the member attains age seventy and one-half (70½), age 72 for members who attain age 70½ on or after January 1, 2020, or the calendar year in which the member terminates employment with the city.

(b) *Death of member before distributions begin.* If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed no later than as follows:

1. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the member died, or by a date on or before December 31 of the calendar year in which the member would have attained age seventy and one-half (70½) , age 72 for members who attain age 70½ on or after January 1, 2020, if later, as the surviving spouse elects."

Section 5. Amendment to Chapter 20, Article V, Section 20-219. Chapter 20, Article V, Section 20-219 is hereby amended to read as follows:

"Sec. 20-219. – Supplemental benefit component for special benefits; Chapter 175 share accounts.

(1) *Share Plan Established.* There is hereby established an additional plan component to provide special benefits in the form of a supplemental retirement, termination, death and disability benefit to be in addition to the benefits provided for in the previous sections of this Plan, such benefit to be funded solely and entirely by F.S. ch. 175, premium tax monies for each plan year which are allocated to this supplemental component as provided for in F.S. § 175.351. Amounts allocated to this supplemental component ("Share Plan") shall be further allocated to the members and DROP participants in the manner described in this section ~~a manner to be agreed upon~~.

(2) Effective September 30, 2019, there is hereby created a supplemental retirement benefit in accordance with this subsection. The supplemental retirement benefit shall consist of an individual share account for each active firefighter, including DROP participants, employed by the City of St. Augustine on or after the effective date. The supplemental retirement benefit shall be funded solely by premium tax revenues received by the City pursuant to Chapter 175, Florida Statutes, as provided in this section.

(3) The total initial amount to be allocated to the members' share accounts as provided in paragraph (a) shall be $131,748.00. For plan years beginning October 1, 2019 and after, all premium tax revenues received by the City pursuant to Chapter 175, Florida Statutes, in excess of $162,412.61 shall be split 50/50, with 50 percent of the excess allocated to the members' share accounts as provided in paragraph (b), and 50 percent used to reduce the city's annual contribution to the Plan. Members' share accounts shall be credited with premium tax revenues and investment earnings or losses, and distributed as follows:

(a) *Initial crediting.* No later than 180 days after the adoption of this ordinance, the share account of each active firefighter and DROP participant on the City's payroll as of September 30, 2019, shall be credited an equally proportionate share of the accumulated excess premium tax revenues of $131,748.00, as provided in this paragraph. Each member employed as a firefighter on September 30, 2019 shall receive one share for each month of total credited service. The total value of each share shall be determined based on the total number of shares divided into the total accumulated excess premium tax revenues ($131,748).

(b) *Annual crediting.* Effective October 1, 2020, and each October 1 thereafter, the share account of each active firefighter~~,~~ and DROP participant~~,~~ on the City's payroll as of the preceding September 30th shall be credited as follows. Each active firefighter and DROP member who was employed on the preceding September 30th shall receive one share for each month of credited service earned during the plan year ending on the same September 30th. The total number of shares thus determined shall be divided into the premium tax revenues allocated to the share plan for that year in accordance with subsection (3) above.

(c) *Investment earnings and losses.* Effective October 1, 2019, and each October 1 thereafter, the share account of each active firefighter and DROP member shall be credited or debited with earnings or losses based upon the amount in the share account at the close of the immediately preceding fiscal year end at a rate equal to the Pension Trust Fund's actual net rate of investment return for the preceding plan year. The net rate of investment return is determined as of the last business day of the fiscal year, which is the valuation date, and member share accounts shall be debited or credited with earnings or losses as of such date.

(d) *Distribution of Share Accounts.* An active firefighter or DROP member with ten or more years of credited service upon termination of employment shall be eligible to receive a distribution of one hundred percent (100%) of the balance in his or her share account, together with all earnings and losses thereon, as provided in paragraph (f). No benefit shall be payable to an active firefighter who terminates covered employment with less than 10 years of credited service. The share account balances of such non-vested terminated members shall be redistributed among all eligible member's share accounts in the same manner as premium tax revenues in the following calendar year. The designated beneficiary of an active firefighter who has died shall receive the accumulated total of his or her share account balance. An active firefighter awarded a disability pension from the Pension Trust Fund shall receive the accumulated total of his or her share account balance. There shall be no forfeiture of a member's share account based on the member's death, disability or termination of employment with ten or more years of credited service. Such payment of share account benefits shall be by lump sum, which shall consist of the accumulated total balance of the active firefighter's share account, or, at the member's direction, the share account balance may be rolled over to another qualified plan in accordance with the Internal Revenue Code, with an additional payment made for any prorated amount credited in the year following termination of employment.

(e) *Eligibility for Benefits.* Any member (or their beneficiary) –who terminates employment as a firefighter with the City or who dies, upon application filed with the board, shall be –entitled to be paid the value of their individual member share account, subject to the following criteria:

(i) *Retirement Benefit.*

1. A member shall be entitled to one hundred percent (100%) of the value of their share account upon normal or early retirement pursuant to Section 20-196, or if the member enters the DROP, upon termination of employment.

2. Such payment shall be made as provided in paragraph (f).

(ii) *Termination Benefit.*

1. In the event that a member's employment as a firefighter is terminated by reason other than retirement, death or disability, he or she shall be entitled to receive the value of his or her share account

only if he or she has 10 or more years of credited service on the date of termination.

2. Such payment shall be made as provided in paragraph (f).

(iii) *Disability Benefit.*

1. In the event that a member is determined to be eligible for either an in-line of duty disability benefit pursuant to Section 20-198(1), or a not-in-line of duty disability benefit pursuant to Section 20-198(3), he or she shall be entitled to one hundred percent (100%) of the value of their respective share account.

2. Such payment shall be made as provided in paragraph (f).

(iv) *Death Benefit.*

1. In the event that a vested member or DROP participant dies while actively employed as a firefighter, one hundred percent (100%) of the value of their member share account shall be paid to their designated Beneficiary as provided in Section 20-197.

2. Such payment shall be made as provided in paragraph (f).

(f) *Payment of Benefits.* If a member or DROP participant terminates employment for any reason or dies and he/she or their beneficiary is otherwise entitled to receive the balance in the member's share account, the member's share account shall be valued by the plan's actuary on the next valuation date following death or termination of employment. Payment of the share account balance shall be made as soon as administratively practicable following the valuation date, but not later than one hundred fifty (180) days following the valuation date."

Section 6. 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 7. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. 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 9. 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)

FOSTER & FOSTER
ACTUARIES AND CONSULTANTS

November 18, 2020

VIA EMAIL

Board of Trustees
City of St. Augustine
Firefighters' Pension Board
101 Malaga St.
St. Augustine, FL 32084

Re: City of St. Augustine Municipal Firefighter's Pension Trust Fund

Dear Board:

We have reviewed Ordinance 2020-33 amending the plan as follows:

- Sections 20-195 and 20-219: Chapter 175 Share Accounts and allocation of Premium Tax Revenue.

- Sections 20-196, 20-200, and 20-200: Changed the minimum age that distributions need to begin from age 70 ½ to age 72 to comply with the recent SECURE Act.

We have determined that the adoption of the proposed changes will have no impact on the assumptions used in determining the funding requirements of the program. Because the changes do not result in a change in the valuation results, it is our opinion that a formal Actuarial Impact Statement is not required in support of its adoption. However, since the Division of Retirement must be aware of the current provisions of all public pension programs, it is recommended that you send a copy of this letter and a copy of the fully executed ordinance to each of the following offices:

The undersigned is familiar with the immediate and long-term aspects of pension valuations, and meets the Qualification Standards of the American Academy of Actuaries necessary to render the actuarial opinions contained herein.

If you have any questions, please let me know.

Mr. Keith Brinkman
Bureau of Local Retirement Systems
Division of Retirement
3189 S. Blair Stone Rd.
Tallahassee, FL 32301

Mr. Steve Bardin
Municipal Police and Fire
Pension Trust Funds
Division of Retirement
3189 S. Blair Stone Rd.
Tallahassee, FL 32301

Sincerely,

Douglas H. Lozen, EA, MAAA

13420 Parker Commons Blvd., Suite 104 Fort Myers, FL 33912 · (239) 433-5500 · Fax (239) 481-0634 · www.foster-foster.com

CITY OF ST. AUGUSTINE

M E M O R A N D U M

TO: John Regan, P.E.
City Manager

DATE: December 3, 2020

RE: Agenda Item for December 14, 2020 City Commission Meeting
Staff Presentation – WWTP Flood Mitigation, Accidental Water Usage & Municipal Utility Rate Comparison

The Wastewater Treatment Plant has made considerable progress in deploying a low-cost flood mitigation technology. The presentation will give an overview of flood hazard analysis and implementation of barriers provided by Flood Risk America, Inc.

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Sincerely,

Todd Grant, P.G.
Utilities Director

Attachment: Staff Presentation

cc: Meredith Breidenstein, Assistant City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk

CITY OF ST AUGUSTINE EST. 1565

Wastewater Treatment Plant Flood Protection

December 14, 2020
City of St. Augustine Commission Meeting

Todd Grant, P.G. Utilities Director

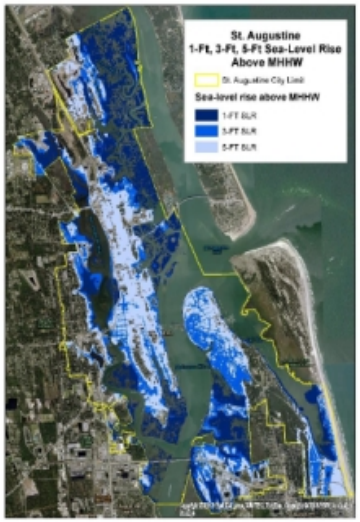
Risk Evaluation and Mitigation

Adapting to Rising Tides

Coastal Resilience in St. Augustine: Baseline of Our Past, Beacon for Our Future

STUDY NARRATIVE

April 2016



Developed By:
The University of Florida Resilient Communities Initiative

Contributors:
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UF Report – April 2016

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(Type)	*(Total #)*	*(#)*	*(%)*	*(#)*	*(%)*	*(#)*	*(%)*
Lift Stations	45	2	4	18	40	32	71
Manholes	1578	6	0	437	28	1097	70
Waste Water Treatment Plant *(1 plant,*	1	1	100	1	100	1	100
Total Impact (All Types)	**1624**	**1351**	**83**	**2258**	**139**	**3668**	**226**

-2-

Risk Evaluation and Mitigation

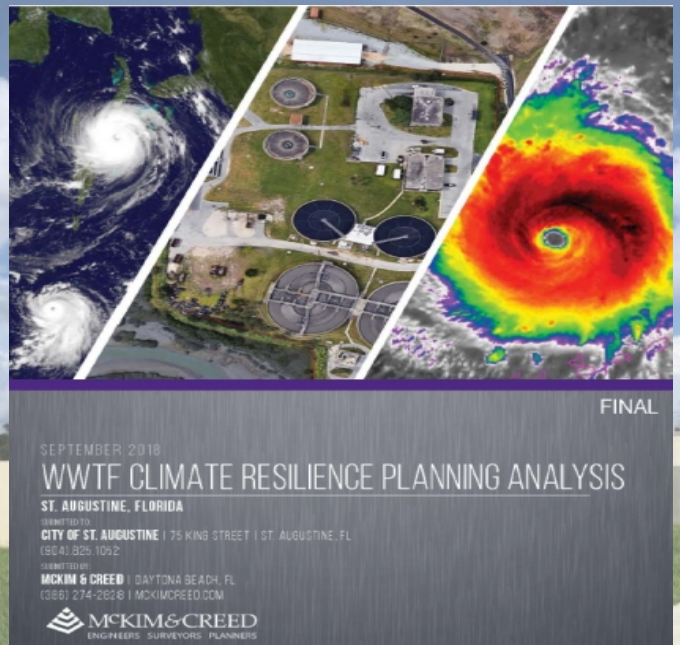

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Table 6: Perimeter Wall and Pump Station Estimated Costs at Multiple Heights for Year 2030 (2018 dollars)

Type of Wall	Top Elevation (feet NAVD)	Average Height of Wall (feet)[2]	Protection Cost	Category of Hurricane Protection Level (2030)	Preventable Damage Cost Range	Benefit/Cost Ratio[1]
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	22	15 (9' conc.)	$ 9,600,000	4	$5,300,000 - $21,000,000	2.2

Alternative Solution

- ✓ Protection to 12 feet (Plant is at ~ 7 feet)
- ✓ Most Critical Infrastructure Protected
- ✓ Total Cost to Date = $148, 000

FLOOD RISK AMERICA

Proactive Flood Prevention Solutions

CITY OF
ST AUGUSTINE
EST. 1565

Accidental Excess Water Use

December 14, 2020
City of St. Augustine Commission Meeting

Todd Grant, P.G. Utilities Director

Current Policy & Example

Residential WATER Rate Schedule – Inside City						
	Monthly Base Rate (By Fiscal Year)					
Water Availability	2015	2016	2017	2018	2019	2020
Base Rate, All Meter Sizes	$17.30	$11.53	$12.19	$12.89	$14.26	$14.69
Base Use Allowance	3,000 gal	0 gal	0 gal	0 gal	0 gal	0 gal
	Monthly Consumption Rate Schedule (per gallon used, divided by 1,000)					
Water Flow Consumption Blocks	2015	2016	2017	2018	2019	2020
Block 1 – 0 to 3,000 gal	$0.00	$2.50	$2.64	$2.79	$2.85	$2.94
Block 2 – 3,001 to 10,000 gal	$4.82	$5.31	$5.63	$5.83	$6.37	$6.56
Block 3 – 10,001 to 20,000 gal	$4.82	$6.96	$7.38	$7.70	$8.41	$8.66
Block 4 – 20,001 to 30,000 gal	$4.82	$8.66	$9.06	$9.39	$10.13	$10.43
Block 5 – Over 30,000 gal	$4.82	$10.62	$11.26	$11.66	$12.74	$13.12

Residential WASTEWATER Rate Schedule – Inside City						
	Monthly Base Rate (By Fiscal Year)					
Wastewater Availability	2015	2016	2017	2018	2019	2020
Base Rate, All Meter Sizes	$23.64	$11.77	$12.45	$13.17	$14.67	$15.11
Base Use Allowance	3,000 gal	0 gal	0 gal	0 gal	0 gal	0 gal
	Monthly Consumption Rate Schedule (per gallon used, divided by 1,000)					
	2015	2016	2017	2018	2019	2020
Block 1 – 0 to 3,000 gal	$0.00	$5.56	$6.14	$6.47	$6.69	$6.89
Block 2 – 3,001 to 10,000 gal ▪	$6.06	$5.56	$6.14	$6.47	$6.69	$6.89

- ✓ Calculate 6-month average use
- ✓ Determine Block Rate
- ✓ Apply Block Rate To Excess Gallons

Example

Normal Usage = 5,000 gallons/month
Accidental Water Loss = 40,000 gallons

Bill - Base Rate+Block Rate*Gallons (1,000s)
Bill - $14.69+$13.12*45 = $605.09

Adjusted Bill

$14.69+$6.56*45 = $309.89

Proposed Calculation
Base Rate+Block 1*Gallons
$14.69+$2.94*45 = $146.99

https://www.citystaug.com/DocumentCenter/View/319/Water-and-Sewer-Rates-and-Connection-Fees-Schedule-PDF?bidId=

CITY OF
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EST. 1565

CITY OF ST AUGUSTINE EST. 1565

Municipal Utility Rate Comparison

December 14, 2020
City of St. Augustine Commission Meeting

Todd Grant, P.G. Utilities Director

Utility Rates – Fiscal Year 2020-2021

Utility	Water Bill	Wastewater Bill	Combined Bill	Average Bill
City of Ormond Beach Inside	18.76	23.72	42.48	63.47
City of Atlantic Beach Inside	13.72	28.90	42.62	63.47
JEA (City of Jacksonville)	16.50	30.03	46.53	63.47
St. Johns County	23.07	29.98	53.05	63.47
City of Melbourne-Inside	21.71	32.38	54.09	63.47
Nassau County - Amelia Island	13.13	43.44	56.56	63.47
City of Holly Hill	25.62	29.05	54.67	63.47
Town of Ponce Inlet	27.00	30.95	57.95	63.47
St. Johns County (Ponte Vedra)	18.79	39.52	58.31	63.47
Volusia County - Unsoftened "West"	21.50	37.27	58.77	63.47
City of Titusville-inside rates	20.27	38.90	59.17	63.47
City of St. Augusitne -Inside Rates	23.51	35.78	59.29	63.47
Town of Orange Park	24.54	35.58	60.12	63.47
City of Fernandina Beach Inside	16.43	44.91	61.34	63.47
Volusia County - Softened "East"	27.44	37.27	64.71	63.47
City of Palm Coast	33.00	31.80	64.80	63.47
City of Daytona Beach- Inside	29.80	35.27	65.07	63.47
City of Palm Bay-Inside	26.63	40.78	67.41	63.47
Flagler County - (Plantation Bay)	39.35	34.22	73.57	63.47
City of Edgewater - Inside	34.62	46.70	81.32	63.47
Flagler County - (Beverly Beach)	48.50	34.04	82.54	63.47
City of Flagler Beach Inside	48.58	41.76	90.34	63.47
City of Bunnell Inside	48.98	56.16	105.14	63.47

Utility	Water Bill	Wastewater Bill	Combined Bill	Average Bill
City of Atlantic Beach Outside	17.15	36.13	53.28	77.86
City of Ormond Beach Outside	28.14	35.59	63.73	77.86
City of Melbourne-Outside	23.86	40.46	64.32	77.86
City of Holly Hill	32.02	36.31	68.33	77.86
City of Titusville-outside rates	22.30	46.68	68.98	77.86
City of St. Augusitne - Outside Rates	28.22	42.94	71.16	77.86
City of Flalger Beach Outside	24.29	48.58	72.87	77.86
City of Fernandina Beach Outside	20.54	56.14	76.68	77.86
City of Palm Bay-Outside	29.31	50.98	80.29	77.86
City of Daytona Beach [*] Outside 1	37.22	44.07	81.29	77.86
City of Daytona Beach [*] Outside 2	39.63	46.88	86.51	77.86
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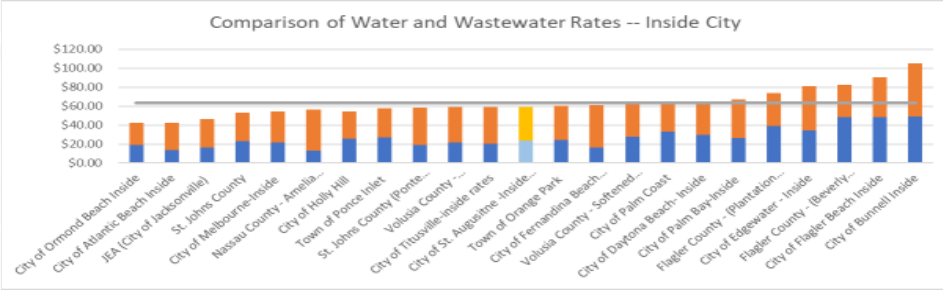

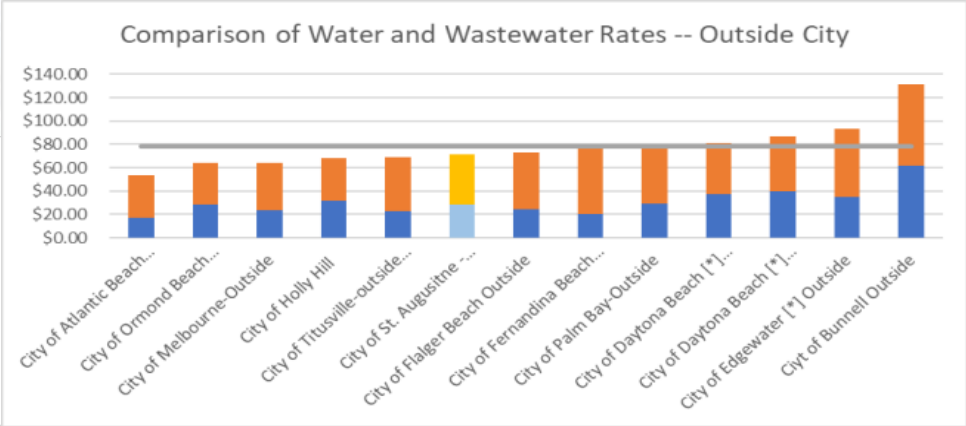

CITY OF
ST AUGUSTINE
EST. 1565

CITY OF ST. AUGUSTINE

M E M O R A N D U M

TO: John Regan, P.E.
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Todd Grant, P.G.
Utilities Director

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CITY OF ST AUGUSTINE EST. 1565

Wastewater Treatment Plant Flood Protection

December 14, 2020
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Todd Grant, P.G. Utilities Director

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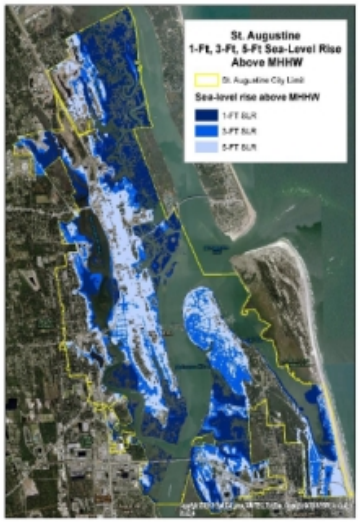

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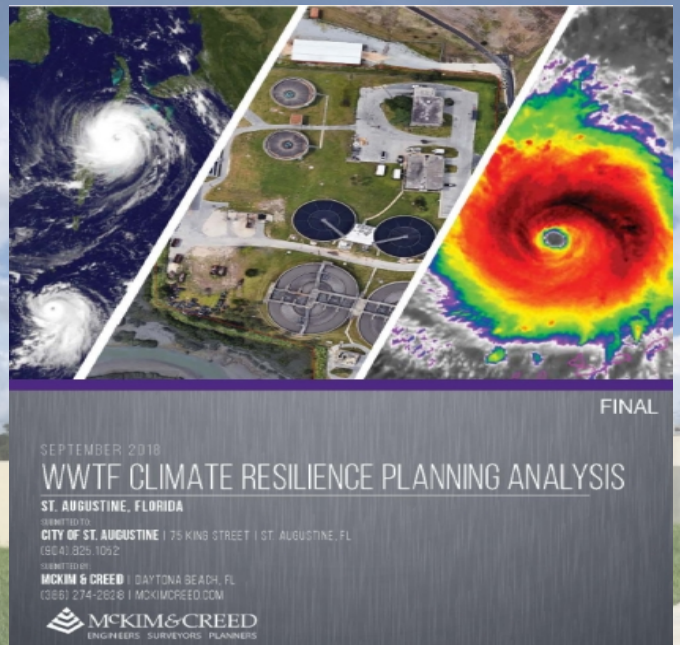
Risk Evaluation and Mitigation



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FLOOD RISK AMERICA

Proactive Flood Prevention Solutions

CITY OF
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EST. 1565

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Accidental Excess Water Use

December 14, 2020
City of St. Augustine Commission Meeting

Todd Grant, P.G. Utilities Director

Current Policy & Example

Residential WATER Rate Schedule – Inside City						
	Monthly Base Rate (By Fiscal Year)					
Water Availability	2015	2016	2017	2018	2019	2020
Base Rate, All Meter Sizes	$17.30	$11.53	$12.19	$12.89	$14.26	$14.69
Base Use Allowance	3,000 gal	0 gal	0 gal	0 gal	0 gal	0 gal
	Monthly Consumption Rate Schedule (per gallon used, divided by 1,000)					
Water Flow Consumption Blocks	2015	2016	2017	2018	2019	2020
Block 1 – 0 to 3,000 gal	$0.00	$2.50	$2.64	$2.79	$2.85	$2.94
Block 2 – 3,001 to 10,000 gal	$4.82	$5.31	$5.63	$5.83	$6.37	$6.56
Block 3 – 10,001 to 20,000 gal	$4.82	$6.96	$7.38	$7.70	$8.41	$8.66
Block 4 – 20,001 to 30,000 gal	$4.82	$8.66	$9.06	$9.39	$10.13	$10.43
Block 5 – Over 30,000 gal	$4.82	$10.62	$11.26	$11.66	$12.74	$13.12

Residential WASTEWATER Rate Schedule – Inside City						
	Monthly Base Rate (By Fiscal Year)					
Wastewater Availability	2015	2016	2017	2018	2019	2020
Base Rate, All Meter Sizes	$23.64	$11.77	$12.45	$13.17	$14.67	$15.11
Base Use Allowance	3,000 gal	0 gal	0 gal	0 gal	0 gal	0 gal
	Monthly Consumption Rate Schedule (per gallon used, divided by 1,000)					
	2015	2016	2017	2018	2019	2020
Block 1 – 0 to 3,000 gal	$0.00	$5.56	$6.14	$6.47	$6.69	$6.89
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- ✓ Calculate 6-month average use
- ✓ Determine Block Rate
- ✓ Apply Block Rate To Excess Gallons

Example

Normal Usage = 5,000 gallons/month
Accidental Water Loss = 40,000 gallons

Bill - Base Rate+Block Rate*Gallons (1,000s)
Bill - $14.69+$13.12*45 = $605.09

Adjusted Bill

$14.69+$6.56*45 = $309.89

Proposed Calculation
Base Rate+Block 1*Gallons
$14.69+$2.94*45 = $146.99

https://www.citystaug.com/DocumentCenter/View/319/Water-and-Sewer-Rates-and-Connection-Fees-Schedule-PDF?bidId=

CITY OF
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Municipal Utility Rate Comparison

December 14, 2020
City of St. Augustine Commission Meeting

Todd Grant, P.G. Utilities Director

Utility Rates – Fiscal Year 2020-2021

Utility	Water Bill	Wastewater Bill	Combined Bill	Average Bill
City of Ormond Beach Inside	18.76	23.72	42.48	63.47
City of Atlantic Beach Inside	13.72	28.90	42.62	63.47
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Flagler County - (Beverly Beach)	48.50	34.04	82.54	63.47
City of Flagler Beach Inside	48.58	41.76	90.34	63.47
City of Bunnell Inside	48.98	56.16	105.14	63.47

Utility	Water Bill	Wastewater Bill	Combined Bill	Average Bill
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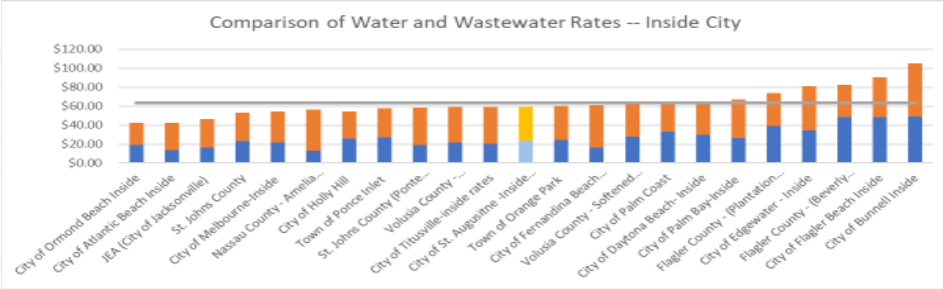

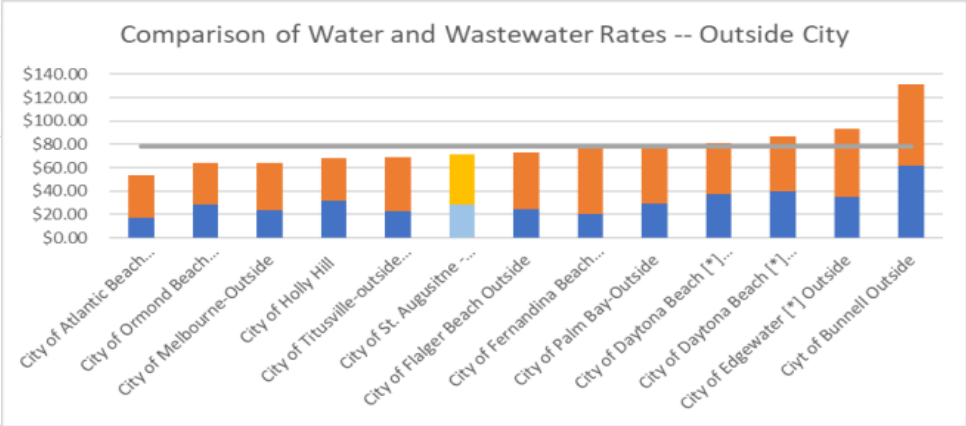

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CITY OF ST. AUGUSTINE

M E M O R A N D U M

TO: John Regan, P.E.
City Manager

DATE: December 3, 2020

RE: Agenda Item for December 14, 2020 City Commission Meeting
Staff Presentation – WWTP Flood Mitigation, Accidental Water Usage & Municipal Utility Rate Comparison

The Wastewater Treatment Plant has made considerable progress in deploying a low-cost flood mitigation technology. The presentation will give an overview of flood hazard analysis and implementation of barriers provided by Flood Risk America, Inc.

The second presentation will explain the City's current policy regarding high water bills due to accidental leaks or breaks on the customer's property. The Utilities Department will give an example of how the policy is currently implemented and make a recommendation for standardizing the rate applied.

The last presentation is a comparison of the City's water and sewer rates as they compare to other municipalities. As has been in the past, the City's rates continue to be within the middle of the range in comparison to other communities.

Sincerely,

Todd Grant, P.G.
Utilities Director

Attachment: Staff Presentation

cc: Meredith Breidenstein, Assistant City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk

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Wastewater Treatment Plant Flood Protection

December 14, 2020
City of St. Augustine Commission Meeting

Todd Grant, P.G. Utilities Director

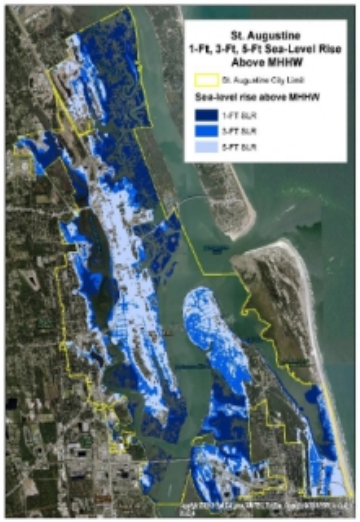
Risk Evaluation and Mitigation

Adapting to Rising Tides

Coastal Resilience in St. Augustine: Baseline of Our Past, Beacon for Our Future

STUDY NARRATIVE

April 2016



Developed By:
The University of Florida Resilient Communities Initiative

Contributors:
Crystal Goodison
University of Florida GeoPlan Center

Hal S. Knowles, III
University of Florida Program for Resource Efficient Communities

William C. Whiteford
University of Florida Department of Urban and Regional Planning

Editors:
Jerry Murphy
University of Florida College of Design, Construction, and Planning

Pierce Jones
University of Florida Program for Resource Efficient Communities

UF Report – April 2016

Table 5. Summary of Potentially Affected Public Works Facilities for Three Relative SLR Scenarios Over MHHW.

City Public Works Assets		1-Foot SLR Impacts		3-Foot SLR Impacts		5-Foot SLR Impacts	
(Type)	*(Total #)*	*(#)*	*(%)*	*(#)*	*(%)*	*(#)*	*(%)*
Lift Stations	45	2	4	18	40	32	71
Manholes	1578	6	0	437	28	1097	70
Waste Water Treatment Plant *(1 plant,*	1	1	100	1	100	1	100
Total Impact (All Types)	**1624**	**1351**	**83**	**2258**	**139**	**3668**	**226**

Risk Evaluation and Mitigation

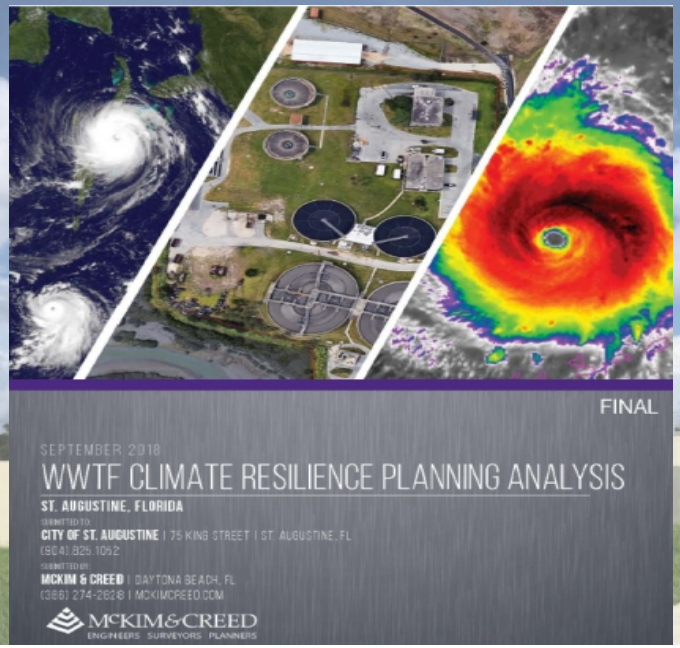


Table 1: Sea Level Rise and Storm Surge Predictions for the WWTF

Year	2018	2030	2050	2070	2100
Sea Level Rise (ft)[4]	0	0.8	2.1	3.6	6.7
MHHW Tide Elevation[1] Including SLR	3.2	4.0	5.3	6.8	9.9
Category 1 Hurricane Storm Surge Elevation[1,2,3]	5	5.8	7.1	8.6	11.7
Category 2 Hurricane Storm Surge Elevation[1,2,3]	10	10.8	12.1	13.6	16.7
Category 3 Hurricane Storm Surge Elevation[1,2,3]	15	15.8	17.1	18.6	21.7
Category 4 Hurricane Storm Surge Elevation[1,2,3]	19	19.8	21.1	22.6	25.7
Category 5 Hurricane Storm Surge Elevation[1,2,3]	23	23.8	25.1	26.6	29.7

Table 6: Perimeter Wall and Pump Station Estimated Costs at Multiple Heights for Year 2030 (2018 dollars)

Type of Wall	Top Elevation (feet NAVD)	Average Height of Wall (feet)[2]	Protection Cost	Category of Hurricane Protection Level (2030)	Preventable Damage Cost Range	Benefit/Cost Ratio[1]
Concrete	12	5	$ 3,300,000	2	$2,600,000 - $7,000,000	2.1
	18	11	$ 6,000,000	3	$4,200,000 - $16,000,000	2.7
	20	13	$ 7,000,000	4	$5,300,000 - $21,000,000	3.0
Sheet Pile	18	11	$ 3,700,000	3	$4,200,000 - $16,000,000	4.3
	20	13	$ 4,200,000	4	$5,300,000 - $21,000,000	5.0
	22	15	$ 4,600,000	4	$5,300,000 - $21,000,000	4.6
	25	18	$ 5,300,000	5	$5,300,000 - $21,000,000	4.0
Combo Conc. & Mobile	18	11 (5' conc.)	$ 7,700,000	3	$4,200,000 - $16,000,000	2.1
	20	12 (7' conc.)	$ 8,700,000	4	$5,300,000 - $21,000,000	2.4
	22	15 (9' conc.)	$ 9,600,000	4	$5,300,000 - $21,000,000	2.2

Alternative Solution

- ✓ Protection to 12 feet (Plant is at ~ 7 feet)
- ✓ Most Critical Infrastructure Protected
- ✓ Total Cost to Date = $148, 000

FLOOD RISK AMERICA

Proactive Flood Prevention Solutions

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Accidental Excess Water Use

December 14, 2020
City of St. Augustine Commission Meeting

Todd Grant, P.G. Utilities Director

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Municipal Utility Rate Comparison

December 14, 2020
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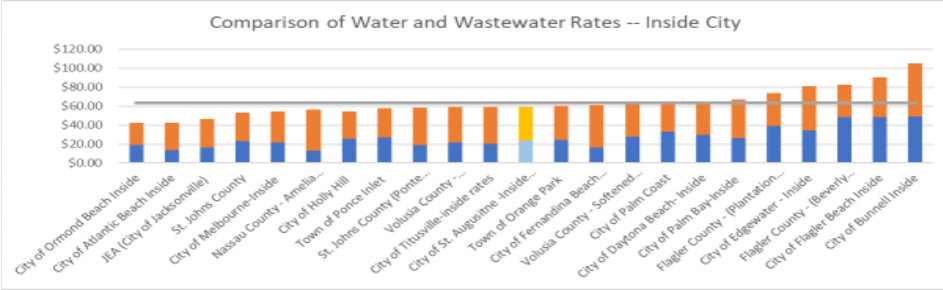

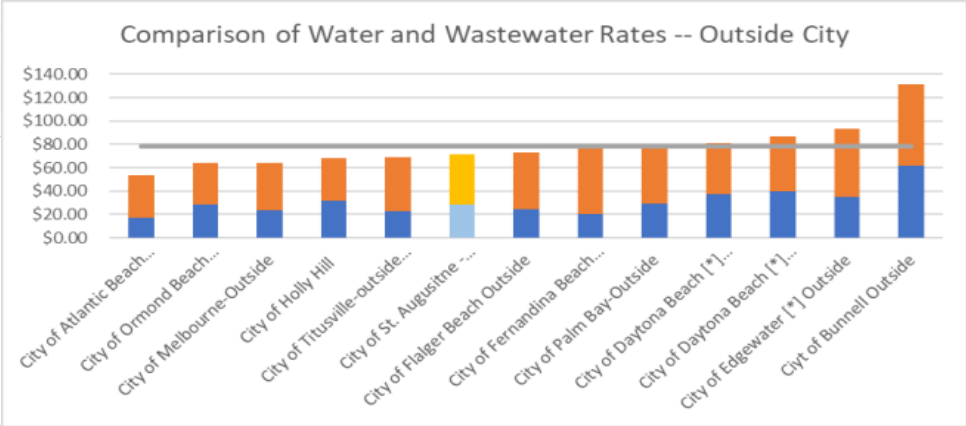

CITY OF
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CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan
City Manager

DATE: December 7, 2020

RE: Agreement with the Board of Trustees of the Lightner Museum of Hobbies, Inc.

The Board of Trustees of the Lightner Museum of Hobbies, Inc. (Trustees) has requested an amendment to the agreement that was signed on December 9, 2019. The current agreement is attached here and sets out the key responsibilities for building and ground maintenance and insurance for the Lightner Building and Financial Services Building property. The terms of this current agreement are consistent with the original 1947 indenture and trust and clarified and updated mutual rights and responsibilities for the maintenance, rental, and management of the property between the Trustees and the City. The Trustees' requested amendment would move the two parking spaces adjacent to the statuary from the City's responsibility, to the responsibility of the Trustees. These parking spaces would be incorporated into the landscape design of the southerly outdoor garden. Because these parking spaces are a City asset that are being requested for transfer to the Trustees, we are requesting approval from the City Commission to let us move forward with working with the Trustees to determine the full terms of an amended agreement.

If approved, please place on the December 14, 2020 City Commission agenda under Staff Presentations.

Thank you,

Meredith Breidenstein

Assistant City Manager

AGREEMENT

This Agreement, made and entered into in duplicate this 9th day of December, 2019, by and between the **BOARD OF TRUSTEES OF THE LIGHTNER MUSEUM OF HOBBIES, INC.**, hereinafter called "TRUSTEES" and the **CITY OF ST. AUGUSTINE, FLORIDA** a municipal corporation, organized and existing by virtue of the laws of the State of Florida, hereinafter called "CITY";

WHEREAS, the CITY and TRUSTEES are both bound by the terms of that certain INDENTURE regarding the PREMISES, and;

WHEREAS, the parties wish to further confirm their mutual agreement and understanding, and clarify their respective rights and obligations, pursuant to the INDENTURE, in order to facilitate cooperation in the operations and maintenance of the PREMISES;

WITNESSETH: That in consideration of the covenants herein contained and consideration given, TRUSTEES and CITY agree as follows:

1. DEFINITIONS:

CITY: means the City of St. Augustine, a Florida municipal corporation.

FINANCIAL SERVICES BUILDING: means the structure located on the southern boundary of the PREMISES, and generally identified as being located at 50 Bridge Street, St. Augustine, St. Johns County, Florida, and its driving aisle and parking area.

INDENTURE: means that July 5, 1947 indenture from O.C. Lightner to the City of St. Augustine, Florida, as trustee of a perpetual trust of the buildings and collection of the trust property to be held, used, managed, and administered by the city in the public interest, for the use, operation, and maintained as housing and exhibiting of museums and other exhibits, with absolute management and control vested in a board of trustees of the Lightner Museum of Hobbies, with neither the city nor the board of trustees having authority to mortgage, sell, or dispose of the trust property, the terms of which are more fully described and recorded in the public records of St. Johns County at OR Book 167, Page 565.

LIGHTNER BUILDING: means the exterior elements of the structure located on the PREMISES, and generally identified as 75 King Street, including exterior roofs, walls, doors, windows, staircases, ramps, loggias, courtyard, pond, bridge, fountains, gardens, fencing, gates, landscaping, outdoor statuary and decorative building ornamentation, parking lots and driving aisles. This term also includes the structural interior elements, such as, structural walls, beams and trusses, the unfinished floor and ceiling substructure, as well as, the centralized fire suppression system. Areas identified as being part of the LIGHTNER MUSEUM are excluded from this definition.

LIGHTNER MUSEUM: means that area consisting of approximately 4,526 interior square feet on the first floor parlor area immediately adjacent to and south of the internal courtyard, and 85,394 interior square feet on all floors of the southern wing (located south of the parlor area), and the exterior elevated promenade at the second floor southern wing entry, along with the exterior and interior area below the promenade, the adjacent southerly outdoor garden consisting of an exterior staircase, fountain, fencing, wall, gates, landscaping, outdoor statuary and decorative building ornamentation. All interiors located in the LIGHTNER MUSEUM, including but not limited to, elevators, HVAC systems, utilities,

electrical, plumbing, telecommunication wiring and equipment, interior staircases, doors, walls, fixtures, finishes, ceilings, and flooring, along with its collections and personal property are included in this definition.

PREMISES: means that real property located in St. Augustine, St. Johns County, Florida, more fully described as follows:

> COMMENCE AT THE INTERSECTION OF THE SOUTHERLY LINE OF KING STREET WITH THE WESTERLY LINE OF CORDOVA STREET; THENCE SOUTHWESTERLY ALONG SOUTHERLY LINE OF KING STREET TO THE EASTERLY LINE OF GRANADA STREET; THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF GRANADA STREET TO THE NORTHERLY LINE OF BRIDGE STREET; THENCE NORTHEASTERLY ALONG THE NORTHERLY LINE OF BRIDGE STREET TO THE WESTERLY LINE OF CORDOVA STREET; THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF CORDOVA STREET TO POINT OF COMMENCEMENT. BEING THE SAME LAND BEING DESIGNATED AS BLOCK 36-A IN THE CURRENT TAX AND OTHER RECORDS OF THE CITY OF ST. AUGUSTINE.

TRUSTEES: means the Board of Trustees of the Lightner Museum of Hobbies, Inc. that owns and operates the LIGHTNER MUSEUM, and its successors, and assigns.

2. TERM OF AGREEMENT:

This Agreement will be for a term of fifty (50) years from the 9th day, of December, 2019.

3. RENTAL: for the use and occupancy of the PREMISES by CITY, except for the area set aside as mutually agreed to by the parties for the LIGHTNER MUSEUM, it is agreed as follows:

CITY Responsibility:

(a) Keep and maintain the LIGHTNER BUILDING and the FINANCIAL SERVICES BUILDING in good, sound condition, order and repair.

(b) Insure, or self-insure, for liability, flood, loss, or damage, the LIGHTNER BUILDING and the FINANCIAL SERVICES BUILDING. CITY may independently seek funds, grants, or other reimbursements from private persons or organizations, as well as, local, state, and federal agencies for the repair and maintenance of the LIGHTNER BUILDING and the FINANCIAL SERVICES BUILDING. In the event such funds, grants, or other reimbursements are obtained, CITY is and shall be solely responsible for all legal requirements of compliance with their terms. Insurance for the perils of damage to the LIGHTNER BUILDING will include the entire building including the physical building areas of the LIGHTNER MUSEUM. Flood insurance will be a shared fifty-fifty (50%-50%) cost between the CITY and TRUSTEES.

(c) Not cause of suffer any lien to be filed against the PREMISES by reason of any repairs, restoration, reconstruction, alteration or change made to the LIGHTNER BUILDING and the FINANCIAL SERVICES BUILDING by the CITY. A lien which is filed as a result of any action of CITY and which is not removed within ninety (90) days after being filed, or as expeditiously as legally possible, shall constitute a default by CITY hereunder. CITY shall save TRUSTEES harmless from all legal cost and fees, including attorney's fees, reasonably incurred in and about the defense and/or prosecution of any suit or proceeding in discharging the said PREMISES, or any part thereof, from any lien caused by CITY.

TRUSTEES Responsibility:

(a) Keep and maintain the LIGHTNER MUSEUM, in good, sound condition, order and repair.

(b) Insure, or self-insure for liability, in addition to, insure for loss or damage to the collection or personal property of the LIGHTNER MUSEUM. Flood insurance will be a shared fifty-fifty (50%-50%) cost between the CITY and TRUSTEES.

(c) TRUSTEES may independently seek funds, grants, or other reimbursements from private persons or organizations, as well as, local, state, and federal agencies for the repair and maintenance of the LIGHTNER MUSEUM. In the event such funds, grants, or other reimbursements are obtained, TRUSTEES are and shall be solely responsible for all legal requirements of compliance with their terms.

(d) Not cause of suffer any lien to be filed against the PREMISES by reason of any repairs, restoration, reconstruction, alteration or change made to the LIGHTNER MUSEUM by the TRUSTEES. A lien which is filed as a result of any action of TRUSTEES and which is not removed within ninety (90) days after being filed, or as expeditiously as legally possible, shall constitute a default by TRUSTEES hereunder. TRUSTEE shall save CITY harmless from all legal cost and fees, including attorney's fees, reasonably incurred in and about the defense and/or prosecution of any suit or proceeding in discharging the said PREMISES, or any part thereof, from any lien caused by TRUSTEES.

4. USE OF PREMISES: CITY will use the LIGHTNER BUILDING and the FINANCIAL SERVICES BUILDING as its City Hall, offices, and departments of the municipal government, as well as, any sublet tenant uses. TRUSTEES will use the LIGHTNER MUSEUM consistent with its mission as a museum.

5. ASSIGNING AND SUBLETTING: CITY may sublet any part or portion of the PREMISES not occupied by the CITY or the LIGHTNER MUSEUM, upon whatever terms, conditions and rentals the CITY deems reasonable and proper. CITY will submit a notice for TRUSTEES' review and comment for any new CITY tenants in units on the ground floor area adjacent to the interior courtyard. TRUSTEES will have fifteen (15) days to provide comments in writing to the City Manager regarding reasonable concerns with the compatibility of uses of these proposed CITY tenants. If CITY does not receive any written comments within the review period, TRUSTEES will be deemed to have concurred with the proposed CITY tenants. Both parties will endeavor in good faith to resolve any concerns or conflicts regarding proposed CITY tenants. Should the City Manager and TRUSTEES not reach an agreement regarding the proposed CITY tenants within thirty (30) days from the CITY'S notice to TRUSTEES, TRUSTEES may seek a resolution of the issue from the City Commission. The City Commission's decision regarding CITY tenants shall be final and binding. Both parties understand and agree that current CITY tenants are deemed to be compatible, and CITY may approve, renew, or modify current CITY tenants' leases for units on the ground floor area adjacent to the interior courtyard. All other CITY tenants on the PREMISES are at the discretion of CITY, and not subject to TRUSTEES' review.

6. ALTERATIONS AND REPAIRS: TRUSTEES grant CITY the right to make repairs to the PREMISES in accordance with CITY's obligations under this Agreement, providing, however, that CITY shall not make structural or substantial changes to the LIGHTNER BUILDING without prior consent of TRUSTEES, which consent shall not be unreasonably withheld. Any changes, additions, alterations, improvements or repairs to the LIGHTNER BUILDING or to the FINANCIAL SERVICES BUILDING made by the CITY shall be at the sole cost of the CITY and shall immediately become a part of the realty and the property held in trust pursuant to the terms of the INDENTURE. Any changes, additions, alterations, improvements or repairs to the LIGHTNER MUSEUM made by the TRUSTEES shall be at the sole cost of the TRUSTEES and shall immediately become a part of the realty and the property held in trust pursuant to the terms of the INDENTURE.

7. CITY REGULATIONS: the parties acknowledge and agree that the CITY has home rule authority under Florida law, and pursuant to duly enacted ordinances and resolutions, it may regulate and govern the activities allowed on the PREMISES.

8. PRIOR AGREEMENT SUPERSEDED: The parties acknowledge and agree that the terms of this Agreement are intended to completely supersede that prior agreement, by and between them, entered into on February 13th, 1967.

9. COOPERATION OF PARTIES: Without waiving any legal right that each party may have, CITY and TRUSTEES agree to cooperate in good faith in carrying out the terms and intent of this agreement.

10. ENTIRE AGREEMENT: This constitutes the entire and complete agreement between the parties hereto and all the terms and conditions agreed upon.

****

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date written above.

Signed, sealed and delivered in the presence of:

Shanna Lee
Witness

Print: Shanna Lee

Ora C. Fountain
Witness

Print: Ora C. Fountain

BOARD OF TRUSTEES OF THE LIGHTNER MUSEUM OF HOBBIES, INC.

Teresa A. Radzinski

Title: its Chairperson

Print: Teresa Radzinski

****

Attest:

Darlene Galambos, City Clerk

(SEAL)

CITY OF ST. AUGUSTINE, LESSOR

John P. Regan, City Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Isabelle Lopez, City Attorney

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: December 14, 2020

RE: Request for appointments to the CODE ENFORCEMENT ADJUSTMENT AND APPEALS BOARD

Notice was previously provided regarding the term expiration of THREE (3) positions, which expire December 27, 2020, in addition to ONE (1) vacancy on the Code Enforcement Adjustment and Appeals Board.

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

As of the agenda deadline, three applications were received from the following current board members who are eligible for reappointment:

- Charlu Reigle
- Larry Weeks
- Thomas Day

Attached are copies of the applications and the current Code Enforcement Adjustment and Appeals Board 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. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission.

1. APPLICANT Charlu Reigle
2. RESIDENCE (address) 343 St George St PHONE 904 315-3150
3. BUSINESS OWNED (Address) Regal St Aug Properties PHONE same
4. PROPERTY OWNED (Address) 343 St George / 509 US1 / Ponce de Leon S. & 18 Clark
5. MAILING ADDRESS PREFERRED 343 St George St.
6. E-mail Address ccreigle@gmail.com
7. BOARD DESIRED Code Enforcement
8. OCCUPATION (include resume if available) Real Estate Broker
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
Local real estate investor, agent & broker since 2000.
Public Relations Dir for the SJC VCB - 1996-1998.
10. OTHER COMMENTS OR INFORMATION
Partner is John Valdes, City Commission Seat #4.

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

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

12. SIGNATURE OF APPLICANT

DATE 12-1-2020

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

Initial

mLopes@citystaug.com

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

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

1. APPLICANT Larry D. Weeks
2. RESIDENCE
   (address) 106 Inlet Drive, St. Augustine, FL 32080 PHONE 904-810-5313
3. BUSINESS OWNED (Address)_____ PHONE_____
4. PROPERTY OWNED (Address) 106 Inlet Drive, St. Augustine, FL 32080
5. MAILING ADDRESS PREFERRED 106 Inlet Drive, St. Augustine, FL 32080
6. E-mail Address larryd.weeks@gmail.com
7. BOARD DESIRED Code Enforcement, Adjustments & Appeals Board
8. OCCUPATION (include resume if available) Dir. of Bus. Services & Campus Planner, Flagler College
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
   See attached resume
10. OTHER COMMENTS OR INFORMATION

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

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

12. SIGNATURE OF APPLICANT
    Larry D. Weeks DATE 10/28/2020

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

_____
Initial

Larry D. Weeks
106 Inlet Drive
St. Augustine, FL 32080
larryd.weeks@gmail.com
904-810-5313

QUALIFICATIONS

Forty years of increasing responsibility in various operational and financial management positions, project development and management, internal and external auditor, controller/accountant, budget analyst, and financial consultant positions. Proven problem solving and analytical skills; excellent written and verbal communication, administration, leadership, and interpersonal relationship abilities.

EDUCATION

MBA, American Public University, Charles Town, WV, 2013
BS Accounting/Business Administration, Troy University, Troy, Alabama, 1977
Courses in Real Estate, Sales Tax Administration, and Insurance

SELECTED ACCOMPLISHMENTS

- Coordinated construction, renovation and capital improvement projects from planning stage, permitting, construction, and completion.
- Compile statistical studies, comparative analyses, and trending reports.
- Work closely with Board of Trustees and special committees.
- Reviewed Federal projects for compliance with policies and legislative intent.
- Compile and manage both operational and capital budgets totaling over $53 million annually.
- Co-managed major equipment dealership with sales over $3.5 million per year.
- Analyzed, planned, developed, and implemented comprehensive business plans.
- Founded and managed two self owned companies.
- Developed internal accounting procedures and controls for GA Tech's Economic Development Institute.
- Directed financial closing cycles, general ledger system administration, monthly financial statement preparation and reporting; federal tax & state sales tax returns.

PROFESSIONAL WORK EXPERIENCE

Director of Business Services & Campus Planner, Flagler College, St. Augustine, FL 2002-Present
Sr. Corporate Accountant, VAW of America, Inc., St. Augustine, FL 2001-2002
Controller, Southern Ag & Turf, LLC/John Deere, Hastings, FL 1997-2001
President/Salesman, Five Star Restaurant Equip. Company, St. Augustine, FL 1995-1997
Financial Consultant, Georgia Institute of Technology, Atlanta, GA 1994-1995
President/Appraiser, Prime Property Appraisal Group, Inc., Lawrenceville, GA 1988-1996
Senior Accountant, Centers for Disease Control and Prevention, Atlanta, GA 1991-1992
Regional Disputes Official/Budget Analyst, EPA, Atlanta, GA 1985-1991
Internal & External Auditor, Government Accountability Office & Internal Revenue Serv. 1977-1985

CITY OF ST. AUGUSTINE

APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

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

1. APPLICANT Thomas Day
2. RESIDENCE (address) 19 Saragossa St PHONE 904-819-9711/201-805-8207 (LAND / CELL)
3. BUSINESS OWNED (Address) na PHONE
4. PROPERTY OWNED (Address) 19 Saragossa St
5. MAILING ADDRESS PREFERRED 19 Saragossa St, St. Augustine 32084
6. E-mail Address tomday1@comcast.net
7. BOARD DESIRED Re-apply to Code Enforcement Board
8. OCCUPATION (include resume if available)
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
Previous term as member of Board of Code Enforcement. Chairman Town and Gown; Pres
Shels Board of Trustees, Board of Ewa Marsh - Hambien House
10. OTHER COMMENTS OR INFORMATION

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

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

12. SIGNATURE OF APPLICANT

Thomas G. Day Thomas G. Day DATE 11/1/20

CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

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

Board Member	Contact information	Appointment	3-Year Terms Expire
VACANT			12/27/2021
Stephen E. Simmons, JD Retired Judge	97 Cerro Street 302-229-8000 sesjdis@gmail.com	12/14/15 1st full term 12/10/2018 2nd full term	12/27/2021
Charlu "Cece" Reigle Realtor	343 St. George St 904-315-3150 ccreigle@gmail.com	2/26/2018 fill vacancy	12/27/2020
Charles Pappas	46 Macaris Street, 32084 charlespappas@mac.com 617-519-3017	1/27/2020 1st full term	12/27/2022
Karen Valachovic Realtor/Registered nurse	38 Carrera St.,32084 904-923-6053 karenvsells@gmail.com	2/10/2020 1st full term	12/27/2022
Thomas Day Retired	19 Saragossa St. 32084 904-819-9711 tomday1@comcast.net	01/14/19 fill vacancy	12/27/2020
Larry Weeks Director of BS and Campus Planner/Flagler	106 Inlet Drive 32080 904-810-5313 larryd.weeks@gmail.com	01/08/18 1st full term	12/27/2020

Updated 1/11/18

CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

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

Updated 1/11/18

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: December 14, 2020

RE: Request for appointment to the CIVIL SERVICE BOARD

Notification was previously given regarding the term expirations of TWO (2) position on the Civil Service Board, which will expire January 1, 2021.

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

Stephen Moranda (current board member)
Loran Lueders (current board member)

Attached are the applications, in addition to the current Civil Service roster and board profile, 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. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission.

1. APPLICANT LORAN LUEDERS

* 2. RESIDENCE *
(address)_____ PHONE_____

3. BUSINESS OWNED (Address) NONE PHONE_____

4. PROPERTY OWNED (Address) NONE

5. MAILING ADDRESS PREFERRED SAME AS ABOVE

6. E-mail Address LLUEDERS@STAUGPD.COM

7. BOARD DESIRED CIVIL SERVICE BOARD

8. OCCUPATION (include resume if available) RETIRED

9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
RETIRED POLICE CHIEF

10. OTHER COMMENTS OR INFORMATION

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

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

12. SIGNATURE OF APPLICANT

DATE 11/03/2020

* PROTECTED INFORMATION DO NOT RELEASE.

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

Initial

CITY OF ST. AUGUSTINE

APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

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

1. APPLICANT STEPHEN MORANDA
2. RESIDENCE (address) 4220 WICKS BRANCH Rd ST AUG PHONE 904 794 2780
3. BUSINESS OWNED (Address) _____ PHONE _____
4. PROPERTY OWNED (Address) SAME AS ABOVE
5. MAILING ADDRESS PREFERRED _____
6. E-mail Address SSSMORANDA@GMAIL.COM
7. BOARD DESIRED CIVIL SERVICE BOARD
8. OCCUPATION (include resume if available) RETIRED
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)

10. OTHER COMMENTS OR INFORMATION

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

Specific Instructions: The two questions below are designed to identify your ethnicity and race. **Regardless of your answer to question 1, go to question 2.**	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☒ No	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native ☐ ☐ Asian ☐ Black or African American ☐ Native Hawaiian or Other Pacific Islander ☒ White	RECEIVED NOV 04 2020 CITY CLERK

12. SIGNATURE OF APPLICANT

Steve M _____ DATE 10/29/2020

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

Initial

CIVIL SERVICE BOARD

Meets 3rd Wednesday in January and June at 2:00 P.M. and on call
Alcazar Conference Room, City Hall

Board Member	Contact information	Appointment	4-Year Appointed Terms Expire
Steve Moranda **CHAIR** Retired	4220 Wicks Branch Road 32086 794-2780 794-0296 sssmoranda@gmail.com	12/12/04 12/08/08 12/10/12 12/12/16	01/01/2021
Loran Lueders Retired	llueders@staugpd.com	12/12/16 filled vacancy	01/01/2021
Leslie "Les" Stern Instructor/Coordinator Criminal Justice Prog	1100 Kilmarin Court 32084 824-2638 fcsi1924@gmail.com	02/24/14 filled vacancy 12/14/15 09/28/20	01/01/2024

Elected Board Members	Contact Information	Election Date	3-Year Term Expiration
Mark Samson Police Representative	825-1070 msamson@staugpd.com	12/09/13 11/21/14 12/07/15 12/2016 3/17/20	01/01/22
Brandon Seymour Fire Representative	825-1098 bseymour88@ymail.com	2//2018 3/17/20	01/01/23

EX-OFFICIO MEMBERS	
Barry Fox **Chief of Police**	825-1075 bfox@staugpd.com
Carlos Aviles **Fire Chief**	825-1099 caviles@citystaug.com

CIVIL SERVICE BOARD

Authorization:	City Charter, Article X.5
Number of Members:	Five 5; with two 2 ex-officio members police and fire chiefs with voice in proceeding but no vote.
Terms of Office:	Commission appointed members – four 4 years; elected members – three (3) years. *(Ord. 2019-19: Referendum question regarding the extension of term limits for police and fire representatives to 3 years passed at the March 17th, 2020 Presidential Preference Primary election)*
Appointment:	Three 3 appointed by City Commission; one 1 elected from within Police Dept; one 1 elected from within Fire Dept.
Re-appointments:	Normal terms expire in January.
Qualifications:	Must be of different vocations; not employed by the City in any capacity, official or otherwise.
Duties:	Adopt, enact, and amend a code of rules and regulations. The code covers the regulations for the conduct and direction of the members of the police and fire departments and prescribes discipline and control; provides for examinations and lists of those eligible for employment and promotion; hears appeals of discharged and suspended employees.
Attendance:	Section 2-191 of the Code of Ordinance Provides that absences unexcused from three 3 consecutive meetings are sufficient cause for removal by the City Commission.
Meetings:	Meets third Wednesday each January and June for annual reorganization; thereafter meets on call.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: December 14, 2020

RE: Request for **one (1)** appointment for the ST. AUGUSTINE POLICE OFFICERS' RETIREMENT BOARD OF TRUSTEES

Notification was previously given regarding the term expirations of two positions on the St. Augustine Police Officers' Retirement Board of Trustees, which expired September 30, 2020.

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

Attached is the application received from previous board member Daniel Hilbert who is eligible for re-appointment, in addition to the current roster, board profile and responsibilities. I respectfully request that consideration be given to appointing this applicant.

Additional advertising for the second position will continue, and applications received will be brought back during a subsequent meeting for consideration.

Darlene Galambos

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

1. APPLICANT DANIEL HILBERT
2. RESIDENCE (address) 107 ARPIEKA AVE PHONE 904-252-4980
3. BUSINESS OWNED (Address) _____ PHONE _____
4. PROPERTY OWNED (Address) SAME AS ABOVE
5. MAILING ADDRESS PREFERRED PO BOX 4122, ST. AUG 32085
6. E-mail Address dkhilbert@gmail.com
7. BOARD DESIRED PRICE RETIREMENT BOARD
8. OCCUPATION (include resume if available) ATTORNEY
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
   LAW PRACTICE, CURRENT BOARD MEMBER
10. OTHER COMMENTS OR INFORMATION

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

Specific Instructions: The two questions below are designed to identify your ethnicity and race. **Regardless of your answer to question 1, go to question 2.**	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ___ Yes 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. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
___ American Indian or Alaska Native ___ Asian ___ Black or African American ___ Native Hawaiian or Other Pacific Islander X White	

12. SIGNATURE OF APPLICANT _____ DATE 11-4-21

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

DKM
Initial

BOARD OF TRUSTEES
ST. AUGUSTINE POLICE OFFICERS' RETIREMENT SYSTEM

Meets quarterly, 4th Wednesday of Feb., May, Aug., and Nov. - 3:00 p.m.
Police Department, 151 King Street

			Elected	2-year terms Term Expires
Assistant Chief Anthony Cuthbert Police Representative P. O. Drawer 1950, 32085-1950 Bus: Police Department	825-1074	"	11/5/15 fill vacancy	09/30/21
Cpl. Jeff Truncellito, Secretary/Treasurer Police Representative P. O. Drawer 1950, 32085-1950 Bus: Police Department	825-1092	Re-elected Re-elected Re-elected Re-elected	09/22/04 09/30/06 09/29/08 09/30/10 10/05/12. 9/30/12. 9/3024/2018	09/30/22
Vacancy				09/30/20
Doug Hernandez Res: 79 Fullerwood Dr., 32084	814-7062	fill term vacancy Reappointed Reappointed Reappointed	11/09/09 09/30/10 10/22/12, 11/10/2014 10/12/20	09/30/22
Steve Fricke Board Appointed 5th member P. O. Drawer 1950, 32085-1950 Bus: Retired			02/17/17 fill vacancy	09/30/21

CONSULTANTS

Cindy Farrow
Salem Trust Company
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Tampa, FL 33607
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BOARD OF TRUSTEES
St. AUGUSTINE POLICE OFFICERS RETIREMENT SYSTEM

Authorization:	City Charter, Article X, Police Officers Retirement System.
Number of Members:	Five 5
Terms of Office:	Elected and appointed members – two 2 year terms.
Appointment:	**Two 2 legal residents** appointed by City Commission; two 2 elected by the Police Officers; and one 1 selected by previous four 4.
Qualifications:	None stated in ordinance
Duties:	The general administration, management, and responsibility for the proper operation of the retirement system, including administration of investments and disbursements, and for construing and making effective the provisions thereof.
Attendance:	Elected trustee fails to attend three 3 consecutive meetings, unless excused, a vacancy is created Sec 2-162.
Meetings:	Quarterly – 3rd Tuesday of February, May, August, and November.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: December 3, 2020

RE: Update on St. Johns County interest in partnering on a workforce housing project located at the City owned 80-acre parcel at 450 North Holmes Blvd.

The purpose of this agenda item is to provide an update to the City Commission on the outcome of staff discussions with St. Johns County since our November 9, 2020 City Commission meeting.

At this time, St. Johns County has withdrawn their interest in the referenced parcel primarily due to the time constraints associated with addressing the mineral rights issue.

The mineral rights are owned by The Mosaic Company. This ownership structure effectively prevents residential housing development until those rights are transferred or purchased by the City or County. The timeframe and uncertainty to resolve this issue does not allow adequate time to complete the project within the deadline of the existing Community Development Block Grant (CDBG). Additional time is needed to develop an agreement that protects the City's interests that is incongruent with the County grant schedule.

We were able to make contact with The Mosaic Company and, although they expressed a willingness to work with the City on the mineral right issue, it would not be their priority to bring resolution within the time required by St. Johns County. Further discussion with St. Johns County staff leaves open the possibility of a future project at this site. Therefore, I recommend that we continue to work with The Mosaic Company to resolve the mineral rights matter and position the property for a future workforce housing proposal or any future use determined by the City Commission that is in the public interest.

I will make myself available to discuss this matter with you at your convenience.

John P. Regan, P.E.
City Manager

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: December 11, 2020

RE: Discussion on options for future City Commission and other City Board meetings

As you are all aware, the Governor's Executive Order 20-69 allowing for public meetings to be held via zoom expired on November 1, 2020. Resolution 2020-40, which urges the Governor to reinstate the provisions of Executive Order 20-69, was passed by the City Commission on December 7, 2020. At this time, the Governor's Executive Order has not been reinstated. As such, the following options should be considered for future City Commission and other City Board meetings:

1. Continue In-Person Meetings in the Alcazar Room:

   The City Commission and other Boards have been meeting this way since November 2020. The Planning and Zoning Board and Historic Architectural Review Board have been meeting in the Alcazar Room since October 2020. The room capacity has been reduced and improvements have been made to the air circulation in the room. All audio and video capabilities would be used as normal.

2. In-Person Meeting at an Outdoor/Open-Air Location

   This option would require all 5 Commissioners, all City staff, all presenters and public commentors to meet in person at an outdoor location on City property. The attached picture of the Public Works open-air pavilion would be the ideal location. The meeting can be equipped with portable microphones and speakers and video recorded. Video would not be live streamed but would be posted online at a later date. The audio and video capabilities would be as close to normal as the current meetings are in the Alcazar Room.

3. Hybrid Model in the Alcazar Room

   This option would require 3 Commissioners, City Clerk staff and Police Department staff to attend the meeting in person in the room. City Clerk and Police Department staff would be needed to assist with public commentors who attend in person. Two Commissioners, all other staff and presenters would be able to join the meeting via telephone conference call or a zoom connection for audio only. Sound will most likely be an issue in this scenario as it would be difficult for the caller/zoom participant to hear all other voices present in the room.

4. Virtual Meeting (Zoom)

This option would bring us back to the method used when Executive Order 20-69 was in place. It allows all 5 Commissioners, the City Manager, the City Clerk, the City Attorney and all presenters to join the meeting from their own location and computer. City staff from the City Clerk's office and City Police Department staff will be present to assist all members of the public who wish to comment. The City Attorney has provided Commissioners with a risk assessment for this option in a prior memorandum.

I look forward to discussing these options with you at the December 14th meeting.

Thank you,

Meredith Brill

for John P. Regan, P.E.
City Manager

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120H

Altec
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CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, October 26, 2020

The City Commission met by means of Communications Media Technology (CMT) Monday, October 26, 2020 at 5:02 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 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

Staff: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Director, Planning and Building
Todd Grant, Director, Utilities
Reuben Franklin, Director, Public Works
Jim Piggot, Director, General Services
Mark Simpson, Director, Financial Services
Barry Fox, Chief of Police
Melissa Wissel, Communications Manager
Candice Seymour, Recording Secretary
Laura Morse, Recording Secretary
Marie Lopes, Office Assistant

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Anthony Britton, Serenity Christian Fellowship, delivered the invocation, and Commissioner Freeman led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

Commissioner Sikes-Kline MOVED to approve the Agenda. 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:

In person:
- BJ Kalaidi

Via e-mail:
- Town and Gown Committee

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Public comment was closed.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CONSENT AGENDA–OCTOBER 26, 2020

CA.1. Preview of upcoming Commission meetings.

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

- Ordinance 2020-31

CA.3. Reminder of Upcoming Meetings:

- November 9, 2020, 5pm, Regular City Commission Meeting
- December 7, 2020, 7:30pm, Special City Commission Meeting
- December 14, 2020, 5pm, Regular City Commission Meeting

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

- August 14, 2020, City Commission Special Budget Meeting
- September 14, 2020, Regular City Commission Meeting

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).

- Proclamation 2020-13: Proclaiming November 2020 as National Hospice Palliative Care Month. *(T. Upchurch, Mayor)*

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

(None)

CA.8. Approval of Tourist Development Agreement between the City and St. Johns County. *(J. Piggott, Director General Services)*

CA.9. Annual status report, City Attorney's office. *(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 Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

(None)

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

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

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8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2020-27: Repeal of mandatory retirement age and inconsistent provisions regarding normal and early retirement age found in this section of the code.

Isabelle Lopez, City Attorney, reviewed the Ordinance.

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

Public hearing was closed.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2020-27 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-27

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, REPEALING SECTION 20-82 OF THE CODE OF THE CITY OF ST. AUGUSTINE THAT PROVIDED FOR A MANDATORY RETIREMENT AGE AND EMPLOYMENT BEYOND NORMAL RETIREMENT; 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: Sikes-Kline, Horvath, Upchurch, Freeman, Valdes
NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2020-28: Amends Commercial Sign Zone 4.

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

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

- BJ Kalaidi

Public hearing was closed.

MOTION

Mayor Upchurch MOVED to pass Ordinance 2020-28 on second reading. The motion was SECONDED by Commissioner Freeman.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-28

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 3, ARTICLE II, DIVISION 1 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO ADVERTISING AND SIGNS; AMENDING SECTION 3-22, DEFINITIONS; AMENDING THE DEFINITION OF COMMERCIAL ZONE 4; 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, Freeman, Valdes, Sikes-Kline, Horvath
NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.3. Ordinance 2020-29: Defines professional and occupational qualifications for HARB membership

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and provides for new artisan, trade and occupational categories.

Ms. Lopez reviewed the Ordinance.

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

- BJ Kalaidi

Public hearing was closed.

Mayor Upchurch was experiencing technical issues; therefore, he gave control of the meeting to Vice-Mayor Freeman.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2020-29 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-29

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING CHAPTER 2, ARTICLE II, DIVISION 3, SECTIONS 28-81 AND 28-82 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO DEFINE SPECIFIC PROFESSIONAL AND OCCUPATIONAL QUALIFICATIONS FOR MEMBERSHIP IN HARB; 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: Sikes-Kline, Horvath, Valdes, Freeman, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

Vice-Mayor Freeman returned control of the meeting to Mayor Upchurch.

8.A.4. Ordinance 2020-30: Creates HARB alternate members and provides for standards and procedures for their participation.

Ms. Lopez reviewed the Ordinance.

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

Public hearing was closed.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2020-30 on second reading. The motion was SECONDED by Mayor Upchurch.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-30

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING CHAPTER 2, ARTICLE II, DIVISION 3, SECTION 28-81 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO CREATE ALTERNATE MEMBERS OF HARB AND TO PROVIDE STANDARDS AND PROCEDURES FOR THEIR PARTICIPATION; 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: Horvath, Upchurch, Freeman, Valdes, Sikes-Kline
NAYES: None
MOTION APPROVED UNANIMOUSLY

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

(None)

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

8.C.1. Resolution 2020-35: West San Sebastian Brownfield designation.

Ms. Lopez reviewed the Resolution.

Trey Mills, Esq., the attorney for the project, was virtually present to discuss the topic and answer questions. He noted the process was in the early stages, required more data collection, and required assembly of a remedial action plan which was targeted for January 2021.

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

- BJ Kalaidi

Public hearing was closed.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2020-35. The motion was SECONDED by Mayor Upchurch.

VOTE ON MOTION

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

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2020-31: Provides for notifications required by Section 162.09(1), Florida Statutes, to be made to the City Manager and for the board to hear applications for reduction of fines and fees prior to and after recording liens.

Ms. Lopez reviewed the Ordinance.

MOTION

Commissioner Sikes-Kline MOVED to place Ordinance 2020-31 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Horvath.

ORDINANCE NO. 2020-31

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING CHAPTER 2, ARTICLE V, DIVISION 2, SECTIONS 2-212 AND 2-213 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE NOTIFICATION TO CITY MANAGER OR HIS OR HER DESIGNEE; TO PROVIDE FOR APPLICATION TO THE CODE ENFORCEMENT, ADJUSTMENTS, AND APPEALS BOARD FOR REDUCTION OF FINES AND FEES PRIOR TO LIEN RECORDATION OR FOR RECOMMENDATION TO THE CITY COMMISSION FOR REDUCTION OF FINES OR FEES ON RECORDED LIENS; 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: Sikes-Kline, Horvath, Freeman, Valdes, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

(None)

10. Staff Reports and Presentations

10.A. Discussion regarding police department body cameras and 2019 Annual Unified Crime Report.

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Barry Fox, Chief of Police, delivered a presentation and provided updates on the following:[1]

- Annual Crime Report
- Homeless Outreach Program
- Commission for Law Enforcement Accreditation (CFA) Program
- Body cameras

Body cameras and crime were discussed in further detail by the Commission, Chief Fox and Mr. Regan, and the following was noted:

- Received 60 sets of cameras and tasers for 58 officers
- Cameras linked into taser program
- Camera or tasers received free upgrades during contract terms
- Cameras received upgrades while charging
- AXON technical support available for duration of 10-year contract
- Video quality and lighting improved vastly with type of camera
- No likely hidden contract costs
- Cameras replaced for free if broken, and automatically replaced every two and one-half years
- Equipment technology already used in judicial circuit, and would speed up the judicial process
- Reduction in Florida crime was at about 6% over last ten years, City was between 6% to 10%, and last four years about 33% decrease
- Violent crime on decline, with exception of 2019, it was up 15%, with only 10 to 12 incidents
- Semi-annual 2020 report showed violent crime down 22%, and property crime down another 3%
- Increase in force authorized for additional officers in downtown area was significant help
- Push for stronger presence on community outreach for use of preventative measures, identifying risks and property crime watch
- Training and professionalism important for good officer retention
- 25 demonstrations handled by the SAPD as of October 24, 2020
- Body camera program protected officers, residents and all involved

Mr. Regan acknowledged Sharon Whitener and the Purchasing Department, who dealt with complex national contracts to discover an option that worked for the SAPD. He also commended Chief Fox for his leadership.

Mayor Upchurch noted that after 25 demonstrations, the City was not affected by criminal justice issues that plagued other parts of the country after George Floyd's death, such as property damage, injuries, and constitutional rights violations. He stated this was the result of the SAPD professionalism and the leadership of Chief Fox and body cameras were another pro-active vision to maintain the safety and beauty of the City.

<u>10.B.</u> Presentation regarding the registration process for short term rentals.

Mr. Birchim reviewed the topic and introduced Patrick Doty, Senior Planner, whom he credited for the hard work and development of the short-term rental webpage and registration links.

Mr. Doty delivered a presentation which stepped through the entirely digital registration process on the short-term rental webpage.[2]

At the request of Mayor Upchurch, Mr. Birchim stated that outreach reminders for the January 4, 2021 registration deadline were conducted through social media, the Commission meeting, an upcoming radio program and the newspaper. He noted that

[1] Attached to original packet

[2] Attached to original packet

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although the response was not substantial, the program was gaining momentum.

10.C. Discussion regarding the goals of the building code advisory committee.

Mr. Birchim discussed the three committee goals, noting the ability to add to or modify them before the selection of members at the November 9th Commission meeting. He stated this project specifically focused on residential construction, as most commercial construction had stormwater retention rules at local and State levels.

The Commission discussed:

- Staff correctly identified the committee goals that could be narrowed
- Permitted about one to two houses per week
- Impervious surface ratios not broken down on new home sites and would require viewing aerial photos to estimate coverage
- Anything under roof, such as carports and garages were captured under lot coverage

MOTION

Mayor Upchurch MOVED to confirm the three goals as set forth in the memorandum dated October 26, 2020 from Mr. Birchim to Mr. Regan. The motion was SECONDED by the Commission and APPROVED BY UNANIMOUS VOICE VOTE.

Darlene Galambos, City Clerk, reminded meeting participants that the Building Code Advisory Committee applications were due Wednesday, October 28, 2020 by 5:00 P.M.

10.D. Quarterly Public Works and Utilities update.

Reuben Franklin, Director, Public Works, delivered a presentation on the status of six Public Works' projects and added the following:

FEMA 13 Lift Stations Rehabilitation:

- Damaged in Hurricane Matthew
- Received FEMA public assistance grant
- 87-1/2% of improvements would be made by State and Federal government, 12-1/2% by City contribution from the Utility Fund
- Went through procurement process to be managed by Construction Manager at Risk (CMAR)
- Anticipated as a ten-year plan; however, they would be constructed in two years
- Construction would begin July 2021 and end July 2022

Mr. Franklin stated the project was ready for the construction phase and requested Commission approval to move forward.

MOTION

Mayor Upchurch MOVED to authorize City staff to proceed with the construction phase of the lift stations. The motion was SECONDED by the Commission Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

Mr. Franklin continued his review:

Maria Sanchez Flood Mitigation Project:

- Funds identified with Hurricane Matthew for local mitigation strategy
- Required observation easement through Planning and Zoning Board (PZB) and permitting with St. Johns River Water Management District and Army Corps of Engineers
- Included complete rebuild of Cordova, Bridge (between Cordova and Granada) and Granada Streets with improved underground utilities, water, sewer, stormwater, roads, and new sidewalk
- Constructing a pumping station at south end of Maria Sanchez to

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control level and allow stormwater to drain into the lake, with expected start by 2022

West Augustine Sewer Improvements:

- Improvements were ongoing
- Septic to sewer conversion originally focused along St. Johns and Duval Streets

Mr. Franklin advised Mayor Upchurch that he would perform an analysis of the existing septic systems that met qualifications for the septic to sewer conversion program and provide data at a later meeting.

Lincolnville Drainage and Utility Improvements:

- Construction complete between De Haven and South Street (between Riberia and MLK) with new underground utilities, road and drainage system
- Total cost was $1.6 million, funded through grants
- Expected completion of sidewalk on South Street in two weeks, which was not part of the grant

Major Projects in Design Phase:

- Design Milestones were reviewed

Mobility Program: Activity Management:

- Reviewed progress of each activity
- Anastasia Boulevard Study, funded by North Florida TPO, anticipated robust public outreach

Todd Grant, Director, Utilities, reviewed the Utilities Department projects, and highlighted the following:

- Avenida Menendez Seawall grant was approved, and was the section of wall between the marina and the former Santa Maria restaurant site
- Wastewater treatment plant in house flood proofing was 100% complete and a presentation would follow at a subsequent Commission meeting
- Moving into final 'Phase 4' of the automatic meter replacement, which allowed a drive-by read, providing staff with time to focus on important water quality issues

11. ITEMS BY CITY ATTORNEY

11.A. Sunshine, Public Records and Ethics Minute.

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

12. ITEMS BY CITY CLERK

12.A. Notification of two vacancies on the Lincolnville Community Redevelopment Steering Committee; one vacancy and three expirations on the Code Enforcement Adjustment and Appeals Board and one vacancy on the Police Officer's Retirement System Board of Trustees.

Darlene Galambos, City Clerk, reviewed the topic and noted that applications were also being accepted for the Building Code Advisory Committee. She noted the following deadlines for applications:

- SAPD Pension Board was Wednesday by 5:00 p.m.
- Lincolnville Steering Committee was extended until January 2021
- Code Enforcement, Adjustment and Appeals Board was Wednesday December 2 by 5:00 p.m.

Mayor Upchurch requested that Ms. Galambos send a short memo to the Commission that addressed the due dates and available board positions to prompt the Commissioners to seek qualified citizens to apply for the positions.

13. ITEMS BY CITY MANAGER

(None)

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14. Items by Mayor and Commissioners

Mayor Upchurch thanked Mr. Regan for his leadership of the thriving SAPD and noted the appreciation of his broad perspective of all City staff and his recognition of those who did great work.

Commissioner Valdes concurred with the statements of Mayor Upchurch.

Commissioner Sikes-Kline referred to the Resilient Heritage Report released by Taylor Engineering which showed St. Augustine's Historic District represented 41% of the City's total assessed value, and 75% of the Historic District land area was in a high risk flood zone. She noted the importance of Planning and Building's continued pursuit in this area and suggested they access the report and the many examples of problem solving in communities nationwide. She stated Mr. Regan agreed to deliver a presentation at November's meeting where a comprehensive view of addressing flooding and resiliency would be presented.

15. Adjournment

There being no further business, the meeting was adjourned at 7:06 P.M.[3]

_____
Tracy Upchurch, MAYOR

_____
Darlene Galambos, CITY CLERK

[3] Transcribed by Laura Morse

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CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, November 9, 2020

The City Commission met in formal session Monday, November 9, 2020 at 5:03 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Vice-Mayor Leanna Freeman, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner (arrived at 5:17 p.m.)
Leanna S. A. Freeman, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
Nancy Sikes-Kline, City Commissioner

Absent: John Valdes, City Commissioner

John Regan, City Manager
Denise May, Assistant City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Director, Planning and Building
Reuben Franklin, Director, Public Works
Todd Grant, Director, Utilities
Melissa Wissel, Communications Director
Barry Fox, Police Chief
Carlos Aviles, Fire Chief
Laura Morse, Recording Secretary
Candice Seymour, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Dan Ott, Anastasia Baptist Church, delivered the invocation, and Vice-Mayor Freeman led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

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

3. Special Presentations, Recognitions and Proclamations

3.A. Proclamation 2020-13: Proclaiming November as National Hospice Palliative Care Month. Receiving: Haven Hospice representative.

Commissioner Sikes-Kline delivered the Proclamation which was accepted by Vince Fattizzi, Hospice representative.

4. General Public Comments (3 minutes per individual)

John Regan, City Manager, reviewed the rules and procedures for wearing masks and social distancing with the audience.

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The Commission heard from the following members of the public:

- Jack Binegal
- BJ Kalaidi

Mayor Upchurch arrived; therefore, Vice-Mayor Freeman relinquished control of the meeting.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CONSENT AGENDA-NOVEMBER 9, 2020

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON DECEMBER 14, 2020:

- Ordinance 2020-31
- Ordinance 2020-32
- Ordinance 2020-33

CA.3. Reminder of Upcoming Meetings:

- December 7, 2020, 7:30pm, Special City Commission Meeting
- December 14, 2020, 5pm, Regular City Commission Meeting
- January 11, 2021, 5pm, Regular City Commission Meeting

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

- September 28, 2020, Regular City Commission Meeting
- October 12, 2020, Regular City Commission Meeting

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 nomination of Brian Bowman as the deAviles Award recipient. *(N. Sikes-Kline, Commissioner)*

CA.9. Approval of the 2021 City Commission meeting and holiday schedule. *(D. Galambos, City Clerk)*

CA.10. Order releasing the Code Enforcement lien levied against 171 Inlet Drive as paid in full. *(D. May, Assistant City Attorney)*

CA.11. Payment of invoice dated October 30, 2020 from Cavendish Partners, P.A. for legal services in the matter of Marlowe v. City in the amount of $14,761.00. *(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 Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

AYES: Sikes-Kline, Horvath, Freeman,

Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

6. Appeals

(None)

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

7.A. General Public Presentations

7.A.1. Presentation by Joy Andrews, Assistant County Administrator, St. Johns County, regarding St. Johns County's proposal to construct affordable housing on 80 acres presently owned by the City.

Ms. Andrews advised that Joe Giammanco, Director of Emergency Management, and Bob Quinney, Grants and Resource Development Manager were present for Commission questions. She requested Commission guidance and feedback on the City and County working together to develop the property[1] for workforce housing and noted the following:

- County received $15 million in Housing and Urban Development (HUD) disaster recovery funds for community block grant resulting from Hurricane Matthew
- Matter was time sensitive, funding highly conditioned upon state and federal approval and HUD funding required passing through the State's Department of Economic Opportunity (DEO) with requirements to organize environmental studies, mineral rights and land layout
- County deemed property ideal location and citizen benefit due to retail, grocery stores, education institutions, and job accessibility
- Project would have a 'clubhouse style' center, that would also serve as an emergency shelter
- County would pursue future opportunities with City, should funding not become available
- Requested a land conveyance to County with a clause restricting land use for workforce housing, with land returned to the City if not used for that purpose
- City used less than 10 acres for laydown area, and County was searching potential locations to trade the City for the same use

The Commission discussed:

- Fund eligible for 'low to moderate' rental income with HUD restrictions and federal regulations for use of 51% of housing for income group
- Use of terms 'workforce' and 'affordable' housing depended on the agency using term, but the income level was consistent factor
- Transitional and homeless housing was not part of the funding eligibility
- HUD funding guidelines allowed construction of a minimum of 80 units up to 96 mixed income rentals
- County procured Turnstone Development, a reputable non-profit development firm that handled similar projects and would hold responsibility and operation of low to moderate income housing under a 40-year deed restriction
- Neither the City nor County would own property during the 40-years; however, the County would be required to ensure compliancy with HUD and Department of Economic Opportunity requirements
- County would be recipient of grant funds, but had no financial contribution
- Property subject to County zoning, required land use change with regulatory public feedback
- Major modification of land use required two hearings and a state

[1] Map document attached to original minutes

transmittal, and a PUD required two public hearings
- City and County fiduciary responsibilities would not be burdened through the process
- Once land conveyance from City necessitated, HUD funding passed through State to the County who had control of project eligibility
- Total of 50 acres used as laydown location for the County Public Works department
- Should consider using less of the property, since County could build 80 to 96 units in four acres
- Should look at site to see buildability, cannot determine actual plans, and much of the property was wetlands or ponds
- Could not legally waive impact fees; however, ways existed to subsidize fees with other funds
- Funds were to be returned if project not completed by beginning of 2023 when the grant expired
- Entire project cost $27 million, developer had $12 million, and $15 million was allocation from the *Community Development Block Grant Disaster Recovery* fund
- County not in control of timeline that was defined by duration of grant, and Ms. Andrews believed if the project was unsuccessful for failure to meet deadline, it would be negligent for the community
- County was amiable to look at other sites if property did not meet timeline, as a decision was needed by the December 14, 2020 meeting

Commissioner Horvath noted more research was required and expressed concern about property being turned over to developer after 40 years without a requirement to maintain affordable housing. She asked the Commissioners to contemplate using a portion of the parcel, based on buildability and beauty of property, and suggested that a park would benefit both County and City residents.

Commissioner Sikes-Kline stated the property was an environmental treasure which contained rare coquina material that made it valuable. She noted her trust in Mr. Regan to provide the correct materials to enable the Commission to make this magnitude of a decision.

Mr. Regan stated he would review the deadline dates and requested more detailed information for the Commission to receive a better project image, which may not require use of entire parcel. He expressed concern about what the City gained with this large asset transfer. He stated his interest in funds available for transitional housing and homeless shelters.

Mayor Upchurch expressed concern about the proposal's structure but was amiable to the project and other opportunities with the County. He stated if affordable housing was not constructed, then roads would be to allow people to live farther; therefore, one way or another this was paid for. He noted the community confusion on which local government was responsible, and all City constituents were County constituents, but not the contrary, and for the community good, these projects required collaborative analysis of future needs.

Mayor Upchurch concluded that due to the project time sensitivity, he would reconsider the proposal at December's Commission meeting to allow staff time to gather more specifics, and so the Commissioners could individually work with Ms. Andrews with questions or concerns.

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. Ordinances and Resolutions – Public Hearing Required.

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8.A. Ordinances – Second Reading

(None)

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

(None)

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

(None)

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2020-32: Amends the Hilton Bayfront Inn Planned Unit Development to allow for an additional 1% lot coverage.

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

Mayor Upchurch clarified the reason the Ordinance was before the Commission was due to the building's minor elevation change on Charlotte Street.

MOTION

Commissioner Horvath MOVED to approve Ordinance 2020-32 changes to the Bayfront Inn Planned Unit Development as described; 1% increase in coverage and the small addition to the elevation on Charlotte Street, placed on second reading, read by title only and passed. The motion was SECONDED by Mayor Upchurch.

Denise May, Assistant City Attorney, read the title as follows:

ORDINANCE 2020-32

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE HILTON BAYFRONT INN PLANNED UNIT DEVELOPMENT (PUD) ESTABLISHED PURSUANT TO ORDINANCE NO. 2009-02 IN ORDER TO PROVIDE FOR ADDITIONAL LOT COVERAGE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

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

9.A.2. Ordinance 2020-33: Amends the Firefighter's Pension Trust Fund to comply with changes to the mandatory distribution age and the allocation of the Share Plan.

Ms. May reviewed the Ordinance.

Mayor Upchurch clarified the action taken was bringing the City Ordinance into compliance with state and federal law.

MOTION

Mayor Upchurch MOVED to place Ordinance 2020-33 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Horvath.

Ms. May read the title as follows:

ORDINANCE NO. 2020-33

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING PART II, CHAPTER 20, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 20-195, CONTRIBUTIONS; AMENDING SECTION 20-196, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 20-

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200, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 20-206, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 20-219, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

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

9.B. Resolutions

(None)

10. Staff Reports and Presentations

10.A. Presentation summarizing the work accomplished on the grant project, Resilient Heritage in the Nation's Oldest City, which focused solely on flood impacts to St. Augustine's heritage resources.

Jenny Wolfe, Historic Preservation Officer and Project Manager, introduced the project's focus as identifying flooding threats to cultural resources, and by what method the City as a policy maker and property owner could set policy guiding examples, inform historic property owners and leverage additional investments. She reviewed the following:

- Total project value was $100,000 from State Historic Preservation Office funds and matching City funds
- The City managed five other grant projects totaling over $1 Million dollars, with $290,000 of City matching funds
- These types of grant projects were great way to leverage much larger projects
- 2016 Department of Economic Opportunity report provided a geospatial analysis and narrative of vulnerabilities confronting City infrastructure and assets, and was first step to understanding data for City sea level rise projections
- Geospatial data allowed closer look at extent of flooding impacts to all the City's cultural resources
- One and one-half foot sea level rise projected as early as 2040 and as late as 2100
- St. Augustine achieved the National Historic Landmark status because of Spanish Colonial structures and archeological sites
- Resources already impacted from flooding and rising water tables
- Flooding threat created community momentum and interest in action plan to steward the City's cultural resources
- Heritage conversation was basis of the City's economic engine, with tourism and property ownership
- Prior to this project, a demonstrated economic analysis had not been completed by industry professionals
- The multi-disciplinary consulting team consisted of field experts and exceeded expectations
- Flood mitigation approaches for selected City properties suggested the following measures:
  - Temporary flood wrapping
  - Removable flood gates
  - Landscape berm
  - Additional tree 'straws'
  - Underground cisterns
  - Wet flood proofing
  - Change of topography
- City 2040 Comprehensive Plan included multiple elements addressing resiliency, and the pending Building Advisory Task Force was great timing with Resilient Heritage publication

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Commissioner Sikes-Kline expressed her respect and appreciation for Ms. Wolfe for the commitment and dedication in this endeavor and noted she was one of the most outstanding in-house experts on resiliency for historic resources.

Ms. Wolfe advised Mayor Upchurch that the general public could use the study through and interactive story map posted on the City website: http://citystaug.com/resilientheritagestory.map, which would assist residents and property owners with visually understanding what the City could lose. She noted the story map would be made more interactive in the future and would collect public experiences.

Mr. Regan broached the subject of future projects with more regional solutions to sea-level rise, the need for the City to discover ways to leverage money through a grant process, benefit cost studies, and the FEMA hazard mitigation process. He noted the Resilient Heritage was a missing ingredient from the beginning and that the team had set a path on the economic return for the investment. He commended Ms. Wolfe and City staff.

10.B. Presentation of the newly developed community alerting system to send emergency notifications to residents and businesses.

Melissa Wissel, Communications Director, and Carlos Aviles, Fire Chief, delivered a presentation on the subject and noted the following:

- Topic surfaced from recent South Davis Shores meeting, where citizens inquired about an early warning system for rising waters
- Worked with partners at Emergency Operation Center using same method utilized by County
- Specifically designed and intended for City residents, but anyone could register
- Once registered with City system, could easily enroll with 'Alert St. Johns' to receive email notifications, phone calls with recorded message, or text alerts
- Messaging alerts would go through Facebook
- In event of a significant issue, the City website had an emergency banner alert tool
- Should a community alert warrant emergency level use of STAUGALERTS, it would also put an emergency alert on Facebook and City website
- Informational door hangers would be delivered to the most vulnerable citizens in low lying areas and notification sent through social media starting November 10

Chief Aviles advised Mayor Upchurch that use of the alert system required an event of imminent danger to life or property, such as a tornado, rising floodwaters with imminent property threat, gas leak or an active shooter. He noted the system would not be used for events such as a water main break, or a stuck bridge. He stated that currently Ms. Wissel, himself and an SAPD representative held the authority to determine and submit an alert.

In response to Mayor Upchurch's concern about 'amber alert' style statewide notices for distant counties, Chief Aviles advised of the system's capability to geofence and alert a specific area, but preferred the community register with the system to work effectively.

10.C. Review and approval of the First Amendment to Franchise Agreement for Ripley Entertainment, Inc.

Meredith Breidenstein, Assistant City Manager, reviewed the subject, noted the franchisee renewal requirements based on City code, and addressed Ripley's compliance with terms. She introduced Kim Kiff, Regional Manager, Ripley

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Entertainment, who was available to answer questions.

There was Commission discussion of noise level complaints on Bridge Street, consideration of the 10-year contract commitment based on an unknown future, and concern regarding the eventual replacement of Ms. Kiff, who was a great representative and responsive to community concerns.

Ms. Kiff advised that the center speakers on the Red Train Tours had been removed because the noise radiated from the sides, and since removal, she was unaware of any complaints since 2017.

Commissioner Horvath requested a six-month extension of the existing contract to prepare a comparison of Red Train Tours' and Old Town Trolley Tours' sound systems.

MOTION

Commissioner Horvath MOVED to extend Ripley Entertainment's time for six months, and in that time a comparison of the sound system would be done and then go from there. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION

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

10.D. Discussion pertaining to naming the public park in the conservation area of Lighthouse Park as Maria Andreu Conservation Park.

Ms. Wissel reviewed the topic and noted Maria Andreu Conservation Park was selected as the official name based on the majority of online survey responses.

MOTION

Commissioner Sikes-Kline MOVED to rename the park Maria Andreu Conservation Park. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

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

11. ITEMS BY CITY ATTORNEY

11.A. Sunshine, Public Records and Ethics Minute.

11.A. Approval of Preservation Easement Agreement for the property located at 7 Bridge Street (Sanchez House).

Ms. May reviewed a summary of the Agreement.

Commissioner Sikes-Kline noted the distinctive opportunity to provide a preservation agreement for one of the most unique and oldest buildings. She noted her appreciation for the property owner working with City and archeological resources and commended their idea of conservation to preserve use of the interior space, which was breaking new ground.

MOTION

Mayor Upchurch MOVED to approve the Preservation Easement Agreement. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION

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

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12. ITEMS BY CITY CLERK

12.A. Notification of applications received for appointments to the Building Advisory Task Force.

Darlene Galambos, City Clerk, stated eight applications were received, as follows:

- Rick Gonzales
- Sarah Ryan
- Rob Matthews
- Robin Moore
- Jon Benoit
- Irene Arriola
- Les Thomas
- John Woolridge

Commissioner Sikes-Kline suggested the committee name include 'new construction' for clarity and lobbied to add Ms. Wolfe as the committee staff contact.

Mr. Regan advised the Building Advisory Task Force scope of goals was associated to new construction. He stated Commissioner Valdes had been selected as Chair, but the number of members had not been set; therefore, based on his knowledge, he suggested seven members. He noted all staff and resources, especially Ms. Wolfe, would be available.

Mayor Upchurch expressed his gratitude for the excellent applicant list and their willingness to volunteer. He stated this was an advisory committee to the City Commission and their recommendation was non-binding upon them.

There was Commission consensus to approve the eight applicants.

MOTION

Commissioner Sikes-Kline MOVED to approve the eight individuals who applied for appointment to the 'New Building Advisory Task Force'. The motion was SECONDED by Commissioner Horvath and APPROVED by UNANIMOUS VOICE VOTE.

Mayor Upchurch acknowledged Ms. Galambos for her efforts and the efforts of City staff at making the Alcazar Room function properly for the meeting.

13. ITEMS BY CITY MANAGER

13.A. Summary of highlights for Fiscal Year 2019/2020 and distribution of City Manager Performance Evaluation form.

Mr. Regan reviewed the topic and stated the Fiscal Year highlights were broken into three fundamental sections:

- Overview of the year
- Examples of work accomplished traced directly to the Strategic Plan
- Key performance indicators

Mr. Regan noted his most appreciative takeaway from the fiscal year was reflected in how the Commission modified the Strategic Plan to include a stronger initiative on diversity and inclusiveness. He stated he was proud to work for the five Commissioners and the public they served.

Mr. Regan thanked Vice-Mayor Freeman for her 12 years of service, noted the appreciation for her honesty, integrity and transparency and commended her on three projects where success directly resulted from her service:

- Skate park wall
- Fish Island
- Monument relocation

Mr. Regan acknowledged the work of Chief Fox, commended his impending position as a City Code Enforcement Manager and noted the process of selecting a new SAPD Chief would be forthcoming.

Mayor Upchurch suggested each Commissioner meet with Mr. Regan to discuss his annual evaluation, then provide those evaluations to Isabelle Lopez, City Attorney, to draft a corporate and collective Commission evaluation. He noted these evaluations would be public record.

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14. Items by Mayor and Commissioners

14.A. Discussion and approval of Bartram Trail Affiliation Agreement; appointment of a Commissioner to represent the City at the Bartram Trail Conference and authorization of the Bartram Trail Conference organization to use the City Seal.

Commissioner Sikes-Kline reviewed the subject and advised that with the Commission's acceptance, Bartram Trail Conference would provide a presentation at a future Commission meeting, and the Commission could provide approval for the Agreement at that time.

Commissioner Sikes-Kline requested the City Attorney's office write a resolution to Governor DeSantis regarding virtual meetings with an interpretation on conducting hybrid meetings.

Commissioner Freeman noted her appreciation for City staff, her fellow Commissioners and the experience gained while serving the City community.

Commissioner Horvath requested the following:

- Discuss canopy work at a future meeting, utilizing items discussed by Ms. Wolfe
- Discuss planting a tree in memory of loved ones lost to COVID-19
- Requested letter to Governor DeSantis regarding virtual or hybrid meeting options, stating that courts were not requiring in-person, as she was not comfortable in the Alcazar Room with increases in COVID numbers

Mayor Upchurch noted his reluctance to return to virtual meetings as they were a dis-service to the community, and staff had gone to great lengths to follow all procedural guidelines. He stated that other elected boards in the County were meeting in person, but he was amiable to a resolution to appease fellow Commissioners. He requested that Ms. May prepare a resolution for Commission consideration stating the City's proposition that the Governor re-institute local board ability to conduct virtual or hybrid meetings.

Ms. May advised the following:

- Florida courts allowed virtual meetings since they were under the Florida Supreme Court where Chief Justices set rules for each district
- Courts not considered local boards that act on propositions or conduct public business and the only people with rights in those cases were civil litigants or criminal defendants
- Certain State agencies always had ability to conduct virtual meetings under the law as agencies pursuant to Chapter 120, which allowed them to set up certain rules and procedures, allowed by the State and Attorney General Office, because those agencies covered most of the State
- Attorney General had always interpreted that local governments, school boards, special districts, local governing bodies, including counties and cities, required an in-person physical quorum
- Governor DeSantis' first executive order was based on interpretation of the Attorney General, which stated that due to the public health emergency, short of a change or suspension of the law, local boards lacked ability to not have an in-person quorum

There was Commission consensus directing Ms. May and Isabelle Lopez, City Attorney, to prepare a resolution requesting that Governor DeSantis reconsider the decision on in-person meetings and re-instate the City's ability to conduct virtual meetings.

Mayor Upchurch thanked Commissioner Freeman for her service to the community

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and expressed appreciation for the significant difference made during her tenure.

Commissioner Horvath echoed Mayor's Upchurch's comments and noted many great memories were made in serving with Commissioner Freeman.

Commissioner Sikes-Kline noted the honor to work with Commissioner Freeman for twelve years, that she knew no one with a bigger heart or loyalty, and she was a better person having worked alongside her.

15. Adjournment

There being no further business, the meeting was adjourned at 7:26 P.M.[2]

_____
Tracy Upchurch, MAYOR

_____
Darlene Galambos, CITY CLERK

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[2] Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: November 19, 2020

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 1110 4TH STREET**

Enclosed is a Satisfaction and Release of Mortgage for 1110 4th Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine and Vida Baas Sizemere. The mortgage was recorded in the Public Records of St. Johns County on September 27, 2013. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the December 14, 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)

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 **VIDA BAAS SIZEMERE**, whose address is 1110 4th Street, St. Augustine, Florida 32095, her heirs, assigns or successors in title (hereinafter referred to as "Mortgagor"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated September 11, 2013, recorded at Official Records Book 3795, Page 964, 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 3795, Page 964, 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:

_____
Darlene Galambos, City Clerk

By:_____
Tracy Upchurch, Mayor-Commissioner

(S E A L)

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

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

_____

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: THE EAST HALF (E½) OF LOTS 14, 15 AND 16 OF BLOCK 4 OF NORTH ST. AUGUSTINE, ACCORDING TO THE MAP OR PLAT THEREOF MADE BY GOOLD T. BUTLER, FILED FOR RECORD OCTOBER 13, 1924, RECORDED IN FLAT BOOK 3, PAGE 35 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 078520-0000

LOCATION ADDRESS: 1110 4TH STREET, ST. AUGUSTINE, FLORIDA 32095

Public Records of
St. Johns County, FL
Clerk # 2013064672,
O.R. 3795 PG 964-969
09/27/2013 at 10:03 AM,
REC. $25.00 SUR. $27.50
Doc. M $13.65
Int Tax $7.62

UNIT CONNECTION FEE MORTGAGE

THIS MORTGAGE, by and between **Vida Baas Sizemere**, whose address is 1110 4th Street, 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 Department, 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 $50.63 for 84 months.

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this 11th day of September 2013.

Signed, sealed and delivered
in the presence of:

Witness
Printed Name: Barbara S. Sizemore

Witness
Printed Name: BARBARA J. MUENCH

BY: Vida Baas Sizemore
(Printed Name) Vida Baas Sizemere
(Address) 1110 4th Street
(Telephone) 904-824-2427

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

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Vida Baas Sizemere**, who is personally known to me or who has produced FLA. DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 11th day of September 2013.

Notary Public State of Florida
Barbara J Muench
My Commission EE078260
Expires 06/05/2015

Barbara J Muench

Notary Public, State of Florida

LEGAL DESCRIPTION

The East Half (E ½) of Lots 14, 15 and 16 of Block 4 of North St. Augustine, according to the map or plat thereof made by Goold T. Butler, filed for record October 13, 1924, recorded in Plat Book 3, Page 35 of the public records of St. Johns County, Florida.

Exhibit "A"

UNIT CONNECTION FEE
PROMISSORY NOTE

APPLICANT(S) NAME: **Vida Baas Sizemere**
ADDRESS: **1110 4th Street**
St. Augustine, FL 32095

$3,808.00 St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at **1110 4th Street**, 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 **3,808 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **3.18 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **50.63 Dollars** each, commencing on the date hereof 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.

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: September 11, 2013,** in the presence of:

Witness
Printed Name: Renee Sizemore

Witness
Printed Name: BARBARA J MUENCH

BY: Vida Baas Sizemere
(Printed Name) Vida Baas Sizemere
(Address) 1110 4th Street
(Telephone) 904-824-2427

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, **Vida Baas Sizemere**, who is personally known to me or who has produced FLA. DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 11th day of September 2013.

Notary Public, State of Florida

Notary Public State of Florida
Barbara J Muench
My Commission EE078260
Expires 06/05/2015

City of St. Augustine

La Lealisíma y Valerosa Ciudad de San Agustín de la Florida

Est. 1565

PROCLAMATION

WHEREAS, TRINITY PARISH CHURCH will celebrate its 200th year of Christian Service to the St. Augustine Community in 2021 with various activities and services; and

WHEREAS, TRINITY PARISH CHURCH was founded in October 1821 by Andrew Fowler, a missionary priest sent from Charleston, South Carolina for that purpose just a few months after the United States of America acquired the Territory of Florida from Spain; and

WHEREAS, TRINITY PARISH CHURCH became the first Episcopal Parish and oldest Protestant Church in Florida; and

WHEREAS, the cornerstone for the first Trinity Church building was laid in 1825 with part of that original building incorporated into the present structure which was completed in 1902; and

WHEREAS, TRINITY PARISH CHURCH is one of St. Augustine's historic treasurers, welcoming many visitors from throughout the world to enjoy its tranquility, interior beauty and its exceptional stained-glass windows; and

WHEREAS, through preaching the Gospel, celebrating the Sacraments, pastoral counseling and extensive outreach activities, TRINITY PARISH has provided important assistance to the spiritual, emotional and physical needs of many thousands in our community.

NOW, THEREFORE, the City Commission of the City of St. Augustine hereby proclaims January 1 through December 31, 2021 as **TRINITY PARISH CHURCH'S BICENTENNIAL YEAR** in St. Augustine and provide that a copy of this tribute be presented to the congregation in testimony of the high regard in which this church is held in the City of St. Augustine.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 11th day of January in the year of our Lord two thousand and twenty-one and the four hundred and fifty-fifth year of the founding of St. Augustine, the Nation's Oldest City.

Tracy Upchurch, Mayor

2020-14

CITY OF ST. AUGUSTINE

M E M OR A N D U M

TO: John Regan, P.E.
City Manager

DATE: December 5, 2020

RE: FY 2019/2020 Carry-Forward Requests

Please place on the December 14, 2020 City Commission consent agenda a request for carry-forward funds from the 2019/2020 fiscal year. The total amount requested to carry-forward is $175,358.92. A summary of the requested funds is below.

GENERAL FUND	
Wildfire Computer Upgraded for Additional Expansion	**$4,634.00**
Sniper SRT Equipment	**$1,200.00**
Weapons for New Hires (Rifles & Handguns)	**$5,513.00**
Wildfire Special Event Field Project	**$5,640.00**
Radio for Police Vehicle	**$3,548.00**
Repair & Installation of Original "Alcazar" metal building letters	**$8,500.00**
Cooling Tower Cleaning	**$3,500.00**
New Phone System (West King Street, Utilities, Water Plant)	**$40,000.00**
Cisco Backbone Switches / Routers	**$45,500.00**
HP Laptops	**$11,200.00**
Rack System, Air Compressor, & Generator for replacement sign shop truck	**$6,500.00**
Coquina Park Improvements	**$10,000.00**
Total General Fund	**$145,735.00**
UTILITY FUND	
Carry over to replace metal siding on north portion of utility building	**$23,206.42**
Purchase water bottle refill stations for Marina & Toques Lot to replace existing water fountains	**$6,417.50**
Total Utility Fund	**$29,623.92**

Mark E. Simpson, CPA
Director, Financial Services

CITY OF ST. AUGUSTINE

M E M OR A N D U M

TO: John Regan
City Manager

DATE: December 5, 2020

RE: Monthly Financial Report – November 2020

Attached are unaudited financial summaries by fund for Commission review for the period ending November 30, 2020. 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. Noteworthy items are below:

The attached financials reflect activity through two months of our fiscal year which is 16.67%. Comparing this percentage with the actual percentage spent/earned is a useful way to gauge our performance although some of our activity is seasonal.

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
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

November 30, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
Ad Valorem Taxes	2,660,366	14,289,378	**19%**	2,514,719	12,552,832	**20%**
Local Option Gas Tax	41,341	422,380	**10%**	40,548	513,628	**8%**
Insurance Premiums	-	436,905	**0%**	-	423,187	**0%**
Utility Taxes	215,569	2,251,000	**10%**	222,980	2,410,001	**9%**
Grants	-	124,000	**0%**	49,250	135,500	**36%**
Intergovernmental	104,047	1,679,800	**6%**	192,419	2,026,642	**9%**
Franchise Fees	244,391	1,580,998	**15%**	248,002	1,784,728	**14%**
Licenses, Permits & Other Fees	811,314	5,030,253	**16%**	958,941	5,197,616	**18%**
Fines and Forfeitures	76,483	286,000	**27%**	45,571	343,000	**13%**
Administrative Overhead	662,191	3,973,148	**17%**	652,681	3,916,089	**17%**
Investment Income	62	120,750	**0%**	37,073	313,000	**12%**
Miscellaneous	324,724	1,811,944	**18%**	335,476	1,727,510	**19%**
Total Operating Revenue	**5,140,490**	**32,006,556**		**5,297,661**	**31,343,733**	
Operating Expenses						
General Government	1,178,659	7,929,657	**15%**	1,405,493	7,947,068	**18%**
Public Safety	1,631,144	12,519,541	**13%**	1,668,594	11,772,658	**14%**
Physical Environment	471,339	3,627,640	**13%**	504,716	3,741,058	**13%**
Transportation	364,234	4,377,380	**8%**	480,528	4,423,552	**11%**
Culture and Recreation	218,951	1,725,986	**13%**	246,534	1,773,018	**14%**
Capital Outlays						
Buildings	-	630,000	**0%**	-	350,000	**0%**
Infrastructure Improvements	-	550,750	**0%**	72,359	1,553,002	**5%**
Machinery & Equipment	159,297	904,843	**18%**	580,333	1,244,697	**47%**
Total Operating Expenses	**4,023,625**	**32,265,796**		**4,958,558**	**32,805,054**	
Transfers In/ (Out)						
Transfers In	749,269	4,495,611	**17%**	881,526	5,289,156	**17%**
Transfers Out	(706,062)	(4,236,371)	**17%**	(637,973)	(3,827,835)	**17%**
Total Transfers In/ (Out)	**43,207**	**259,240**		**243,553**	**1,461,321**	
	$ 1,160,071	**$ 0.00**		**$ 582,656**	**$ 0.00**	

Utility Fund

Current Year and Prior Year to Date for Period Ending

November 30, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
Water User Fees	1,443,769	9,000,000	**16%**	1,595,639	8,477,742	**19%**
Sewer User Fees	1,403,791	8,400,000	**17%**	1,436,889	7,963,000	**18%**
Construction & Connection Fees	228,319	1,960,000	**12%**	448,102	1,800,000	**25%**
Other	81,832	456,157	**18%**	97,120	516,100	**19%**
Total Operating Revenue	**3,157,711**	**19,816,157**		**3,577,750**	**18,756,842**	
Operating Expenses						
Personal Services	700,513	5,012,047	**14%**	739,928	4,779,154	**15%**
Operating Expenses	243,609	3,595,224	**7%**	340,050	3,943,970	**9%**
Administrative Overhead	427,568	2,565,406	**17%**	409,187	2,455,123	**17%**
Capital Outlays						
Infrastructure Improvements	111,573	849,707	**13%**	128,465	228,000	**56%**
Buildings	-	-	**NA**	-	-	**NA**
Machinery & Equipment	22,415	642,385	**3%**	68,824	394,073	**17%**
Total Operating Expenses	**1,505,678**	**12,664,769**		**1,686,454**	**11,800,320**	
Non-Operating Revenue/ (Expenses)						
Interest Income	-	156,500	**0%**	44,738	255,000	**18%**
Fiscal Charges	-	(3,556,200)	**0%**	-	(3,326,145)	**0%**
Grants	-	-	**NA**	-	-	**NA**
Disposition of Assets	-	-	**NA**	-	-	**NA**
Non-Operating Revenue/(Expense	**-**	**(3,399,700)**		**44,738**	**(3,071,145)**	
Transfers In/ (Out)						
Transfers In	220,834	1,325,002	**17%**	340,947	2,045,679	**17%**
Transfers Out	(846,115)	(5,076,690)	**17%**	(988,509)	(5,931,056)	**17%**
Total Transfers In/ (Out)	**(625,281)**	**(3,751,688)**		**(647,563)**	**(3,885,377)**	
	$ 1,026,752	**$ -**		**$ 1,288,472**	**$ -**	

Stormwater Fund

Current Year and Prior Year to Date for Period Ending

November 30, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
User Fees	186,867	1,097,586	**17%**	136,467	1,004,200	**14%**
Total Operating Revenue	**186,867**	**1,097,586**	**17%**	**136,467**	**1,004,200**	**14%**
Operating Expenses						
Personal Services	41,150	358,311	**11%**	61,150	345,649	**18%**
Operating Expenses	7,365	99,470	**7%**	13,022	168,053	**8%**
Administrative Overhead	62,976	377,856	**17%**	60,097	360,581	**17%**
Capital Outlays						
Machinery & Equipment	-	-	**NA**	-	376,000	**0%**
Infrastructure Improvements	-	572,588	**0%**	206,413	60,000	**344%**
Total Operating Expenses	**111,491**	**1,408,225**		**340,681**	**1,310,283**	
Non-Operating Revenue/ (Expenses)						
Interest Income	-	1,200	**0%**	3,246	36,529	**9%**
Fiscal Charges	-	-	**NA**	-	-	**NA**
Non-Operating Revenue/(Expenses)	**-**	**1,200**	**0%**	**3,246**	**36,529**	**9%**
Transfers In/ (Out)						
Transfers In	108,222	649,331	**17%**	194,021	1,164,126	**17%**
Transfers Out	(56,649)	(339,892)	**17%**	(149,095)	(894,571)	**17%**
Total Transfers In/ (Out)	**51,573**	**309,439**		**44,926**	**269,554**	
	$ 126,948	**$ -**		**$ (156,043)**	**$ -**	

Solid Waste Fund

Current Year and Prior Year to Date for Period Ending

November 30, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
User Fees	670,016	3,870,386	**17%**	647,854	3,846,000	**17%**
Franchise Fees	33,733	32,000	**105%**	6,705	48,000	**14%**
Other	-	3,000	**0%**	4,643	10,000	**46%**
Total Operating Revenue	**703,749**	**3,905,386**		**659,202**	**3,904,000**	
Operating Expenses						
Personal Services	186,183	1,364,507	**14%**	217,773	1,422,125	**15%**
Operating Expenses	178,828	1,990,340	**9%**	230,788	1,763,561	**13%**
Administrative Overhead	76,981	461,887	**17%**	90,611	543,664	**17%**
Capital Outlays						
Machinery & Equipment	-	-	**NA**	264,699	538,000	**49%**
Total Operating Expenses	**441,992**	**3,816,734**		**803,870**	**4,267,350**	
Non-Operating Revenue/ (Expenses)						
Interest Income	-	6,000	**0%**	2,482	7,500	**33%**
Disposition of Assets	960	-	**NA**	178	-	**NA**
Non-Operating Revenue/(Expenses)	**960**	**6,000**		**2,660**	**7,500**	
Transfers In/ (Out)						
Transfers In	48,280	289,680	**17%**	143,381	860,285	**17%**
Transfers Out	(64,055)	(384,332)	**17%**	(84,073)	(504,435)	**17%**
Total Transfers In/ (Out)	**(15,775)**	**(94,652)**		**59,308**	**355,850**	
	$ 246,942	**$ (0.00)**		**$ (82,700)**	**$ -**	

Municipal Marina Fund

Current Year and Prior Year to Date for Period Ending

November 30, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
User Fees	688,944	2,787,400	**25%**	791,694	3,314,200	**24%**
Rental Income	6,238	42,158	**15%**	7,098	41,880	**17%**
Other	1,386	33,000	**4%**	1,873	32,900	**6%**
Total Operating Revenue	**696,568**	**2,862,558**		**800,666**	**3,388,980**	
Operating Expenses						
Personal Services	112,004	792,012	**14%**	121,480	754,861	**16%**
Operating Expenses	301,430	1,255,883	**24%**	346,450	1,869,957	**19%**
Administrative Overhead	75,339	452,034	**17%**	73,055	438,329	**17%**
Capital Outlays						
Machinery & Equipment	-	50,000	**0%**	6,334	50,976	**12%**
Infrastructure Improvements	13	-	**NA**	-	-	**NA**
Total Operating Expenses	**488,786**	**2,549,928**		**547,319**	**3,114,123**	
Non-Operating Revenue/ (Expenses)						
Interest Income	-	20,000	**NA**	10,063	-	**NA**
Grant Income	-	-	**NA**	-	7,000	**0%**
Fiscal Charges	-	-	**NA**	-	(242,614)	**0%**
Non-Operating Revenue/(Expenses)	**-**	**20,000**		**10,063**	**(235,614)**	
Transfers In/ (Out)						
Transfers In	8,104	48,622	**17%**	22,320	133,918	**17%**
Transfers Out	(63,542)	(381,252)	**17%**	(28,860)	(173,161)	**17%**
Total Transfers In/ (Out)	**(55,438)**	**(332,630)**		**(6,541)**	**(39,243)**	
	$ 152,344	**$ -**		**$ 256,869**	**$ -**	

Visitor Information Center Fund

Current Year and Prior Year to Date for Period Ending

November 30, 2020

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
Operating Revenue						
Parking Revenue	586,917	3,328,350	**18%**	459,046	3,469,000	**13%**
Gift Shop Revenue	55,215	600,000	**9%**	68,316	600,000	**11%**
Other	1,952	70,000	**3%**	(1,588)	73,000	**-2%**
Total Operating Revenue	**644,084**	**3,998,350**		**525,774**	**4,142,000**	
Operating Expenses						
Personal Services	135,932	1,103,908	**12%**	225,481	1,057,545	**21%**
Operating Expenses	184,647	1,229,734	**15%**	92,784	1,247,655	**7%**
Administrative Overhead	356,211	2,137,264	**17%**	353,389	2,120,336	**17%**
Capital Outlays						
Buildings	-	-	**NA**	-	-	**NA**
Machinery & Equipment	-	-	**NA**	95,661	-	**NA**
Total Operating Expenses	**676,790**	**4,470,906**		**767,315**	**4,425,536**	
Non-Operating Revenue/ (Expenses)						
Interest Income	-	26,250	**0%**	4,559	70,000	**7%**
Other Income	67,500	147,000	**46%**	1,878	190,000	**1%**
Fiscal Charges	-	(1,727,145)	**0%**	-	(1,726,626)	**0%**
Non-Operating Revenue/(Expenses)	**67,500**	**(1,553,895)**		**6,437**	**(1,466,626)**	
Transfers In/ (Out)						
Transfers In	283,329	1,699,972	**17%**	215,030	1,290,181	**17%**
Transfers Out	54,413	326,479	**17%**	76,664	459,981	**17%**
Total Transfers In/ (Out)	**337,742**	**2,026,451**		**291,694**	**1,750,162**	
	$ 372,536	**$ -**		**$ 56,590**	**$ -**	

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, P.E., City Manager

DATE: December 14, 2020

RE: Naming Correction: *Maria Andreu Conservation Area at Lighthouse Park*

In accordance with Resolution 2016-15, regarding the naming of public parks as presented at the November 9 City Commission meeting, the correct recommended name is *Maria Andreu Conservation Area* at Lighthouse Park.

Please include this on the December 14 Consent Agenda.

Thank you in advance for your approval.

Melissa Wissel
Communications Director

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: November 30, 2020

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

Enclosed please find Invoice No. 11-2020-11-1743 dated November 30, 2020 from Cavendish Partners, P.A. for legal services rendered in November 2020 regarding the Marlowe v. City of St. Augustine matter.

The amount currently due is **$4,669.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the December 14, 2020 City Commission meeting.

WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S FEES AND COSTS ON THIS MATTER EQUALS $61,234.40.

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

Nov.

CAVENDISH PARTNERS P.A.

200 West Forsyth Street, Suite 1610
Jacksonville, FL 32202

INVOICE

Date: 11/30/2020
Invoice #: 11-2020-11-1743
Matter: Marlowe
File #: 1743

INVOICE TOTAL AND BALANCE DUE $4,669.00

Bill To:
Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085
Due Date: 12/30/2020
Please Remit Payment To:
Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1610
Jacksonville, FL 32202

PAYMENTS RECEIVED AFTER 11/30/2020 ARE NOT REFLECTED IN THIS BALANCE DUE INVOICE