



## **AGENDA**

**REGULAR CITY COMMISSION MEETING  
MONDAY, DECEMBER 4, 2023, AT 6:00 P.M.**

**CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080**

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### **NOTICE TO THE PUBLIC**

*THE CITY COMMISSION HAS ADOPTED THE FOLLOWING PROCEDURE: PERSONS WISHING TO SPEAK ABOUT TOPICS THAT ARE ON THE AGENDA MUST FILL OUT A SPEAKER CARD IN ADVANCE AND GIVE IT TO THE RECORDING SECRETARY. THE CARDS ARE AVAILABLE AT THE BACK OF THE MEETING ROOM. THIS PROCEDURE DOES NOT APPLY TO PERSONS WHO WANT TO SPEAK TO THE COMMISSION UNDER "PUBLIC COMMENTS."*

### **RULES OF CIVILITY FOR PUBLIC PARTICIPATION**

1. The goal of Commission meetings is to accomplish the public's business in an environment that encourages fair discussion and exchange of ideas without fear of personal attacks.
2. Anger, rudeness, ridicule, impatience, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
3. When persons refuse to abide by reasonable rules of civility and decorum or ignore repeated requests by the Mayor to finish their remarks within the time limit adopted by the City Commission, and/or who make threats of physical violence shall be removed from the meeting room by law enforcement officers, either at the Mayor's request or by an affirmative vote of a majority of the sitting Commissioners.

**"Politeness costs so little." – ABRAHAM LINCOLN**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF MINUTES OF THE COMMISSION WORKSHOP ON NOVEMBER 13, 2023, AND THE REGULAR COMMISSION MEETING ON NOVEMBER 13, 2023
- V. ADDITIONS OR DELETIONS OF THE AGENDA
- VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- VII. PRESENTATIONS
  - A. Proclamation, to Recognize January 2024 as Human Trafficking Awareness Month (Presenter: Ms. Catherine Altman)
- VIII. PUBLIC COMMENTS

IX. COMMISSIONER COMMENTS

X. PUBLIC HEARINGS

XI. CONSENT

(Note: Consent items can be approved by one motion and vote unless a Commissioner wants to remove an item for discussion and a separate vote)

1. Sustainability and Environmental Planning Advisory Committee: Re-Appointment of Members Lana Bandy, Karen Candler, and Craig Thomson to Another Three-Year Term
2. Resolution 23-08, to Reduce the Number of Regular Members for the Sustainability Environmental Planning Advisory Committee from Seven to Five
3. Award of Bids for Citywide Pipe and Manhole Lining, Renewal and Rehabilitation Services
4. Budget Resolution 23-19, to Amend the FY 24 Budget to Appropriate \$24,275 for Surveying and Engineering Work Related to Two Ponds Maintained by the City in the Sea Oaks Subdivision

XII. OLD BUSINESS

5. Parking Improvements between A and 1<sup>st</sup> Streets: Award of Bid (Presenter: Jason Sparks, City Engineer)

XIII. NEW BUSINESS

6. Ordinance 23-10, First Reading, to Adopt the 2023 Florida Building Code (Presenter: Brian Law, Building Official)
7. Scheduling Date in January for Commission's Regular Meeting Because First Monday is New Year's Day (Presenter: Max Royle, City Manager)
8. Election of Mayor and Vice Mayor for 2024 (Presenter: Max Royle, City Manager)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

**NOTICES TO THE PUBLIC**

**1. SURF ILLUMINATION.** The lighting ceremony to mark the official start of the holiday season will be held on Saturday, December 2, 2023, from 4:00 p.m. to 7:00 p.m. The location is the pier park.

**2. HOLIDAY MARKET.** It will be held on Saturday, December 9, 2023, from 3:00 p.m. to 7:00 p.m., at the pier park.

**3. CHARTER REVIEW COMMITTEE.** It will meet on Wednesday, December 13, 2023, at 6:00 p.m. in the Commission meeting room at City Hall.

**4. SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE.** It will meet on Thursday, December 14, 2023, at 6:00 p.m. in the Commission meeting room.

**5. COMPREHENSIVE PLANNING AND ZONING BOARD.** It will not meet in December because it has no requests to consider.

**6. CHRISTMAS HOLIDAY.** City offices will be closed Monday and Tuesday, December 25 and 26, 2023, for the Christmas holiday. There'll be no pickup of household waste on Monday, December

25<sup>th</sup>. Monday's pickup will be done on Tuesday, December 26<sup>TH</sup>, and Tuesday's pickup will be done on Wednesday, December 27<sup>th</sup>. There will be no yard debris or special collection that week.

**7. LIGHT UP THE NIGHT.** The City's New Year's Eve fireworks show will be held during the evening of Sunday, December 31, 2023. The 20-minute fireworks show will begin at 8:30 p.m. at the County's fishing pier.

**8. NEW YEAR'S DAY HOLIDAY.** City offices will be closed on Monday, January 1, 2024. There will be no pickup of household waste on Monday, January 1<sup>st</sup>. Monday's pickup will be done on Tuesday, January 2<sup>nd</sup>, and Tuesday's pickup will be done on Wednesday, January 3<sup>rd</sup>. There will be no yard debris or special collection that week.

**NOTE:**

*The agenda material containing background information for this meeting is available on the City's website in pdf format or on a CD, for a \$5 fee, upon request at the City Manager's office.*

**NOTICES:** In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities act, persons needing a special accommodation to participate in this proceeding should contact the City Manager's Office not later than seven days prior to the proceeding at the address provided, or telephone 904-471-2122, or email [sabadmin@cityofsab.org](mailto:sabadmin@cityofsab.org).



## MINUTES

### CITY COMMISSION WORKSHOP MEETING MONDAY, NOVEMBER 13, 2023, AT 5:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

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#### I. CALL TO ORDER

Mayor Samora called the meeting to order at 5:03 p.m.

#### II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

#### III. ROLL CALL

Present: Mayor Donald Samora, and Commissioners Undine C. George, Beth Sweeny, and Virginia Morgan.

Vice Mayor Dylan Rumrell attended virtually via Zoom.

Also present were City Manager Max Royle, City Clerk Dariana Fitzgerald, City Attorney Jeremiah Blocker, Public Works Director Ken Gatchell, and Engineering Director Jason Sparks.

#### IV. PRESENTATION ON THE SMART CITY CONCEPT

City Manager Royle advised that there would be a presentation from Mr. Clayton Levins of Smart North Florida and then we would discuss how it would impact our Vision Plan.

Mayor Samora advised that the Smart City concept was a big part of our Vision Plan that was adopted earlier this year, but we never received detailed information, so he looked forward to the presentation and discussing it. He asked Mr. Levins if he would like the Commission to jump in with questions as he gives his presentation. Mr. Levins said yes.

Clayton Levins, Executive Director of Smart North Florida, advised that Smart North Florida is a 501c3 not-for-profit that was born out of the Smart City movement and solely works with the public sector, not the private sector. He advised that they work within the north Florida region and their boundaries follow the North Florida Regional Planning Council. Their start was out of the North Florida TPO (Transportation Planning Organization) and Engineering Director Sparks is the City's representative on the Technical Advisory Committee of the TPO, which programs a lot of the State and Federal dollars into the FDOT (Florida Department of Transportation). He said that this movement started as an advocacy movement in 2016 when the City of Jacksonville and the JTA (Jacksonville Transit Authority) received their Federal build grant for autonomous vehicle deployment, and we realized that this Smart City concept was much bigger than we thought after we started getting calls from hospitals and schools. He advised that he has been around this movement since 2016 and he was then asked to run it as an organization, which they have done pretty well so far. He said that he read through the City's Vision Plan and that he hoped the Commission would find a tie-in after seeing his presentation. He said that the City has a great strategic framework and there are some tactical things that could bring a Smart City to life.

Mr. Levins presented a PowerPoint [Exhibit A]. He said that they pride themselves on knowing what the City's needs are and to see what fits. He has a very diverse audience, and if he cannot communicate with them, then he is not doing a good job to advance Smart Cities. He said that they believe in the idea of being better at the basics and to not add complexity into the day-to-day operations of the City, they try to add support at the local level with what they do, and you will see a lot of diversity in their approaches. He advised that they do not deal in the personal data of any community or its residents, and they do not partner with technologies that do it. All their technology partners that are deployed in the region are exclusively dedicated to solving problems and not reselling data.

Mr. Levins moved on to the next slide and said that there are four things that they look at for a Smart Region such as operating budgets, public sector labor, improving services, and that the size of the city does not matter. He moved on to the next slide and said that they have a partnership with the University of Florida and a growing partnership with other universities that pair data science students with public sector agencies, etc. to help bridge that data gap. He advised that they are not interested in the data collection side unless it is solving a problem or hits on some of the City's needs. He said that one of the biggest issues on the technology side is the speed at which we can get technology deployed.

Mr. Levins moved on and said the City could expect his company to scout and sandbox the technology, follow the data, and scale the solution. A lot of this applies to the framework that the City has in its Vision Plan, such as collecting and recording data along the roadways to provide information about the most vulnerable areas. He said that Keystone Heights used to have a \$40,000 a year consultant do their roadway collection and inventories, but with robotics, they are doing it with just one of their own team members for \$5,000 a year. He advised that there are some efficiencies out there that the City could look at that would work for the Smart City side of the Vision Plan. He said that this could also collect inventory data of the City's assets along the sides of the roads, and he has seen a lot more cities wanting to do more centralized asset views. He said that they work very closely with FDOT, such as for the Smart St. Augustine Project, which his company helped spur along.

Mr. Levins moved on and discussed "Trainfo", which provides early train detection, and "Modii", which is the digitization of physical assets into a platform that could be easily accessed. With respect to parking, a company like Modii, can integrate all the physical assets and the rules around them such as helping tourists find the best place to park and he showed a screen recording that was real-time of the City of St. Augustine's parking lots. He said that available street level parking spaces are high-value information. Commissioner George asked if this was currently available to the public downtown. Mr. Levins said yes and that he believed that they would be integrating it into the main website and the St. Augustine Tourism group is pushing it out through QR Codes. Commissioner George asked if it was also integrated into the Passport Parking App. Mr. Levins said yes. He said that being able to move sufficiently through your community is the life blood of the economies in these areas. Commissioner George said that the City does not have paid parking, so we do not have a way to gauge it. Mr. Levins said that it does not have to be paid parking nor is it an endorsement for paid parking. He recommended to look at in-the-ground sensors for surface lots, which is typically expensive and may not be the right fit for the City, but you could also look at camera technology, which is very easily programed to identify vehicles. He said that he noticed in the Vision Plan that the City was looking at pedestrian safety and that there was camera technology that could be used at four-way intersections and could provide quick analysis and have robust recommendations in less than a month. It is extremely disruptive, but in a good way because of the speed that it can be deployed. He highly recommended looking at companies that have hardware and software integrations. He said that it would be twenty-four hours of analysis that would be set up and pumped through historical data with a full consulting report of

what is going on at that intersection, which could then be used to bolster other work that the City is having done.

Mr. Levins moved on and discussed filling the gaps with data coordination and connecting the dots with the elements of the community where there are gaps/successes and how they are playing together. He said that they did a year-long pilot stormwater sensor deployment in Neptune Beach and the data that was produced was able to be taken to the City of Jacksonville and Duval County to show that they were able to target two culverts, and the County put it in the budget. They were not able to prioritize their projects very well because they did not have this historical data. But now they know that they could fit two projects into this year's budget, etc., which is the critical notion that we would want to get to. Engineer Sparks advised that it could also be interfaced with the hydraulic model to help the City with the Master Drainage Plan.

Mr. Levins advised that where his company tries to focus, and where they have seen the gaps in the Smart City side, is in operational and infrastructure, which is where the most investment is needed. He said that the City's Vision Plan was to add art to the public spaces and to ensure the tree canopy, and he would highly recommend the "Heat Island Effect", which is consistently used around communities for any type of funding that you might want to go for. His company tries to fit and educate the region on core infrastructure and that there are opportunities to take advantage of and use for capital investment plans. He said that the City's Vision Plan has a solid framework and strategy and that there are even more tactical elements that the City could add to support the day-to-day work.

#### V. DISCUSSION OF THE 2023 VISION PLAN

Mayor Samora thanked Mr. Levins for his presentation. He said that this is a workshop, which is a chance for us to talk and see if any of these ideas would benefit the City. He advised that there are some SEPAC members here that may have input that they would like to share. He said that what he would like to come from this workshop is possibly identifying the top three Smart City projects that were identified in the Vision Plan and, at some point, we could explore those. He said that the Vision Plan identified zoning and land use projects, safe and complete streets, parking, use of the plazas, beaches, sustainability and resilience, public safety, parks and recreation, and the pier area.

Mr. Levins advised that this year the TPO experimented with sponsoring consulting projects around the region for certain priority projects for communities such as Smart City Master Planning. He recommended adding that as consideration for a potential project opportunity if it meets the City's strategic priorities. He said that Keystone Heights was a pilot concept. He suggested that they follow the State funding cycles with their new fiscal starting in July. Director Sparks advised that they are taking orders now.

Commissioner Sweeny asked Mr. Levins if he was working with or knew of any entities that would aid or help develop more pedestrian friendly bike paths and walkways. Mr. Levins said yes and that he would be happy to share those with the City. Director Sparks advised that the TPO has some grant funding sources with a unified work plan, which are fifty-fifty matches each year and would often fund these types of studies that are focused solely on planning for transportation alternatives. Mr. Levins said that there are models that have a shared platform with other nearby communities and that software companies will try to meet you in the middle, and you should push them to do that.

Mayor Samora asked the City Engineering Director for his thoughts. Engineering Director Sparks advised that after reviewing the Vision Plan and the current projects that we have going such as the Vulnerability Assessment, a big part of it is populating and truing up our GIS data, which could

possibly be interfaced with Smart North Florida and the resources that they have. He said that drainage has also been a huge topic over the six months that he has been with the City. He said that it seemed like the County had done some work on the crosswalks on the Boulevard but that a signal at Madrid Street would be a long shot because the study data is not there unless someone else wanted to pay for it. He said that the City has just over fifty plazas that could be identified for how to better use them, the plaza at A and 1<sup>st</sup> Streets is being used for parking, but other options could be explored. He said that one of his other thoughts was “drone-on-drone” technology, which could be used for construction management or to survey an area to determine where to focus our forces and get some of the intelligence as well with stormwater transducers. He said that he talked with the City of St. Augustine recently to possibly have a meeting regarding their inner-city circulator bus. Mayor Samora asked if there was a way to measure how many people transition between the two cities. Mr. Levins said that there is some modeling data that could show a non-specific picture of who was leaving and who was coming in and there are some solutions that could help tabulate it more specifically, but you would want to know your risk profile related to what was being counted. He said to form a partnership with the City of St. Augustine, you could probably rely more on modeling data. They would be able to relate to the models that the City brought before them, and it would not be a FDOT threshold that would require specific things to be done so it would probably move pretty fast.

Mayor Samora asked the Public Works Director if he heard anything that he thought would be helpful. Public Works Director Gatchell advised that Engineering Director Sparks hit most of it right on the head and that the City’s biggest thing right now is drainage and paving. Director Sparks added that it would also be maintaining those assets.

Commissioner Sweeny said that she was intrigued by the sensor data. She asked if it would complement the work that Crawford, Murphy and Tilly (CMT) did for the City that modeled and assessed the drainage and then identified where the issues were or would this be redundant. Director Sparks advised that the work was approximately seventy-five percent complete, and this would complement CMT’s efforts with real-time data and not a fifty-year or hundred-year event. Mayor Samora asked if would be verifying the modeling that was done. Director Sparks said that it would over time. He said that you would want to install the transducers in strategic manholes, at the box culvert under A1A, at 11<sup>th</sup> Street and Mickler Boulevard where it tends to stage up, and put some on the downstream side of the Mizell canal.

Mayor Samora asked if this information would be heavily relied on by anyone that the City engages with to model the drainage system and produce an accurate model. Director Sparks said yes. Mayor Samora said that if we implemented something to model the drainage, then we could possibly make better decisions going forward. Director Sparks advised that, in the past, he had seen gauges that could be manually read at strategic locations, but this newer technology is more real-time.

Commissioner Sweeny asked if cities would use this solely for data collection purposes or could it be used for ongoing monitoring instead of sending a person out during a hurricane. Mr. Levins said that was exactly right and that is why he always says that the core is to focus on the problem statement. He said that for Neptune Beach, their problem this time was not real-time monitoring, they needed to know where there problems were and to access funding. So, they collected the data for a year and then they presented it to get it funded. He said that this serves the purpose of keeping your employees safe while still being able to understand what is going on during those significant events and they are now looking at a drone that can actually go underwater. He said that you could use a lot of the data for emergency planning scenarios but there was a chance that some of this equipment could get knocked offline. Director Sparks advised that the City would be able to make better use of its hands-on-deck employees. Mr. Levins advised that that is one of

the biggest benefits and they are still working to calculate some of the effects of those benefits. Director Sparks said that “Digital Twin” is a data eater, and its purpose is to help us make better decisions. Mr. Levins said that each point shown on his map could have stormwater sensors, or other public asset monitors, such as the remote gate locks that Clay County is looking into for their parks, and there are even trash can monitors that can detect the fill rate.

Mayor Samora said that there are some SEPAC members here that may want to weigh in.

Craig Thomson, 6 D Street, SEPAC member, said that on Page 11 of the Vision Plan, SEPAC had a goal to reduce stormwater runoff and downstream water pollution. He said that the Vulnerability Study’s design parameters were based on a twenty-five-year storm and climate change acknowledged that there are more rain events. He advised that there have been studies done for what to expect in the future. He agreed that there is a need for data, specifically for if the City adopts a Utility Plan for drainage and the calculations of the standard Impervious Surface Ratio (ISR) unit is based on how much of a site is pervious or not. He said that finding the ISR and finding out how much more intense rainfall there could be, would be the design parameters that you would need to redesign the infrastructure. He said that in the articles that he reads, infrastructure is under designed for the current issues and climate change, and getting the data and adjusting what we can, would be very important. He advised that SEPAC made a recommendation to have more dry retention areas and to try to get residential and commercial to retain the first half inch of water. So, knowing what the problems are from actual data is very critical right now, instead of from a twenty-five-year storm event that was developed fifty years ago. He said that we also have a Climate Action Plan, which is part of the Comprehensive Plan, and the data could be used to make recommendations. Mr. Levins agreed and said that that was a great observation. He said that he mentioned earlier the “Heat Island Effect”, but the impervious surface data is critical, and it is being used a lot for Planning and Zoning to understand where the real-time vulnerabilities are.

Commissioner Sweeny asked if there were data solutions for Stormwater Utility Fee calculations. Director Sparks advised that there is an Artificial Intelligence (AI) tool called “Deep Learning” that can examine impervious surface areas, which would be part of the proposal that the City is getting that will help us determine what the utility rate will be.

Mayor Samora introduced Margaret England and said that she was a huge part of putting the City’s Vision Plan together.

Margaret England, 425 Ocean Drive, said that this was a wonderful presentation, but she was more excited about having a connection with someone or an organization that could be an advocate. She said that she knows that the North Florida TPO can do wonderful things, they have the staff, and can do projects. She advised that she and the City Manager have written to them in the past asking to have attention given to City projects, but we are not getting the attention that we need from them, and this might be an advocate for some of the City’s projects. She suggested that the City should reach out to St. Johns County’s new Administrator, Joy Andrews, asking her to move the fire station at the pier. She said that the City runs a very lean workforce that barely has time to get the minimum done and we do not have an advocate to do grant research, etc., and if we want to get any part of the Vision Plan done, we will need an advocate to keep up with it and see what is available.

Mayor Samora asked Ms. England and the Commissioners for their suggestions of the high priority areas to focus on and to possibly have it on a future agenda. Mayor Samora said that what he heard was a focus on pedestrians, traffic, and ways of getting around the City, and also a huge focus on stormwater.

Ms. England said that this is a pedestrian City and pedestrian safety, and stormwater are both

good areas of focus. She said that it is a Vision Plan so some of the other things would be further down the line and to keep your eyes and ears open for opportunities. She mentioned that the TPO had a sidewalk project that we could not get in on.

Commissioner Morgan agreed that those were two high points, and that she would add what Director Gatchell said, to use the technology to identify things in the road that need maintenance. Commissioner Sweeny agreed with those two high points and said that her only other takeaway would be for the City to jump on the TPO sponsoring of Smart Cities. Commissioner George agreed with the prioritizations, but for strategic consideration, she would like to see parking with beach access be a priority because it impacts the whole community, along with the County, which is in line with tourism and there is usually a lot of money going in that direction. She said that even the congestion that happens at the beach driving ramps could be a good collaboration with the County since they are County managed.

Mayor Samora thanked Mr. Levins for his presentation, and he thanked everyone that participated. He suggested for the City Manager to put it on an agenda moving forward and that the priorities are pedestrian/bicycle data for moving around the City, stormwater, and parking for beach access. He said that we could then have broader discussions with SEPAC and the Planning and Zoning Board.

Mayor Samora moved on to Item VI.

VI. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

**Motion:** to adjourn. **Moved by** Commissioner George, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora adjourned the meeting at 6:00 p.m.

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Donald Samora, Mayor

ATTEST:

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Dariana Fitzgerald, City Clerk



## MINUTES

### REGULAR CITY COMMISSION MEETING MONDAY, NOVEMBER 13, 2023, AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

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I. CALL TO ORDER

Mayor Samora called the meeting to order at 6:05 p.m.

II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor Donald Samora, and Commissioners Undine C. George, Beth Sweeny, and Virginia Morgan.

Vice Mayor Dylan Rumrell attended virtually via Zoom.

Also present were City Manager Max Royle, City Attorney Jeremiah Blocker, Police Chief Daniel Carswell, City Clerk Dariana Fitzgerald, Public Works Director Ken Gatchell, and Engineering Director Jason Sparks.

IV. APPROVAL OF MINUTES OF THE COMMISSION BUDGET MEETING ON SEPTEMBER 25, 2023, AND THE REGULAR COMMISSION MEETING ON OCTOBER 2, 2023

**Motion:** To approve the minutes of the Commissioner budget meeting on September 25, 2023, and the regular Commission meeting on October 2, 2023. **Moved by** Commissioner Sweeny, **Seconded by** Commissioner George. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

City Manager Royle noted the addition of Budget Resolution 23-18 under Consent Agenda as Item XI.2.C.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor Samora suggested moving Commissioner Comments to the end of the meeting.

Commissioner George asked to pull Item 3 from Consent to discuss under Old Business and discuss New Business Item 4 before Old Business.

VII. PRESENTATIONS

- A. Anastasia Island Environmental Stewardship Awards (Presenter: Ms. Sandra Krempasky, Chair, Sustainability and Environmental Planning Advisory Committee)

1) Individual Business Award: Mr. Thomas Davis

- 2) Group Business Award: Panache Salon and Spa
- 3) Individual Non-Profit Award: Ms. Nana Royer
- 4) Group Non-Profit Award: Anastasia Island Branch Library
- 5) Environmental Landscaping Recognition Awards: D Street Residents Damion LaPier and Stephanie Hagopian; Whispering Oaks Circle Residents Jennifer John and Jack Wilson

Sandra Krempasky, SEPAC Chair, advised that this is the fifth year that the City has recognized members of the community who are excellent stewards of the environment. She introduced the winners, read a brief description of why each of them won, and handed out the plaques. Photos were taken with the winners.

Mayor Samora thanked SEPAC for putting this together and he congratulated the winners and thanked them for making the City more beautiful.

- B. Joining St. Augustine's Glass Recycling Program (Presenter: Mr. Todd Grant, St. Augustine Public Works Director)

City Manager Royle reported that the City now has a glass recycling dumpster located at the south end of the City Hall parking lot, which has only been in place for about a week.

Mayor Samora moved on to Item VIII and opened Public Comment. He welcomed anyone that would like to address the Commission on non-agenda items to come to the podium, that they would have three minutes to speak, and to please state their name and address for the record.

#### VIII. PUBLIC COMMENTS

George O'Brien, 6 10<sup>th</sup> Street, St. Augustine Beach, FL, said that the Police Department is absolutely wonderful and that Public Works is crushing it; moved to the City three years ago and has been pretty opinionated about the community because he is passionate about it; concerned about the lack of rainwater collection; had no flooding issues during the last two hurricanes but there is development going on now at 11<sup>th</sup> Street and near the hotel on 10<sup>th</sup> Street and the rainwater is not going anywhere; during the last little rain storm, the street flooded up to his neighbor's door, which never used to happen, and we need to get out in front of these types of things; when we are approving plans, we need to look at how we are going to collect the rainwater; tourists are walking through his yard because they cannot safely go from the public parking lot to the beach; SEPAC's minutes reflect how he went through some of the new developments on 6<sup>th</sup> and 7<sup>th</sup> Streets and there was very few new construction that had gutters and downspouts; has a friend buying a house on 6<sup>th</sup> Street and he cannot use his backyard because of the pooling water and all the beautiful character homes are being torn down to raise their elevation; he spent a lot of money renovating his house to keep its character and he would like to be able to keep it for his children and grandchildren but we cannot do that if everyone keeps building up and dumping their water wherever they want; would like to have 11<sup>th</sup> Street repaved.

Doug Conkey, St. Johns River Water Management District (SJRWMD), 7775 Baymeadows Way, Jacksonville, FL, said that SJRWMD presented at one of SEPAC's library events and talked about water supply and saw a wonderful video about the work that they are doing to try to improve the springs; commended the City for having a wonderful SEPAC organization and to see the community involved; it is always great to come to the City and work with concerned citizens and a wonderful Commission; SJRWMD's recent video is an example of a great partnership and they look forward to doing much more.

Mayor Samora closed Public Comment and moved on to Item IX.

IX. PUBLIC HEARINGS

1. Ordinance 23-09, Third Public Hearing and Final Reading, to Amend Sections 6.01.05 of the Land Development Regulations to Include Drainage Requirements for New Development (Presenter: Jennifer Thompson, City Planner)

Planner Thompson advised that at the last meeting she proposed a change to Section 6.01.04.B regarding exceeding the thirty-five-foot height for certain architectural features and that Commissioner George brought up that this is actually part of the City Charter. After looking into it, and consulting with the City Attorney, the Charter comes before the Land Development Regulations (LDR), so we cannot change that LDR without first changing the Charter. She advised that she altered the ordinance to only include the new proposed Section 6.01.05, addressing drainage requirements for new developments, which would give the Building Department the ability to require gutters as well as other drainage requirements for new developments, including roof gutters, retaining walls, underdrain swales, or any other methods deemed necessary.

Mayor Samora thanked Commissioner George for bringing it to the Commission's attention so it can be done right the first time. He asked if there were any comments on the revision.

Commissioner George advised for public knowledge that, although this gives discretionary authority to the Building Department, there is also a mechanism if someone wanted to appeal the decision of the Building Director. She said for the neighbors that Mr. O'Brien referred to, the purpose of this is to give notice to developers, owners, and architects that there might be a requirement based on the displacement of rainwater but there is still a remedy for disputing the decision. She said that this is a great improvement and addresses the problem.

Engineering Director Sparks pointed out that the City's proposed Vision Plan encourages commercial and residential properties to retain the first half inch of stormwater runoff using storage barrels or rain gardens. We have mechanisms that Planner Thompson is enhancing our current Code with downspouts, gutters, etc., but the more that can be retained on the lots would be better, which helps us downstream as a City.

Mayor Samora opened Public Comment.

Doug Conkey, St. Johns River Water Management District (SJRWMD), 7775 Baymeadows Way, Jacksonville, FL, the rain barrels are popular for catching rainwater but you may not think about water quality; mentioned that rainwater coming off the roof needed to be treated because it had fecal coliform in it since birds sit on roofs a lot; you also have to be cognizant about treating that kind of water; collecting, preserving, and doing great things with the water is very commendable.

Mayor Samora closed Public Comment and asked the City Attorney to read the preamble.

City Attorney Blocker read the preamble of Ordinance 23-09.

**Motion:** to approve Ordinance 23-09. **Moved by** Commissioner George, **Seconded by** Commissioner Morgan. Motion passed unanimously.

Planner Thompson said that since the City Charter is above the Land Development Regulation Section 6.01.04, she asked if the Commission wanted her to put it in the Charter Review Committee's court to see if they would like to alter it. Mayor Samora said it could be done without Commission endorsement because we would not want to tell the Committee what to do, but if she believed it was worthy, to go ahead and have the Committee entertain it.

Mayor Samora moved on to Item X.

X. CONSENT

(Note: Consent items can be approved by one motion and vote unless a Commissioner wants to remove an item for discussion and a separate vote)

2. Budget Resolutions:

- A. 23-16, to Amend the Fiscal Year 2024 General Fund Budget to Appropriate \$10,000 for Charter Review Committee Facilitator
- B. 23-17, to Amend the Fiscal Year 2024 American Rescue Plan Act Budget to Purchase a Pump and Trailer for Emergency Flooding
- C. 23-18, to Amend the Fiscal Year 2024 General Fund Budget to Carryover Remaining Expenditures for the 2<sup>nd</sup> Street Project

**Motion:** to approve Budget Resolutions 23-16, 23-17, and 23-18. **Moved by** Commissioner Morgan, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora moved to Item XII.4.

XI. OLD BUSINESS

3. Approval of Contract with City Manager

Mayor Samora informed that per the Commission's instructions, the City Attorney revised the proposed contract with the City Manager, his attorney also reviewed it, and they are in agreement with it.

Commissioner George advised that she had questions for the City Attorney. She said that under Section 10, Vacation and Sick Leave, she recalled that vacation and sick leave caps off at some point under normal procedure and she suggested to clarify the language at the end of the last sentence by adding "*... in accordance with the City's Personnel Policies and Procedures Manual and State law*". City Attorney Blocker said that it could be clarified to say that the employee shall accrue sick leave in accordance with the City's Personnel Policies and Procedures Manual. Commissioner George said that she was worried that the first sentence would be more prospective, and the second sentence could be interpreted as more retrospective and that she did not think that it would hurt to add the clarifying language if everyone agreed. Mayor Samora said that he did not understand the concerns. Commissioner George said that she was concerned whether there could be construed ambiguities in the future and because we have used that clarifying language in other locations when we referred to being consistent with the policies and manuals and it was not reiterated in the last sentence. She said that she was not familiar enough with the word "accrued" and whether it meant, in employment law context, only those that had entitlements or whether we were creating a new entitlement inconsistent with State law or the Policies and Procures Manual. City Attorney Blocker said to be clear, the City has a policy, which is the controlling guidance here and City Manager Royle would not be able to accrue any additional leave and we would not be able to give him additional leave through this contract because there is a provision already in place that caps that. He said, for example, if he earned one hundred hours and he does not use one hundred hours, it would stop right there, and we would want to make sure that the City's Human Resources (HR) Officer understands that. Commissioner George said okay.

Commissioner George moved on to Section 22 of the proposed contract and she asked if the Charter required employee consent in the event of a reduction of pay because it struck her as odd that the employee must consent to a reduction. If an employer was to propose a reduction, the employee could say no. City Attorney Blocker said that he would have to pull that Charter Section 1-8, but that his recollection was that the reduction in salary had to be consistent across the board. Sometimes you will see cities or local governments start with their top paid employees and

work their way down and it would have to be consistent with those cost saving measures. Commissioner George said that that was what she would expect, but she was curious why it stated, *“and Employee consents to reduction...”*. She said that she was not overly concerned about it over the next thirty months, but as a template for a contract going forward, she would not want to add that language if it otherwise was not in there because there could be an across-the-board reduction for all employees, but then if one employee can say that they do not consent, it seemed inconsistent. City Attorney Blocker said to keep in mind that City Manager Royle’s position is a contract employee, which is different from a standard hire, and there would have to be some consent on his part because we are agreeing to a certain salary. He said that that language is designed to address that aspect of it.

Commissioner George moved on to Section 25, paragraph A, which she said had a few typographical errors. The first sentence references, “The City Council” and should be corrected to, “The City Commission” and corrected anywhere else it may appear throughout the contract. She also pointed out that the paragraph above the signature block references, “Interim City Clerk”, and “Interim” should be removed. She asked if the base salary was what was in the budget today. City Manager Royle and the City Attorney said yes.

Commissioner Morgan said that she did not want to add anything that would delay this any further, but for future contracts, Section 10, only states that the employee would accrue sick leave and that vacation leave was missing and should be added. City Attorney Blocker advised that it could be added.

Vice Mayor Rumrell said that Commissioner George answered most of the questions he had regarding the leave, but as long as this is not a precedence for future contracts, he was okay with it. He said that City Manager Royle has dedicated a long time to the City and that everyone would be unique.

Mayor Samora opened Public Comment. Being none, he closed Public Comment.

**Motion:** to approve the contract as drafted with noted typo corrections to Section 10 by adding “vacation”, Section 25 fixing “City Council” reference, and removing the reference to “Interim City Clerk”. **Moved by** Commissioner George, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora thanked everyone for working on this and that it would be a nice template moving forward.

Mayor Samora moved to Section XIII, Commissioner Comments.

## XII. NEW BUSINESS

4. Sustainability and Environmental Planning Advisory Committee: Request to Reduce Number of Regular Members from Seven to Five (Presenter: Ms. Sandra Krempasky, Committee Chair)

Sandra Krempasky, SEPAC Chair, advised that she sent a memo to the City Manager requesting that SEPAC’s membership be reduced from seven to five members and that they need to have two alternates. She said that SEPAC knows that this has to be done with a resolution, but she wanted to get the Commission’s feedback to see if they would consider this request before working on a resolution.

Mayor Samora advised that SEPAC is only effective if it can meet and act. He said that SEPAC has had a few problems recently having a quorum and he believed that SEPAC could be effective and have good input with only five members just like the Commission does. Commissioner Morgan said that she was in favor of it if that is what it takes for SEPAC to continue doing their good work. Commissioner George agreed.

Chair Krempasky advised that she would come back with a resolution.

Mayor Samora moved back to Item XI.3.

### XIII. COMMISSIONER COMMENTS

Mr. Todd Grant, St. Augustine Public Works Director, arrived at 6:45 p.m. and the Commission allowed him to speak belatedly on Item VII.B.

Mr. Grant said that he really appreciated the partnership the City of St. Augustine and the City of St. Augustine Beach have, and our solidarity has been helpful in times of need, such as the borrowing of trash trucks, the street sweeping, etc. He said that the glass dumpster is in place and hopefully we can get a lot of participation. He advised that he was recently granted a sustainability position, and when the new person comes on board, they would definitely reach out to the City to share ideas. He said that the new dumpster is for glass only but that dumpsters are an open invitation for trash. He said that he believed that they had diverted twenty-two tons of glass and that they would be putting another dumpster location west of US 1. He said that he appreciated the City's cooperation, and if the dumpster becomes too popular, they would add a second dumpster. Mayor Samora said that this fills a hole in our recycling program that a lot of City residents have asked for and he appreciated them partnering with the City. Mr. Grant said that Ms. Conlon did a press release with the glass recycling "dos and don'ts" and that he would have their communications director send Ms. Conlon their Instagram reel from their campaign. He said that the dumpster on Red Cox Road is the highest producing location, and he is challenging the City residents to knock them off the top rung. Mayor Samora said that the City residents like a good competition and that he believed they would be good stewards of putting the right stuff in the recycling dumpster.

Vice Mayor Rumrell thanked the Commission for allowing him to attend via Zoom. He noted that a resident, John Grapsas, 7 16<sup>th</sup> Street, had passed away. He stated that Mr. Grapsas had been a very giving person and had donated a bench on 12<sup>th</sup> Street near Mayday Ice Cream. He also congratulated Joy Andrews, the new St. Johns County Administrator, on her appointment and asked City Manager Royle to connect with her to see if there was any collaboration that we could do together. He said that the City's National Night Out was a great event.

Commissioner George said that she had a wonderful ride-a-long with Sergeant Natalie Gillespie, it was great to see the Police Department in action. She said that it was great to see the tools in use that the Commission makes sure to fund in their budget and to also see the tools that they do not have. She encouraged her colleagues to do a ride-a-long and said that she feels very safe in our community and that we have a great Police Department. She was glad to see the decisions that the Commission makes allow them to do their jobs.

Commissioner Sweeny said that she saw that Officer Ed Martinez received an award. Chief Carswell advised that it was on one of the local news-radio stations, and that he was nominated by a fellow employee for being an outstanding community leader. Commissioner Sweeny asked Chief Carswell to congratulate him and said that Officer Martinez is in her neighborhood often and that all the kids love him. She also thanked Engineer Sparks for all his work filling out a lot of tedious forms to get the City's appropriations requests to the legislature. Mayor Samora asked how we were doing with the appropriations. Commissioner Sweeny advised that the deadline is tomorrow, and we are getting all of it done. She said that the session starts in January and hopefully we will see some movement.

Commissioner Morgan said that since the last Commission meeting, she also went on a ride-a-long, which was during the afternoon, and she would like to do it again at night during a busy time of year to see more action. She said that she feels very safe and very good about the budget

decisions that the Commission makes. She said that she is very happy to have the new recycling dumpster in the City. She said that she talked with Chief Carswell about the County ordinance on e-bikes, which has one more reading, and that she believed there is a hole in the ordinance that needed to be filled as far as helmets. She said that we see e-bikes all around the City, they are becoming popular with tourists, and they are very popular with young people. They are a good way to get around, especially for people that do not have other means of transportation. However, without having an ordinance that requires helmets, at least for people under the age of eighteen, then we are in limbo waiting for something serious to happen. She said that she would like it to be on an agenda for further discussion regarding an ordinance for the beach to require helmets for minors. Mayor Samora asked when the County would be taking final vote for their ordinance. Chief Carswell advised that it would be on November 21<sup>st</sup>. Mayor Samora said that it should be finalized before our December meeting, and it will provide a nice basis for us if we want to strengthen it and fill in any holes, which could be on the December agenda. Commissioner Morgan said that some of the things that we discussed in the past did not seem to be the right fit for us, but it is still an area that we could improve because maybe other parts of the County do not have the same prevalence of e-bikes. She said that it is not as much about ticketing people but encouraging them to be safer. Mayor Samora said that he supported bringing the topic back to the Commission and that he felt like the City did the right thing when the scooters came out. He said that he was recently at a convention in Indianapolis, and someone hopped on a scooter the first night that they were there, and he hit a curb. He showed up the next morning with the whole side of his face scraped up and bruised and he was not wearing a helmet. Getting out in front of these types of things really works and we need to do what is right for our community to keep everyone safe.

Commissioner Sweeny asked if the City had an ordinance for scooters. Chief Carswell said that it would fall under electric vehicles, and we have a little bit of an ordinance in place but nothing detailed. Commissioner Sweeny asked what the helmet law was for bicycles. Chief Carswell advised that the Florida Statute is sixteen years of age under, and the e-bikes would fall under that right now, so sixteen years of age and under would be required to wear a helmet. He said that he agreed with Commissioner Morgan and that by having an ordinance, we would not be writing a citation to a twelve-year-old and that an ordinance warning would be much more efficient. Commissioner Sweeny said that she would probably be in favor of keeping it at sixteen years of age and under to keep it consistent with the Florida Statute.

Mayor Samora said that every year when the budget rolls around, it seemed like the same discussion every time and we are left with a month or two to cut the budget. He said that he talked with the Finance Director several times and that it seemed like there was always great concern about what the operating millage would be, which seemed to be going up every year. He said that if the Commission expressed its intentions to staff in June, then it is too late for them to alter where the budget is going and that he would like to get out in front of the budget process so that staff can work to make things more efficient. He suggested that, as a planning vehicle, the Commission could have a discussion in either December or January to let staff know what we expect come budget season. He said that it is important because our operating budgets are on a spiral and they are growing faster than the tax base is growing and he would not want to deal with that in July and he would rather have staff looking at it right now. Commissioner George asked whether the Finance Director would have the data available for potential projections that early. Mayor Samora advised that he did not want it to be a budget review and that this would be more general guidance so that they could start looking at operating efficiencies within each Department. Commissioner Morgan asked if he was thinking of this as a halfway point or if he had a certain date in mind. Mayor Samora said that the earlier we do it, the better so that we can collectively talk about general guidance so that staff can prepare because the operating side

seems to be getting worse. He said that it is unfair to go to staff in June or July and ask them to figure out how to operate next year with a ten percent reduction.

Commissioner George said that she was okay with trying something different and that she would presume that staff would be mindful that the Commission does not want it to keep going up every year. Mayor Samora said that he would presume the same, but it seemed like it was getting a lot larger every year. Commissioner George said that we could give them more guidance as to where the Commission wants staff to cut, such as capital improvements, technological expansion, and what we want to prioritize, which she could see it as a policy discussion but that specifics would be hard. Mayor Samora said that specifics are hard at this point, but he would like to get staff pointed in the right direction and if our tax base is going up, it is our expectation that they maintain their budgets in that realm. He said that our millage went up to almost the maximum that we could assess this year and he would like to either hold that or bring it back down. Commissioner George said that it would be a good opportunity to ask the Finance Director to bring the Commission data of the spending trends for past five years and where increases have occurred so that we can see if there are internal controls that we could tweak. She said that by the time we get to the budget season, the Finance Director is so busy dealing with the budget that she may not have the opportunity to do that categorical forecasting other than the year-to-year changes that we see so that we can hone in on those trends.

Mayor Samora asked the Department Heads if it would be helpful to get guidance from the Commission at this point for what budget expectations might be. Chief Carswell said that it would be very helpful for him to be ahead of the game come budget season. Public Works Director Gatchell agreed and said that January would be good. Engineering Director Sparks agreed and said that typically February is a good month to get your five-to-ten-year capital improvement projects together so that they can be prioritized, to see if anything new has come up, and to have a solid path by March of what the Commission would see in July.

Commissioner Sweeny said that she agreed with what Commissioner George mentioned and that she would like to see some historical data from the different departments. She agreed that the Commission wants to control spending and we have also had record inflation over the last few years along with external costs that were out of our control such as the property insurance crisis that is driving up costs, the rise in wages, etc., which all needs to be part of the discussion. She said that she would like to see where spending has increased and what is driving it.

Mayor Samora asked the City Manager if the Finance Director normally puts together a plan and when she would present it. City Manager Royle advised that it is usually presented in May. Mayor Samora said that she probably has the data to pull that forward for us to look at and possibly refine it to show where the spending increases have been.

Commissioner Morgan suggested waiting until January. Commissioner George suggested January or February and to ask Finance Director Douylliez for her input because of the holidays. Mayor Samora said that January would be fine. Vice Mayor Rumrell said that it was a great idea and he agreed that seeing the forecast trends are how businesses and even households operate to make them run efficiently. He recommended that the Finance Director or Department Heads should prioritize their needs vs. their wants because we may have some pretty significant projects coming down the line.

Mayor Samora asked that it be put on the agenda for January.

Mayor Samora moved on to Item XIV.

#### XIV. STAFF COMMENTS

City Manager Royle advised that the Charter Review Committee had its first meeting on November 8<sup>th</sup>, and we have a very good Committee of people with diverse backgrounds and experiences in local and state government. Their next meeting will be on December 13<sup>th</sup> at 6:00 p.m., which will be approximately three hours. The first meeting only lasted two hours because the Committee worked very fast, and he was given eight directives to prepare reports for their next meeting. He read a letter that Commander Harrell wrote on October 7<sup>th</sup> to Public Works Director Gatchell commending Bradley Tedder, the City's Buildings and Grounds Foreman, for coming through for the Police Department by providing road cones for the Pink Up the Pace Race, otherwise, they would have had to cancel the race [Exhibit A]. He said that he particularly wanted to note this in the minutes for the public and he said that this shows the quality of employees that the City has. Mayor Samora thanked the City Manager for sharing that and for the Commander recognizing him.

Engineering Director Sparks echoed what was said earlier in the Workshop Meeting about the Smart City and the Vision Plan. He said that the FY 24 projects are getting ramped up and underway and he thanked the Commission for their support, and he thanked Vice Mayor Rumrell and Commissioner Sweeny for their assistance getting the legislative forms filled out.

Chief Carswell said that a few months ago he talked about a mock accreditation that they had, and this past week they had their official re-accreditation assessment, which they have every three-years. He said that three men from the Florida Commission of Law Enforcement Accreditation came to the Police Department for three days and tore apart all their policies, their building, the officers, the vehicles, and Sergeant Gillespie's evidence room, and they were found to be one hundred percent in compliance as they have been for all three past accreditations. He commended Sergeant Gillespie for doing two full-time jobs, running the evidence room and having a patrol shift. He also thanked their accreditation officer, Meghan Warman, who made it super easy for them. Mayor Samora congratulated the Chief and said that it was a great accomplishment.

City Attorney Blocker reminded the Commission that it is the end of the year, so they have ethics training coming up and that most have already completed it, but there is still a little time left for anyone who still needed to complete it. Commissioner George advised that you also get Florida Bar credit for it.

Mayor Samora advised that the next thing coming up is the Thanksgiving Holiday and the City offices would be closed on Thursday and Friday, and he wished everyone a happy thanksgiving.

Mayor Samora moved on to XV.

#### XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

**Motion:** to adjourn. **Moved by** Commissioner George, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora adjourned the meeting at 7:15 p.m.

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Donald Samora, Mayor

ATTEST:

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Dariana Fitzgerald, City Clerk

# *Proclamation*

**WHEREAS**, the Florida Legislature has recognized January as Human Trafficking Awareness Month; and

**WHEREAS**, human trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion, for the purpose of forced labor or sexual servitude; and

**WHEREAS**, human trafficking is a \$150 billion a year global criminal enterprise, is a crime as well as a civil and human right violation, and the United States government estimates that between 600,000 to 800,000 individuals are trafficked across international borders each year; and

**WHEREAS**, in 2021, Florida had the third highest number of human trafficking cases in the United States, and in 2021 had approximately 751 victims identified with high indicators of human trafficking; and

**WHEREAS**, more awareness and education are crucial to eradicating human trafficking in our communities, state, and nation.

**NOW, THEREFORE**, the City Commission of the City of St. Augustine Beach, does hereby proclaim January 2024 as

## **HUMAN TRAFFICKING AWARENESS MONTH**

in the City of St. Augustine Beach to recognize, encourage, and support survivors and their families and the fight against the exploitation of women, men, and children.

**IN WITNESS** of which, I, Donald Samora, hereunto set my hand and cause the Official Seal of the City of St. Augustine Beach, Florida, to be affixed this 4<sup>th</sup> day of December 2023.

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Mayor Donald Samora

ATTEST:


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City Manager Max Royle

# MEMORANDUM

Agenda Item # 1  
Meeting Date 12-4-23

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager 

**DATE:** November 20, 2023

**SUBJECT:** Sustainability and Environmental Planning Advisory Committee: Re-Appointment of Members Lana Bandy, Karen Candler and Craig Thomsom to Another Three-Year Term

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As the current term of each of these three members expires in February 2024, we ask that you reappoint each to another three-year term.

# MEMORANDUM

Agenda Item # 2

Meeting Date 12-4-23

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager 

**DATE:** November 20, 2023

**SUBJECT:** Resolution 23-08, to Reduce the Number of Regular Members of the Sustainability and Environmental Planning Advisory Committee from Seven to Five

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At your November 13, 2023, meeting, Ms. Sandra Krempasky, the Committee's Chair, asked that you approve reducing the number of its regular members from seven to five. As you agreed with this request, the City Manager prepared the attached Resolution.

**RESOLUTION 23-08**

**CITY OF ST. AUGUSTINE BEACH  
ST. JOHNS COUNTY  
FLORIDA**

**RE: TO REDUCE TO FIVE THE NUMBER OF  
REGULAR MEMBERS OF THE SUSTAINABILITY  
AND ENVIRONMENTAL PLANNING ADVISORY  
COMMITTEE**

The City of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, December 4, 2023, resolves as follows:

**WHEREAS**, the City Commission approved at its February 3, 1997, meeting, Resolution 1997-04, which established the six-member Beautification Advisory Committee; and

**WHEREAS**, Resolution 1997-04 was subsequently amended to authorize seven regular members and two alternates for the Beautification Advisory Committee; and

**WHEREAS**, Resolution 2019-06 changed the Committee's name to the Sustainability and Environmental Planning Advisory Committee (SEPAC); and

**WHEREAS**, the authorized number of members for SEPAC was seven regular members and two alternates; and

**WHEREAS**, SEPAC during the past year has had to cancel several meetings because it lacked a quorum of four members for the meetings; and

**WHEREAS**, the current members of SEPAC have requested that the number of authorized members be reduced to five regular members with no alternates to improve the likelihood that SEPAC will have a quorum for its meetings.

**NOW, THEREFORE, BE IT RESOLVED** that the City Commission of the City of St. Augustine Beach, Florida, does hereby approve reducing the number of regular members for SEPAC from seven to five and requiring that no alternates be appointed.

**RESOLVED AND DONE**, this 4<sup>th</sup> day of December 2023, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

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Donald Samora, Mayor

ATTEST:

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Max Royle, City Manager

# MEMORANDUM

Agenda Item # 3

Meeting Date 12-4-23

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager 

**DATE:** November 20, 2023

**SUBJECT:** Award of Bid for Citywide Pipe and Manhole Lining, Renewal and Rehabilitation Services

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The City Engineer, Mr. Jason Sparks, advertised for bids for continuing services contracts for repairs related to the City's drainage infrastructure. The services include videoing drainage pipes, lining the pipes where feasible and replacing the pipes where necessary.

In his attached memo, Mr. Sparks list five bidders and requests that you approve their respective bids dependent on the City Attorney drafting a contract with each bidder.



## City of St. Augustine Beach

2200 A1A South  
St. Augustine Beach, FL 32080  
www.staugbch.com

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### Interoffice Memorandum

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**Date:** November 20, 2023  
**From:** Jason D. Sparks <sup>9/28</sup> P.E., City Engineer  
**To:** Max Royle, City Manager  
**Subject:** Bid #23-07 Citywide Pipe and Manhole Lining, Renewal & Rehabilitation Services

On November 9, 2023, bids were received in response to the City's advertised Bid #23-07 Citywide Pipe and Manhole Lining, Renewal & Rehabilitation Services.

Upon completing the responsiveness review, the City Public Works/Engineering Department recommends awarding contracts to:

Contractor
Hinterland Group, Inc.
Inliner Solutions, LLC
Man-Con, Inc.
Timothy Rose Contracting, Inc.
Vortex Services, LLC

See enclosed 23-07 bid tabulation of unit pricing. Public Works/Engineering will coordinate with the City Attorney for contract review and execution.

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
<b>A. CURED-IN-PLACE PIPE (CIPP)</b>							
<b>Cured-In-Place Pipe (CIPP) Liner Rehabilitation – Stormwater Drainage Infrastructure Cleaning and CCTV Inspection</b>							
Item	Description	Unit of Measure	Unit Cost	Unit Cost	Unit Cost	Unit Cost	Unit Cost
<b>Light Cleaning and CCTV Inspection</b>							
A-1	8" - 12" diameter	LF	\$ 4.00	\$ 3.00	\$ 3.35	\$ 5.25	\$ 5.00
A-2	14" - 18" diameter	LF	\$ 6.00	\$ 4.00	\$ 4.55	\$ 6.25	\$ 6.00
A-3	20" - 24" diameter	LF	\$ 8.00	\$ 5.00	\$ 5.80	\$ 6.75	\$ 10.00
A-4	27" - 42" diameter	LF	\$ 10.00	\$ 10.00	\$ 14.85	\$ 11.00	\$ 14.00
A-5	48" - 72" diameter	LF	\$ 15.00	\$ 26.00	\$ 32.05	\$ 19.00	\$ 17.00
<b>Medium Cleaning and CCTV Inspection</b>							
A-6	8" - 12" diameter	LF	\$ 4.00	\$ 3.00	\$ 3.35	\$ 6.25	\$ 10.00
A-7	14" - 18" diameter	LF	\$ 6.00	\$ 4.00	\$ 4.55	\$ 8.25	\$ 15.00
A-8	20" - 24" diameter	LF	\$ 10.00	\$ 6.00	\$ 5.80	\$ 9.25	\$ 22.00
A-9	27" - 42" diameter	LF	\$ 12.00	\$ 13.00	\$ 14.85	\$ 12.75	\$ 27.00
A-10	48" - 72" diameter	LF	\$ 24.00	\$ 35.00	\$ 32.05	\$ 20.25	\$ 35.00
<b>Heavy Cleaning and CCTV Inspection</b>							
A-11	8" - 12" diameter	LF	\$ 9.00	\$ 4.00	\$ 5.65	\$ 6.75	\$ 15.00
A-12	14" - 18" diameter	LF	\$ 9.00	\$ 5.00	\$ 6.50	\$ 11.00	\$ 22.50
A-13	20" - 24" diameter	LF	\$ 15.00	\$ 8.00	\$ 7.30	\$ 12.75	\$ 40.00
A-14	27" - 42" diameter	LF	\$ 18.00	\$ 26.00	\$ 15.65	\$ 18.50	\$ 55.00
A-15	48" - 72" diameter	LF	\$ 45.00	\$ 53.00	\$ 41.70	\$ 30.75	\$ 95.00
<b>Root Removal and CCTV Inspection</b>							
A-16	8" - 12" diameter	LF	\$ 9.00	\$ 13.00	\$ 5.65	NO BID	\$ 10.00
A-17	14" - 18" diameter	LF	\$ 9.00	\$ 16.00	\$ 6.50	NO BID	\$ 15.00
A-18	20" - 24" diameter	LF	\$ 15.00	\$ 20.00	\$ 7.30	NO BID	\$ 20.00
A-19	27" - 42" diameter	LF	\$ 18.00	\$ 26.00	\$ 15.65	NO BID	\$ 25.00
A-20	48" - 72" diameter	LF	\$ 60.00	\$ 39.00	\$ 41.70	NO BID	\$ 30.00

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
<b>Tuberculation Cleaning and CCTV Inspection</b>							
A-21	8" - 12" diameter	LF	\$ 15.00	\$ 79.00	\$ 7.80	NO BID	\$ 35.00
A-22	14" - 18" diameter	LF	\$ 18.00	\$ 98.00	\$ 8.85	NO BID	\$ 50.00
A-23	20" - 24" diameter	LF	\$ 24.00	\$ 131.00	\$ 10.00	NO BID	\$ 75.00
A-24	27" - 42" diameter	LF	\$ 30.00	\$ 196.00	\$ 18.30	NO BID	\$ 100.00
A-25	48" - 72" diameter	LF	\$ 45.00	\$ 393.00	\$ 43.85	NO BID	\$ 150.00
<b>Cured-In-Place-Pipe Liner - Furnish and Installation - Stormwater Drainage Infrastructure</b>							
Item	Description	Unit of Measure	Extension	Extension	Extension	Extension	Extension
<b>8" diameter CIPP Liner</b>							
A-26	6.0 mm normal thickness (.236)	LF	\$ 60.00	\$ 45.00	\$ 57.90	\$ 45.00	\$ 55.00
A-27	7.5 mm normal thickness (.295)	LF	\$ 60.00	\$ 48.00	\$ 57.90	\$ 47.50	\$ 60.00
A-28	9.0 mm normal thickness (.354)	LF	\$ 60.00	\$ 48.00	\$ 57.90	\$ 51.00	
A-29	Sectional Liner, 8' long	EA	\$ 5,000.00	\$ 4,500.00	\$ 4,576.20	\$ 4,200.00	\$ 3,850.00
<b>12" diameter CIPP Liner</b>							
A-30	6.0 mm normal thickness (.236)	LF	\$ 69.00	\$ 55.00	\$ 96.95	\$ 50.50	\$ 65.00
A-31	7.5 mm normal thickness (.295)	LF	\$ 69.00	\$ 60.00	\$ 102.75	\$ 60.00	\$ 70.00
A-32	9.0 mm normal thickness (.354)	LF	\$ 72.00	\$ 65.00	\$ 109.95	\$ 64.00	\$ 75.00
A-33	Charge for each 1.5mm thickness increase per LF exceeding 9.0 mm	LF	\$ 3.00	\$ 6.00	\$ 4.35	\$ 3.00	\$ 4.00
A-34	Sectional Liner, 8' long	EA	\$ 7,500.00	\$ 4,500.00	\$ 5,411.85	\$ 4,800.00	\$ 4,800.00
<b>15" diameter CIPP Liner</b>							
A-35	6.0 mm normal thickness (.236)	LF	\$ 63.00	\$ 65.00	\$ 109.25	\$ 68.00	\$ 135.00
A-36	7.5 mm normal thickness (.295)	LF	\$ 69.00	\$ 71.00	\$ 117.20	\$ 72.00	\$ 140.00
A-37	9.0 mm normal thickness (.354)	LF	\$ 72.00	\$ 77.00	\$ 124.45	\$ 77.00	\$ 145.00
A-38	Charge for each 1.5mm thickness increase per LF exceeding 9.0 mm	LF	\$ 3.00	\$ 6.00	\$ 5.05	\$ 3.00	\$ 4.50
A-39	Sectional Liner, 8' long	EA	\$ 7,500.00	\$ 4,900.00	\$ 5,889.40	\$ 5,200.00	\$ 5,600.00

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
	<b>18" diameter CIPP Liner</b>						
A-40	6.0 mm normal thickness (.236)	LF	\$ 85.00	\$ 75.00	\$ 123.35	\$ 78.00	\$ 150.00
A-41	7.5 mm normal thickness (.295)	LF	\$ 88.00	\$ 85.00	\$ 133.10	\$ 82.50	\$ 157.00
A-42	9.0 mm normal thickness (.354)	LF	\$ 96.00	\$ 90.00	\$ 142.55	\$ 88.00	\$ 165.00
A-43	10.5 mm normal thickness (.413)	LF	\$ 99.00	\$ 97.00	\$ 151.95	\$ 97.00	\$ 170.00
A-44	Charge for each 1.5mm thickness increase per LF exceeding 10.5 mm	LF	\$ 3.00	\$ 7.00	\$ 10.15	\$ 3.50	\$ 5.00
A-45	Sectional Liner, 8' long	EA	\$ 9,000.00	\$ 5,200.00	\$ 6,366.90	\$ 6,000.00	\$ 6,500.00
	<b>21" diameter CIPP Liner</b>						
A-46	6.0 mm normal thickness (.236)	LF	\$ 81.00	\$ 87.00	\$ 147.60	\$ 97.00	\$ 164.00
A-47	7.5 mm normal thickness (.295)	LF	\$ 90.00	\$ 96.00	\$ 159.15	\$ 98.00	\$ 170.00
A-48	9.0 mm normal thickness (.354)	LF	\$ 105.00	\$ 105.00	\$ 170.75	\$ 106.50	\$ 175.00
A-49	10.5 mm normal thickness (.413)	LF	\$ 108.00	\$ 112.00	\$ 185.20	\$ 111.00	\$ 184.00
A-50	12.0 mm normal thickness (.472)	LF	\$ 112.00	\$ 119.00	\$ 193.90	\$ 119.50	\$ 190.00
A-51	Charge for each 1.5mm thickness increase per LF exceeding 12.0 mm	LF	\$ 5.00	\$ 7.00	\$ 8.70	\$ 4.00	\$ 5.50
A-52	Sectional Liner, 8' long	EA	\$ 9,600.00	\$ 6,500.00	\$ 7,162.75	\$ 7,000.00	No BID
	<b>24" diameter CIPP Liner</b>						
A-53	9.0 mm normal thickness (.354)	LF	\$ 130.00	\$ 112.00	\$ 186.65	\$ 116.00	\$ 200.00
A-54	10.5 mm normal thickness (.413)	LF	\$ 138.00	\$ 122.00	\$ 202.60	\$ 123.50	\$ 210.00
A-55	12.0 mm normal thickness (.472)	LF	\$ 140.00	\$ 130.00	\$ 212.70	\$ 131.50	\$ 217.00
A-56	13.5 mm normal thickness (.531)	LF	\$ 142.00	\$ 139.00	\$ 225.75	\$ 149.50	\$ 224.00
A-57	15.0 mm normal thickness (.591)	LF	\$ 145.00	\$ 151.00	\$ 240.20	\$ 157.50	\$ 238.00
A-58	Charge for each 1.5mm thickness increase per LF exceeding 15.0 mm	LF	\$ 8.00	\$ 9.00	\$ 10.15	\$ 6.00	\$ 6.00
A-59	Sectional Liner, 8' long	EA	\$ 12,000.00	\$ 6,500.00	\$ 7,958.60	\$ 7,800.00	No BID

**23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)**

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
	<b>27" diameter CIPP Liner</b>						
A-60	9.0 mm normal thickness (.354)	LF	\$ 130.00	\$ 124.00	\$ 202.60	\$ 112.50	\$ 210.00
A-61	10.5 mm normal thickness (.413)	LF	\$ 138.00	\$ 136.00	\$ 217.05	\$ 113.00	\$ 220.00
A-62	12.0 mm normal thickness (.472)	LF	\$ 140.00	\$ 145.00	\$ 231.50	\$ 127.00	\$ 227.00
A-63	13.5 mm normal thickness (.531)	LF	\$ 142.00	\$ 155.00	\$ 247.45	\$ 138.00	\$ 235.00
A-64	15.0 mm normal thickness (.591)	LF	\$ 145.00	\$ 168.00	\$ 264.10	\$ 150.25	\$ 251.00
A-65	Charge for each 1.5mm thickness increase per LF exceeding 15.0 mm	LF	\$ 8.00	\$ 10.00	\$ 10.85	\$ 7.00	\$ 6.25
A-66	Sectional Liner, 8' long	EA	\$ 12,000.00	\$ 6,500.00	\$ 8,754.50	\$ 8,500.00	NO BID
	<b>30" diameter CIPP Liner</b>						
A-67	9.0 mm normal thickness (.354)	LF	\$ 155.00	\$ 138.00	\$ 221.40	\$ 150.50	\$ 230.00
A-68	10.5 mm normal thickness (.413)	LF	\$ 185.00	\$ 147.00	\$ 238.75	\$ 157.50	\$ 238.00
A-69	12.0 mm normal thickness (.472)	LF	\$ 190.00	\$ 157.00	\$ 253.25	\$ 161.00	\$ 245.00
A-70	13.5 mm normal thickness (.531)	LF	\$ 195.00	\$ 168.00	\$ 271.30	\$ 163.00	\$ 256.00
A-71	15.0 mm normal thickness (.591)	LF	\$ 205.00	\$ 184.00	\$ 285.05	\$ 199.00	\$ 270.00
A-72	Charge for each 1.5mm thickness increase per LF exceeding 15.0 mm	LF	\$ 9.00	\$ 10.00	\$ 12.65	\$ 7.50	\$ 6.75
A-73	Sectional Liner, 8' long	EA	\$ 13,000.00	\$ 7,000.00	\$ 9,948.30	\$ 9,000.00	NO BID
	<b>36" diameter CIPP Liner</b>						
A-74	10.5 mm normal thickness (.413)	LF	\$ 205.00	\$ 172.00	\$ 280.75	\$ 167.50	\$ 300.00
A-75	12.0 mm normal thickness (.472)	LF	\$ 210.00	\$ 184.00	\$ 301.00	\$ 169.00	\$ 310.00
A-76	13.5 mm normal thickness (.531)	LF	\$ 215.00	\$ 199.00	\$ 321.25	\$ 180.50	\$ 320.00
A-77	15.0 mm normal thickness (.591)	LF	\$ 220.00	\$ 217.00	\$ 340.05	\$ 196.00	\$ 340.00
A-78	16.5 mm normal thickness (.650)	LF	\$ 225.00	\$ 228.00	\$ 357.40	\$ 212.00	\$ 350.00
A-79	18.0 mm normal thickness (.709)	LF	\$ 235.00	\$ 243.00	\$ 380.55	\$ 228.00	\$ 360.00
A-80	Charge for each 1.5mm thickness increase per LF exceeding 18.0 mm	LF	\$ 10.00	\$ 12.00	\$ 14.45	\$ 9.00	\$ 7.00
A-81	Sectional Liner, 8' long	EA	\$ 15,000.00	\$ 7,700.00	\$ 11,142.07	\$ 9,900.00	NO BID

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
	<b>42" diameter CIPP Liner</b>						
A-82	10.5 mm normal thickness (.413)	LF	\$ 220.00	\$ 204.00	\$ 324.15	\$ 210.75	\$ 412.00
A-83	12.0 mm normal thickness (.472)	LF	\$ 230.00	\$ 216.00	\$ 348.75	\$ 212.00	\$ 427.00
A-84	13.5 mm normal thickness (.531)	LF	\$ 270.00	\$ 233.00	\$ 369.00	\$ 221.25	\$ 443.00
A-85	15.0 mm normal thickness (.591)	LF	\$ 275.00	\$ 255.00	\$ 397.95	\$ 233.50	\$ 470.00
A-86	16.5 mm normal thickness (.650)	LF	\$ 280.00	\$ 269.00	\$ 419.65	\$ 244.50	\$ 480.00
A-87	18.0 mm normal thickness (.709)	LF	\$ 290.00	\$ 287.00	\$ 439.90	\$ 261.00	\$ 495.00
A-88	Charge for each 1.5mm thickness increase per LF exceeding 18.0 mm	LF	\$ 12.00	\$ 14.00	\$ 16.65	\$ 10.00	\$ 8.00
A-89	Sectional Liner, 8' long	EA	\$ 15,000.00	\$ 8,500.00	\$ 11,937.94	\$ 11,500.00	NO BID
	<b>48" diameter CIPP Liner</b>						
A-90	12.0 mm normal thickness (.472)	LF	\$ 250.00	\$ 247.00	\$ 393.60	\$ 268.50	\$ 493.00
A-91	13.5 mm normal thickness (.531)	LF	\$ 265.00	\$ 267.00	\$ 419.65	\$ 279.50	\$ 515.00
A-92	15.0 mm normal thickness (.591)	LF	\$ 360.00	\$ 292.00	\$ 444.25	\$ 293.50	\$ 537.00
A-93	16.5 mm normal thickness (.650)	LF	\$ 375.00	\$ 306.00	\$ 471.70	\$ 308.00	\$ 560.00
A-94	18.0 mm normal thickness (.709)	LF	\$ 400.00	\$ 327.00	\$ 494.90	\$ 316.00	\$ 575.00
A-95	19.5 mm normal thickness (.768)	LF	\$ 410.00	\$ 348.00	\$ 529.60	\$ 327.25	\$ 595.00
A-96	21.0 mm normal thickness (.827)	LF	\$ 415.00	\$ 363.00	\$ 552.75	\$ 335.00	\$ 610.00
A-97	Charge for each 1.5mm thickness increase per LF exceeding 21.0 mm	LF	\$ 12.00	\$ 17.00	\$ 18.10	\$ 11.00	\$ 9.50
A-98	Sectional Liner, 8' long	EA	\$ 18,000.00	\$ 9,900.00	\$ 12,733.80	\$ 13,000.00	NO BID

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
	<b>52" diameter CIPP Liner</b>						
A-99	10.5 mm normal thickness (.413)	LF	\$ 250.00	\$ 267.00	\$ 468.85	\$ 320.00	\$ 500.00
A-100	12.0 mm normal thickness (.472)	LF	\$ 265.00	\$ 282.00	\$ 496.35	\$ 325.00	\$ 530.00
A-101	13.5 mm normal thickness (.531)	LF	\$ 360.00	\$ 303.00	\$ 525.25	\$ 325.00	\$ 560.00
A-102	15.0 mm normal thickness (.591)	LF	\$ 375.00	\$ 331.00	\$ 561.45	\$ 330.00	\$ 580.00
A-103	16.5 mm normal thickness (.650)	LF	\$ 400.00	\$ 348.00	\$ 600.50	\$ 335.00	\$ 595.00
A-104	18.0 mm normal thickness (.709)	LF	\$ 410.00	\$ 371.00	\$ 629.45	\$ 345.00	\$ 615.00
A-105	19.5 mm normal thickness (.768)	LF	\$ 415.00	\$ 394.00	\$ 659.85	\$ 355.00	\$ 660.00
A-106	21.0 mm normal thickness (.827)	LF	\$ 420.00	\$ 412.00	\$ 694.55	\$ 365.00	\$ 675.00
A-107	22.5 mm normal thickness (.886)	LF	\$ 425.00	\$ 441.00	\$ 730.75	\$ 375.00	\$ 695.00
A-108	Charge for each 1.5mm thickness increase per LF exceeding 22.5 mm	LF	\$ 15.00	\$ 19.00	\$ 21.00	\$ 12.00	\$ 11.00
A-109	Sectional Liner, 8' long	EA	\$ 18,000.00	\$ 11,900.00	\$ 13,529.66	\$ 17,000.00	NO BID
	<b>54" diameter CIPP Liner</b>						
A-110	10.5 mm normal thickness (.413)	LF	\$ 265.00	\$ 268.00	\$ 468.85	\$ 340.00	\$ 750.00
A-111	12.0 mm normal thickness (.472)	LF	\$ 275.00	\$ 283.00	\$ 496.35	\$ 340.00	\$ 795.00
A-112	13.5 mm normal thickness (.531)	LF	\$ 290.00	\$ 304.00	\$ 525.25	\$ 345.00	\$ 820.00
A-113	15.0 mm normal thickness (.591)	LF	\$ 380.00	\$ 332.00	\$ 561.45	\$ 355.00	\$ 845.00
A-114	16.5 mm normal thickness (.650)	LF	\$ 390.00	\$ 349.00	\$ 600.50	\$ 375.00	\$ 860.00
A-115	18.0 mm normal thickness (.709)	LF	\$ 405.00	\$ 372.00	\$ 629.45	\$ 380.00	\$ 890.00
A-116	19.5 mm normal thickness (.768)	LF	\$ 415.00	\$ 395.00	\$ 659.85	\$ 390.00	\$ 940.00
A-117	21.0 mm normal thickness (.827)	LF	\$ 425.00	\$ 413.00	\$ 694.55	\$ 405.00	\$ 960.00
A-118	22.5 mm normal thickness (.886)	LF	\$ 430.00	\$ 442.00	\$ 730.75	\$ 425.00	\$ 995.00
A-119	Charge for each 1.5mm thickness increase per LF exceeding 22.5 mm	LF	\$ 12.00	\$ 19.00	\$ 21.00	\$ 13.00	\$ 13.50
A-120	Sectional Liner, 8' long	EA	\$ 18,000.00	\$ 11,900.00	\$ 15,121.38	\$ 18,500.00	NO BID

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
	<b>60" diameter CIPP Liner</b>						
A-121	10.5 mm normal thickness (.413)	LF	\$ 450.00	\$ 305.00	\$ 565.80	\$ 430.00	\$ 850.00
A-122	12.0 mm normal thickness (.472)	LF	\$ 480.00	\$ 336.00	\$ 596.15	\$ 440.00	\$ 910.00
A-123	13.5 mm normal thickness (.531)	LF	\$ 490.00	\$ 349.00	\$ 630.90	\$ 455.00	\$ 940.00
A-124	15.0 mm normal thickness (.591)	LF	\$ 500.00	\$ 379.00	\$ 662.75	\$ 475.00	\$ 965.00
A-125	16.5 mm normal thickness (.650)	LF	\$ 530.00	\$ 399.00	\$ 693.10	\$ 490.00	\$ 985.00
A-126	18.0 mm normal thickness (.709)	LF	\$ 575.00	\$ 425.00	\$ 727.15	\$ 510.00	\$ 1,015.00
A-127	19.5 mm normal thickness (.768)	LF	\$ 600.00	\$ 451.00	\$ 764.05	\$ 525.00	\$ 1,070.00
A-128	21.0 mm normal thickness (.827)	LF	\$ 615.00	\$ 466.00	\$ 802.35	\$ 550.00	\$ 1,095.00
A-129	22.5 mm normal thickness (.886)	LF	\$ 630.00	\$ 497.00	\$ 838.55	\$ 570.00	\$ 1,130.00
A-130	Charge for each 1.5mm thickness increase per LF exceeding 22.5 mm	LF	\$ 15.00	\$ 24.00	\$ 34.70	\$ 14.00	\$ 16.50
A-131	Sectional Liner, 8' long	EA	\$ 18,000.00	\$ 13,000.00	\$ 17,508.97	\$ 20,000.00	<b>NO BID</b>
	<b>72" diameter CIPP Liner</b>						
A-132	10.5 mm normal thickness (.413)	LF	\$ 550.00	\$ 376.00	\$ 814.65	\$ 610.00	\$ 1,485.00
A-133	12.0 mm normal thickness (.472)	LF	\$ 575.00	\$ 376.00	\$ 824.80	\$ 620.00	\$ 1,550.00
A-134	13.5 mm normal thickness (.531)	LF	\$ 590.00	\$ 406.00	\$ 869.65	\$ 640.00	\$ 1,560.00
A-135	15.0 mm normal thickness (.591)	LF	\$ 610.00	\$ 442.00	\$ 915.95	\$ 660.00	\$ 1,590.00
A-136	16.5 mm normal thickness (.650)	LF	\$ 800.00	\$ 465.00	\$ 959.35	\$ 680.00	\$ 1,615.00
A-137	18.0 mm normal thickness (.709)	LF	\$ 820.00	\$ 496.00	\$ 1,008.55	\$ 700.00	\$ 1,640.00
A-138	19.5 mm normal thickness (.768)	LF	\$ 830.00	\$ 528.00	\$ 1,057.75	\$ 710.00	\$ 1,680.00
A-139	21.0 mm normal thickness (.827)	LF	\$ 835.00	\$ 549.00	\$ 1,107.00	\$ 725.00	\$ 1,710.00
A-140	22.5 mm normal thickness (.886)	LF	\$ 845.00	\$ 586.00	\$ 1,148.95	\$ 750.00	\$ 1,740.00
A-141	Charge for each 1.5mm thickness increase per LF exceeding 22.5 mm	LF	\$ 15.00	\$ 27.00	\$ 36.20	\$ 16.00	\$ 18.00
A-142	Sectional Liner, 8' long	EA	\$ 21,000.00	\$ 17,400.00	\$ 21,488.28	\$ 24,800.00	<b>NO BID</b>

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
	<b>(12" X 18") Elliptical CIPP Liner</b>						
A-143	9.0 mm normal thickness (.354)	LF	\$ 63.00	\$ 71.00	\$ 124.45	\$ 77.00	\$ 135.00
A-144	10.5 mm normal thickness (.413)	LF	\$ 63.00	\$ 78.00	\$ 133.10	\$ 85.00	\$ 140.00
A-145	12.0 mm normal thickness (.472)	LF	\$ 69.00	\$ 82.00	\$ 144.70	\$ 95.00	\$ 145.00
A-146	13.5 mm normal thickness (.531)	LF	\$ 72.00	\$ 88.00	\$ 154.80	\$ 105.00	\$ 155.00
A-147	15.0 mm normal thickness (.591)	LF	\$ 75.00	\$ 95.00	\$ 163.50	\$ 115.00	\$ 165.00
A-148	Charge for each 1.5mm thickness increase per LF exceeding 15.0 mm	LF	\$ 5.00	\$ 6.00	\$ 9.40	\$ 3.75	\$ 3.00
A-149	Sectional Liner, 8' long	EA	\$ 7,500.00	\$ 5,400.00	\$ 6,366.90	\$ 5,900.00	NO BID
	<b>(14" X 18") Elliptical CIPP Liner</b>						
A-150	9.0 mm normal thickness (.354)	LF	\$ 63.00	\$ 86.00	\$ 124.45	\$ 80.00	\$ 150.00
A-151	10.5 mm normal thickness (.413)	LF	\$ 63.00	\$ 93.00	\$ 133.10	\$ 90.00	\$ 155.00
A-152	12.0 mm normal thickness (.472)	LF	\$ 69.00	\$ 99.00	\$ 144.70	\$ 95.00	\$ 160.00
A-153	13.5 mm normal thickness (.531)	LF	\$ 72.00	\$ 106.00	\$ 154.80	\$ 105.00	\$ 165.00
A-154	15.0 mm normal thickness (.591)	LF	\$ 75.00	\$ 114.00	\$ 163.50	\$ 115.00	\$ 175.00
A-155	Charge for each 1.5mm thickness increase per LF exceeding 15.0 mm	LF	\$ 5.00	\$ 6.00	\$ 9.40	\$ 4.00	\$ 3.50
A-156	Sectional Liner, 8' long	EA	\$ 7,500.00	\$ 5,400.00	\$ 7,162.75	\$ 6,800.00	NO BID
	<b>(14" X 23") Elliptical CIPP Liner</b>						
A-157	9.0 mm normal thickness (.354)	LF	\$ 65.00	\$ 90.00	\$ 142.55	\$ 90.00	\$ 155.00
A-158	10.5 mm normal thickness (.413)	LF	\$ 65.00	\$ 97.00	\$ 153.40	\$ 100.00	\$ 160.00
A-159	12.0 mm normal thickness (.472)	LF	\$ 72.00	\$ 103.00	\$ 167.85	\$ 105.00	\$ 170.00
A-160	13.5 mm normal thickness (.531)	LF	\$ 74.00	\$ 110.00	\$ 178.00	\$ 110.00	\$ 175.00
A-161	15.0 mm normal thickness (.591)	LF	\$ 77.00	\$ 117.00	\$ 191.00	\$ 120.00	\$ 185.00
A-162	Charge for each 1.5mm thickness increase per LF exceeding 15.0 mm	LF	\$ 5.00	\$ 7.00	\$ 9.40	\$ 4.25	\$ 4.00
A-163	Sectional Liner, 8' long	EA	\$ 7,500.00	\$ 5,700.00	\$ 8,754.50	\$ 6,800.00	NO BID

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
	<b>(19" X 30") Elliptical CIPP Liner</b>						
A-164	9.0 mm normal thickness (.354)	LF	\$ 135.00	\$ 112.00	\$ 186.65	\$ 118.00	\$ 200.00
A-165	10.5 mm normal thickness (.413)	LF	\$ 138.00	\$ 122.00	\$ 202.60	\$ 125.00	\$ 210.00
A-166	12.0 mm normal thickness (.472)	LF	\$ 141.00	\$ 130.00	\$ 212.70	\$ 135.00	\$ 217.00
A-167	13.5 mm normal thickness (.531)	LF	\$ 145.00	\$ 139.00	\$ 225.75	\$ 150.00	\$ 224.00
A-168	15.0 mm normal thickness (.591)	LF	\$ 148.00	\$ 151.00	\$ 240.20	\$ 165.00	\$ 238.00
A-169	Charge for each 1.5mm thickness increase per LF exceeding 15.0 mm	LF	\$ 6.00	\$ 9.00	\$ 10.15	\$ 6.00	\$ 6.00
A-170	Sectional Liner, 8' long	EA	\$ 12,000.00	\$ 7,000.00	\$ 9,550.35	\$ 7,500.00	NO BID
	<b>(24" X 38") Elliptical CIPP Liner</b>						
A-171	10.5 mm normal thickness (.413)	LF	\$ 180.00	\$ 147.00	\$ 238.75	\$ 160.00	\$ 240.00
A-172	12.0 mm normal thickness (.472)	LF	\$ 185.00	\$ 157.00	\$ 253.25	\$ 165.00	\$ 245.00
A-173	13.5 mm normal thickness (.531)	LF	\$ 190.00	\$ 168.00	\$ 271.30	\$ 170.00	\$ 256.00
A-174	15.0 mm normal thickness (.591)	LF	\$ 195.00	\$ 184.00	\$ 285.05	\$ 200.00	\$ 270.00
A-175	16.5 mm normal thickness (.650)	LF	\$ 205.00	\$ 192.00	\$ 302.40	\$ 215.00	\$ 280.00
A-176	18.0 mm normal thickness (.709)	LF	\$ 210.00	\$ 205.00	\$ 319.80	\$ 225.00	\$ 290.00
A-177	Charge for each 1.5mm thickness increase per LF exceeding 18.0 mm	LF	\$ 9.00	\$ 10.00	\$ 11.60	\$ 8.00	\$ 6.75
A-178	Sectional Liner, 8' long	EA	\$ 13,000.00	\$ 7,000.00	\$ 11,142.07	\$ 9,000.00	NO BID
	<b>(29" X 45") Elliptical CIPP Liner</b>						
A-179	12.0 mm normal thickness (.472)	LF	\$ 185.00	\$ 186.00	\$ 301.00	\$ 180.00	\$ 310.00
A-180	13.5 mm normal thickness (.531)	LF	\$ 190.00	\$ 200.00	\$ 321.25	\$ 185.00	\$ 330.00
A-181	15.0 mm normal thickness (.591)	LF	\$ 195.00	\$ 218.00	\$ 340.05	\$ 199.00	\$ 340.00
A-182	16.5 mm normal thickness (.650)	LF	\$ 205.00	\$ 230.00	\$ 357.40	\$ 215.00	\$ 350.00
A-183	18.0 mm normal thickness (.709)	LF	\$ 210.00	\$ 245.00	\$ 380.55	\$ 230.00	\$ 360.00
A-184	19.5 mm normal thickness (.768)	LF	\$ 215.00	\$ 260.00	\$ 399.55	\$ 247.00	\$ 375.00
A-185	21.0 mm normal thickness (.827)	LF	\$ 220.00	\$ 272.00	\$ 419.65	\$ 260.00	\$ 385.00
A-186	Charge for each 1.5mm thickness increase per LF exceeding 21.0 mm	LF	\$ 9.00	\$ 12.00	\$ 14.45	\$ 9.00	\$ 7.00
A-187	Sectional Liner, 8' long	EA	\$ 13,000.00	\$ 7,700.00	\$ 12,733.80	\$ 10,000.00	NO BID

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
<b>(38" X 60") Elliptical CIPP Liner</b>							
A-188	12.0 mm normal thickness (.472)	LF	\$ 265.00	\$ 251.00	\$ 496.35	\$ 320.00	\$ 515.00
A-189	13.5 mm normal thickness (.531)	LF	\$ 280.00	\$ 270.00	\$ 525.25	\$ 330.00	\$ 537.00
A-190	15.0 mm normal thickness (.591)	LF	\$ 360.00	\$ 295.00	\$ 561.45	\$ 330.00	\$ 560.00
A-191	16.5 mm normal thickness (.650)	LF	\$ 375.00	\$ 310.00	\$ 600.50	\$ 340.00	\$ 575.00
A-192	18.0 mm normal thickness (.709)	LF	\$ 400.00	\$ 330.00	\$ 629.45	\$ 350.00	\$ 595.00
A-193	19.5 mm normal thickness (.768)	LF	\$ 410.00	\$ 351.00	\$ 659.85	\$ 365.00	\$ 610.00
A-194	21.0 mm normal thickness (.827)	LF	\$ 415.00	\$ 366.00	\$ 694.55	\$ 380.00	\$ 630.00
A-195	Charge for each 1.5mm thickness increase per LF exceeding 21.0 mm	LF	\$ 12.00	\$ 17.00	\$ 20.60	\$ 12.00	\$ 9.50
A-196	Sectional Liner, 8' long	EA	\$ 18,000.00	\$ 9,900.00	\$ 14,325.53	\$ 14,500.00	NO BID
<b>(58" X 91") Elliptical CIPP Liner</b>							
A-197	12.0 mm normal thickness (.472)	LF	\$ 575.00	\$ 409.00	\$ 824.80	NO BID	\$ 1,550.00
A-198	13.5 mm normal thickness (.531)	LF	\$ 590.00	\$ 442.00	\$ 869.65	NO BID	\$ 1,560.00
A-199	15.0 mm normal thickness (.591)	LF	\$ 610.00	\$ 483.00	\$ 915.95	\$ 665.00	\$ 1,590.00
A-200	16.5 mm normal thickness (.650)	LF	\$ 750.00	\$ 507.00	\$ 959.35	\$ 690.00	\$ 1,615.00
A-201	18.0 mm normal thickness (.709)	LF	\$ 775.00	\$ 543.00	\$ 1,008.55	\$ 720.00	\$ 1,640.00
A-202	19.5 mm normal thickness (.768)	LF	\$ 800.00	\$ 576.00	\$ 1,057.75	\$ 760.00	\$ 1,680.00
A-203	21.0 mm normal thickness (.827)	LF	\$ 810.00	\$ 602.00	\$ 1,107.00	\$ 790.00	\$ 1,710.00
A-204	Charge for each 1.5mm thickness increase per LF exceeding 21.0 mm	LF	\$ 15.00	\$ 34.00	\$ 36.20	\$ 16.00	\$ 18.00
A-205	Sectional Liner, 8' long	EA	\$ 21,000.00	\$ 16,000.00	\$ 17,508.97	\$ 26,000.00	NO BID
<b>A. CURED-IN-PLACE PIPE (CIPP) TOTAL UNIT COST (Items A-1 thru A-205)</b>			<b>\$ 337,526.00</b>	<b>\$ 224,509.00</b>	<b>\$ 305,219.07</b>	<b>\$ 290,133.75</b>	<b>\$ 95,832.75</b>

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
<b>B. MANHOLE REHABILITATION</b>							
Item	Description	Unit of Measure	Extension	Extension	Extension	Extension	Extension
B-1	Chemical Grout Injection (Small)	FOBE	\$ 400.00	\$ 347.00	\$ 253.25	NO BID	\$ 220.00
B-2	Chemical Grout Injection (Large)	GAL	\$ 700.00	\$ 444.00	\$ 87.55	NO BID	\$ 750.00
B-3	Repair Wall w/ High Strength Mortar (Average 2" Depth)	SF	\$ 35.00	\$ 31.00	\$ 39.00	NO BID	\$ 45.00
B-4	Coat New Sanitary Sewer Manhole	SF	\$ 32.00	\$ 29.00	\$ 31.85	NO BID	\$ 65.00
B-5	Coat Existing Sanitary Sewer Manhole	SF	\$ 35.00	\$ 29.00	\$ 38.20	NO BID	\$ 65.00
B-6	Coat Existing Wetwell	SF	\$ 40.00	\$ 29.00	\$ 38.20	NO BID	\$ 65.00
B-7	Interior Manhole Coating/Lining Repair	SF	\$ 65.00	\$ 13.00	\$ 46.15	NO BID	\$ 125.00
B-8	Manhole Test	EA	\$ 50.00	\$ 20.00	\$ 15.90	NO BID	\$ 25.00
B-9	Concrete Adjustment Rings (0"-12")	EA	\$ 3,500.00	\$ 1,184.00	\$ 119.40	NO BID	\$ 50.00
B-10	Concrete Adjustment Rings (Each Additional 6" Over Initial 12")	VF	\$ 1,800.00	\$ 694.00	\$ 238.75	NO BID	\$ 750.00
B-11	Bench Replacement	EA	\$ 600.00	\$ 590.00	\$ 716.30	NO BID	\$ 950.00
B-12	Replace Frame & Cover (24"-30")	EA	\$ 2,900.00	\$ 2,258.00	\$ 1,551.95	NO BID	\$ 2,800.00
B-13	Replace Frame & Cover (32"-36")	EA	\$ 3,400.00	\$ 2,769.00	\$ 2,069.25	NO BID	\$ 3,200.00
B-14	Inside Drop System 4" - 8"	EA	\$ 4,200.00	\$ 2,439.00	No Bid	NO BID	\$ 800.00
B-15	Inside Drop System 10" - 12"	EA	\$ 6,200.00	\$ 3,537.00	No Bid	NO BID	\$ 1,000.00
<b>B. MANHOLE REHABILITATION TOTAL UNIT COST (Items B-1 thru B-15)</b>			<b>\$ 23,957.00</b>	<b>\$ 14,413.00</b>	<b>\$ 5,245.75</b>	<b>\$ -</b>	<b>\$ 10,910.00</b>

23-07 BID TABULATION - UNIT PRICE COMPARISON (RESPONSIVE BIDDERS ONLY)

			Hinterland Group, Inc.	Inliner Solutions, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
<b>C. ANCILLARY SERVICES</b>							
Item	Description	Unit of Measure	Extension	Extension	Extension	Extension	Extension
	<b>By-Pass Pumping &amp; Dewatering</b>						
C-1	8" diameter	LF	\$ 5.00	\$ 2.00	\$ 7.25	\$ 5.00	\$ 12.00
C-2	10" diameter	LF	\$ 5.00	\$ 2.00	\$ 7.25	\$ 6.00	\$ 20.00
C-3	12" diameter	LF	\$ 5.00	\$ 2.00	\$ 7.25	\$ 7.00	\$ 24.00
C-4	15" diameter	LF	\$ 8.00	\$ 2.00	\$ 7.25	\$ 8.00	\$ 34.00
C-5	18" diameter	LF	\$ 8.00	\$ 5.00	\$ 7.25	\$ 9.00	\$ 50.00
C-6	21" diameter	LF	\$ 8.00	\$ 5.00	\$ 7.25	\$ 10.00	\$ 60.00
C-7	24" diameter	LF	\$ 12.00	\$ 8.00	\$ 14.45	\$ 12.00	\$ 80.00
C-8	27" diameter	LF	\$ 12.00	\$ 11.00	\$ 14.45	\$ 14.00	\$ 100.00
C-9	30" diameter	LF	\$ 12.00	\$ 16.00	\$ 14.45	\$ 16.00	\$ 120.00
C-10	36" diameter	LF	\$ 15.00	\$ 32.00	\$ 21.70	\$ 18.00	\$ 180.00
	<b>Maintenance of Traffic (MOT)</b>						
C-11	Traffic Control – MOT Index 601 or 602 (per day)	Day	\$ 300.00	\$ 250.00	\$ 723.50	\$ 1,100.00	\$ 1,500.00
C-12	Traffic Control – MOT Index 603 or higher (per day)	Day	\$ 900.00	\$ 1,250.00	\$ 3,617.55	\$ 1,500.00	\$ 2,000.00
C-13	Traffic Control – MOT Index 601 or 602 (per week)	Week	\$ 1,200.00	\$ 1,275.00	\$ 3,617.55	\$ 3,500.00	\$ 3,000.00
C-14	Traffic Control – MOT Index 603 or higher (per week)	Week	\$ 3,900.00	\$ 3,200.00	\$ 18,087.79	\$ 4,200.00	\$ 9,000.00
C-15	<b>Variable Message Board</b>	Week	\$ 360.00	\$ 534.00	\$ 1,229.95	\$ 125.00	\$ 1,200.00
<b>C. ANCILLARY SERVICES TOTAL UNIT COST (Items C-1 thru C-15)</b>			<b>\$ 6,750.00</b>	<b>\$ 6,594.00</b>	<b>\$ 27,384.89</b>	<b>\$ 10,530.00</b>	<b>\$ 17,380.00</b>
<b>Total Package Bid</b>			<b>\$ 368,233.00</b>	<b>\$ 245,516.00</b>	<b>\$ 337,849.71</b>	<b>\$ 300,663.75</b>	<b>\$ 124,122.75</b>

The Unit Prices above, if approved by the City, shall be used for the purposes of developing pricing proposals for Purchase Orders and Change Orders issued under this contract.

Unit Prices shall include all labor, materials, equipment, mobilization, transportation, testing, dewatering, shoring, surveying, supervision, insurance cost, bond cost, taxes, fees, overhead, and profit that the Contractor will incur by performing the required work.

Attachments	Atlantic Pipe Services, LLC	Hinterland Group, Inc.	Inliner Solutions, LLC	Institutorm Technologies, LLC	Man-Con, Inc	Timothy Rose Contracting, Inc.	Vortex Services, LLC
Bid Form	Y	Y	Y	Y	Y	Y	Y
Bid Bond \$5K	Y	Y	Y	Y	Y	Y	Y
A - Unit Price Bid	Y	Y	Y	Y	Y	Y	Y
B - CSAB Affidavit	Y	Y	Y	Y	Y	Y	Y
C - Cert as to Corp Principal	Y	Y	Y	Y	Y	Y	Y
D - Contractor Quals Smt	Y	Y	Y	Y	Y	Y	Y
E - License/Certs	N	Y	Y	N	Y	Y	Y
State of FL Bus Lic	SunBiz L16000212104 Exp 06/2024	SunBiz P06000086423 Exp 05/01/24	SunBiz M02000001646 Exp 06/2024	SunBiz M12000000304 Exp 02/2024	SunBiz H40555 Exp 01/2024	SunBiz S75343 Exp 01/2024	SunBiz M19000001767 Exp 04/2024
CUC	CGC1525525 Exp 08/31/24	CUC1224634 Exp 08/31/24	CUC035777 Exp 08/31/24	CGC1510306 Exp 08/31/24	CUC056856 Exp 08/31/24	RU0066532 Exp 08/31/25	CUC 1224939 Exp 08/31/24
F - Conflict of Interest	Y	Y	Y	Y	Y	Y	Y
G - Drug Free Workplace	Y	Y	Y	Y	Y	Y	Y
H - Cert of Insurance	Y	Y	Y	Y	Y, CSAB named	Y	Y
I - Claims, Liens, Litigation	Y	Y	Y	Y	Y	Y	Y
J - Public Entity Crimes	Y	Y	Y	Y	Y	Y	Y
K - Non-Collusion	Y	Y	Y	Y	Y	Y	Y
L - E-Verify	Y	Y	Y	Y	Y	Y	Y
M - FL Trench Safety Act	Y	Y	Y	Y	Y	Y	Y
Addenda Acknowledgement	Y	Y	Y	Y	Y	Y	Y

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**M E M O R A N D U M**

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**TO:** MAX ROYLE, CITY MANAGER  
**FROM:** PATTY DOUYLLIEZ, FINANCE DIRECTOR  
**SUBJECT:** BUDGET RESOLUTION 23-19  
**DATE:** 11/17/2023

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The above-referenced budget resolution is requested for the evaluation of the Sea Oaks ponds. Please see the attached memo from Engineering & Public Works.

If there are any questions, please let me know.



## **City of St. Augustine Beach Public Works Department**

**TO: Max Royle**  
**FROM: Russell Adams**  
**SUBJECT: Budget Resolution – Sea Oaks East and West Stormwater Retention Ponds Evaluation**  
**DATE: November 20, 2023**

### **Background:**

In 2009, an Easement and Maintenance Agreement was signed between the City and Sea Oaks Homeowners' Association for the City to assume responsibility of operation, maintenance, repair, replacement and management of the Sea Oaks surface/stormwater system and all retention ponds in a manner consistent with the requirements of St. Johns River Water Management District (SJRWMD) permit #42-109-47408-1.

In recent years the city has received numerous complaints of unprecedented flooding and ponds staging at higher than normal levels causing undercutting of the banks and increased sedimentation.

### **Action Requested:**

The City requested a scope of work/proposal from Jones Edmunds, (an engineering consultant) to assess if stormwater ponds are in compliance with the SJRWMD permit. The consultant's scope of work includes:

1. Available as-built drawings review
2. Field inspection of ponds and associated drainage structures
3. Engineer's Opinion of Probable Cost (OPCC) to bring the ponds in compliance with SJRWMD requirements.
4. Memorandum for submittal to SJRWMD discussing their findings

The Consultant services cost is \$14,060.00.

A topographic survey is required for the Consultant to complete the pond evaluations. The City is requesting JBPro to complete brush clearing and topographic survey for the Consultant's use in assessing the ponds' existing condition and performance. The survey provides critical data for Jones Edmunds to perform the evaluation, i.e., compare existing pond condition and performance to permitted original As-Built construction and operation. The cost for this service is \$10,215.00.

In total, the City is requesting the Commission to approve a budget resolution in the amount of \$24,275.00 to evaluate that the stormwater management system is providing the appropriate level of rainstorm runoff attenuation and treatment for the design area in the Sea Oaks subdivision.

**SEA OAKS UNIT 1 HOMEOWNERS' ASSOCIATION, INC.**

**27 Sea Oaks Drive, St. Augustine, Florida 32080**

May 8, 2023

Letter to City of St. Augustine Beach from Sea Oaks Homeowners Association Unit 1

**SUBJECT:** Urgent drainage issues affecting Sea Oaks Subdivision

To City of SAB City Manager, Public Works Directory, Building Dept. officer  
cc: City commissioners

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The Sea Oaks Unit 1 Home Owners Association (Sea Oaks) wishes to notify the City of SAB of outstanding and urgent drainage concerns needing prompt attention and resolution by the City. Most of these issues have been brought to City's attention numerous times over the last 10 years and have only been worsening over time. As a result, Sea Oaks residents are experiencing unprecedented flooding, some of which has already caused structural damage to one property and is threatening damage to one another (more on that below).

Below we describe the two main outstanding drainage issues affecting Sea Oaks residents:

1. Three Ocean Ridge homes (304, 340 and 362 Ridgeway Rd) continue to be out of compliance with Ocean Ridge Subdivision's Environmental Resource Permit water permit (ERP No. 47408-11) due to lacking underground conveyance of their roof runoff to Ocean Ridge's internal storm water system (i.e., to Ridgeway Rd.). This results in offsite drainage impacts to Sea Oaks subdivision to the south.

Of the three properties, the one requiring most urgent attention is 362 Ridgeway. Because of on-site roof runoff and overflow from their backyard pool, this property was in large part responsible for unprecedented flooding during Hurricane Ian (September 2022) on the north side of the 46 Ocean Pines property for over two days, submerging the irrigation wellhead and the bases of 50+ foot live oak trees adjacent to the house (photos available upon request). Live oaks are upland species that when mature have extensive shallow root systems. Under soil-saturated conditions, the trees can be

easily be uprooted and topple over, especially during windy storms. This increased risk of storm-related tree-fall has only gotten worse with the destruction of the forest that was once there. The extent and duration of the flooding that occurred during hurricane Ian represents an unacceptable risk to property damage that for 46 Ocean Pines Dr. and subsequent, albeit less extreme, flooding events from other storms since then have also been a concern.

2. The Sea Oaks east and west storm water detention ponds have been staging higher than normal for a long time now, and need to be cleaned out and dredged to restore storage volume and improve flow. This is the responsibility of the City's Public Works department, who has management and maintenance responsibility for these ponds. Construction activities associated with the Ocean Ridge development have altered the hydrology and of these ponds, resulting in water levels staging higher year-round and undercutting the banks, leading to their collapse, along with their vegetation. Increased sedimentation has reduced the storage volume of the ponds, compromising their function.

- a. **East Pond.** Of the two Sea Oaks ponds, the most seriously compromised is the east pond. The problems started following the installation of the box culvert at the pond's outlet as part of the piping of the 'Runk ditch'. Sedimentation in the pond got worse during the construction of 366 Ocean Ridge Rd. due to failed erosion control measures (photos available upon request). Furthermore, unauthorized ditches in Chautauqua subdivision are sending street runoff from 5<sup>th</sup> and 6<sup>th</sup> streets into the pond, causing erosion and adding to the sedimentation problem. Silting in of the east pond is so severe that the box culvert's sedimentation basin is completely filled and sediments are spilling into the main culvert pipe (photos available upon request). Surely this compromises the functionality of this portion of the City's storm water management system while increasing the flood risk to properties upstream.

The excessively high water levels in the east pond have already caused **major structural damage to the foundation of the 42 Ocean Pines Dr. property (pictures attached)** and this has resulted in highly disruptive and costly repairs by the property's owners.

- b. **West pond.** Unusually high water levels and increased bank erosion in the **west pond** is also a concern for Sea Oaks residents backing up to that pond. Clearly, the filling in of the northern third of that pond when the extra Ocean Ridge lot was created significantly reduced the storage capacity of the pond. Additionally, it appears that unusually high staging of water levels in the Mickler ditch is contributing to the high water in the pond.

In closing, we ask the City to please do the following to correct the drainage problems threatening Sea Oaks properties in the following order:

Priority #1:

- Eliminate offsite drainage impacts to 46 Ocean Pines Drive from 362 Ridgeway Road by routing all runoff (roof and pool overflow) to Ocean Ridge's internal storm water system (in compliance with ERP # 47408-11)
- Lower water levels in the Sea Oaks east pond. This should be done by:
  - a) Dredging/cleaning out the pond to restore its original storage capacity and flow into the City's storm water system downstream and
  - b) Lowering the sill elevation of the box culvert at the outflow of the pond

Additionally,

- c) sediments inside the box culvert and outflow pipe need to be removed, and
- d) Chautauqua subdivision street drainage problems that result in pond bank erosion and sedimentation need to be fixed.

Priority #2:

- Fix the problems causing high water stage in the Sea Oaks west pond.
- Reroute all roof runoff from 403 and 430 Ridgeway Rd. into Ocean Ridge's internal storm water management system.

Time is of the essence, as we ask that corrective actions for priority # 1 items be in place before the 2023 hurricane season begins.

We appreciate the City taking these matters into consideration as soon as possible, and look forward to working together to find solutions to these urgent issues.

Please acknowledge receipt of this letter and let us know as soon as possible your plan of action and timeline to address these issues.

Thank you,

Joe Hatin, President  
Margie Lasi, Vice President  
Henry O'Connell, Treasurer  
Beata Kosakowska, Secretary



October 10, 2023

Mr. Jason Sparks  
Public Works Dept.  
City of St. Augustine Beach  
2200 A1A South  
St. Augustine Beach, FL 32080

Gainesville (HQ)

St. Augustine

Tallahassee

(844) Go-JBPro

contact@jbpro.com

3530 NW 43rd Street  
Gainesville, FL 32606

**Re: City of St Augustine Beach – Surveying Continuing Services**  
Task Assignment – Sea Oaks ponds

Dear Mr. Sparks,

JBPro is pleased to provide you with a fee proposal for a Topographic Survey of the Sea Oaks Unit 1 ponds. The proposed scope and fees are provided below.

**Work Scope:**

Limited Topographic Survey of Drainage Ponds shown on the plat of Sea Oaks Unit 1 utilizing NAVD88 Vertical Datum, Office Processing, and drawing of Deliverable PDF's. Said Topographic Survey will include a survey of both ponds in Sea Oaks Unit I with cross-sections (to 10' outside top of bank) and all drainage structures associated with the pond with sediment depth.

- I. **Fees:** In accordance with the JBPro Continuing Services Contract for Surveying Services the hourly work effort proposed and the associated fees are provided below.

Principal Surveyor:	3 Hrs.	@ \$115 / Hr. = \$	345.00
Survey Project Manager:	6 Hrs.	@ \$ 95 / Hr. = \$	570.00
Survey CAD Technician:	20 Hrs.	@ \$ 75 / Hr. = \$	1,500.00
2 Person Survey Field Crew:	60 Hrs.	@ \$130 / Hr. = \$	7,800.00
			Total = \$10,215.00

- A. Invoicing will occur upon completion of the project.
- B. The above fees are valid for a period of three (3) months starting with the date of this proposal. If the work is not authorized within the 3-month time period, due to the owner's schedule or other owner issues, the fee may be adjusted according to the change in work effort or prevailing fee schedules.
- III. **Additional Services:** Services in addition to the scope of work will be billed at standard hourly rate charges per the JBPro Hourly Rate Fee Schedule. Additional services shall be performed only upon prior authorization by the owner. These services may include but are not limited to the following:
- A. Staking of specific areas or lines.

Please review the proposal and let me know if you have any questions or comments. I am happy to revise the proposal to address any comments you may have. If this proposal is acceptable to you, please notify us in writing via email with a Notice Proceed and we will schedule the survey work right away. We look forward to working with the City of St Augustine Public Works Dept. on this assignment.

Sincerely,  
Troy Wright  
VP, Director of Survey



Civil Engineering



Surveying



Land Planning



Construction Services

October 13, 2023

Jason Sparks, PE, Engineering Director  
City of St. Augustine Beach  
2200 A1A South  
St. Augustine Beach, Florida 32080

RE: Sea Oaks Unit 1 Stormwater Pond Evaluation  
Scope of Work  
Jones Edmunds Opportunity No.: 95881-242-23

Dear Mr. Sparks:

The City of St. Augustine Beach has requested that Jones Edmunds review the stormwater ponds for the Sea Oaks Unit 1 subdivision. The subdivision is north of A Street and includes Sea Oaks Drive, Ocean Pines Drive, and Sea Pine Place. The roadways and residential lots drain into two separate ponds at the north end of the subdivision.

The subdivision was permitted by the St. Johns River Water Management District (SJRWMD) under permit 42-109-47408-1. The City would like Jones Edmunds to evaluate if the stormwater ponds are in compliance with the SJRWMD permit.

We will review available as-built drawings, perform a field review, and prepare a memorandum discussing our findings. The memorandum will note any deficiencies that the City must address to bring the stormwater facility to SJRWMD standards.

We will review the following items:

- Outfall structure – We will determine if visible vegetation or sediment is clogging the structure. We will compare to as-builts, if available.
- Pond side slopes – We will note major sloughing of the side banks or areas of visible sediment washing into the pond. We will note if the side slopes are sodded.
- Pond – We will observe if vegetation, debris, or sediment exists in the pond. The City will have the pond surveyed by a Florida-licensed surveyor. We will coordinate with the surveyor on topographic data needs.
- As-Builts – The City will provide available as-built drawings. If as-builts are available, we will include them with the memorandum.
- Mitered end sections (MES) – We will observe if MES are clogged by vegetation, debris, or sediment.
- Fencing – We will note if fencing exists and the condition of the fence.
- Photography – We will take photographs of the outfall structures and at various locations on the pond.
- Engineer's Opinion of Probable Construction Cost (EOPCC) – We will prepare an EOPCC to bring the pond into compliance with SJRWMD requirements.

- SJRWMD stormwater evaluation – We will prepare a memorandum for submittal to SJRWMD that describes whether the stormwater system is in substantial compliance with the SJRWMD Permit.

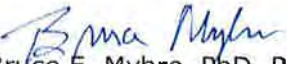
Based on the Scope of Work described above, a not-to-exceed fee of \$14,060 is payable by the City to Jones Edmunds on a lump-sum basis. A detailed Fee Estimate is attached. All work will be completed by December 15, 2023, based on receiving a completed survey by November 1, 2023.


## PROPOSAL CLARIFICATIONS

- City staff familiar with the project requirements will be available for questions.
- City staff will provide access to all stormwater facilities.
- The City will subcontract with a Florida-licensed surveyor for a survey of the pond and associated drainage system.
- Permit fees, plan review fees, and other regulatory fees are excluded and assumed to be paid directly by the City if applicable.
- Archaeological surveying and permitting are excluded from this Scope of Work.
- Coordinating historical preservation is excluded from this Scope of Work.
- Hazardous materials (asbestos, metals, and polychlorinated biphenyls) investigation, testing, analysis, and abatement design are excluded from this Scope of Work.
- The Project Site is assumed to be free of soil and groundwater contamination.

If you have any questions or comments, please contact me at (352) 377-5821 or via email at [bmyhre@jonesedmunds.com](mailto:bmyhre@jonesedmunds.com).


Sincerely,

  
Bruce E. Myhre, PhD, PE  
Senior Project Manager  
730 NE Waldo Road  
Gainesville, Florida 32341

  
Mark W. Nelson, PE  
Senior Consultant / Vice-President

Attachment: Fee Estimate

Y:\19625 - City of St Augustine Beach\Opportunities\95880-242-23 Sea Oaks Pond Inspection\Sea Oaks Unit 1 Stormwater Pond Evaluation - Scope.docx

		Project Name: Sea Oaks Unit 1 - Stormwater Pond Evaluation Client: City of St. Augustine Beach Opportunity Number: 95880-242-23 Project Number: N/A				Prepared On: 10/10/23 Prepared By: E. Myhre Reviewed On: 10/10/23 Reviewed By: E. Myhre																										
		Project Fee Estimate																														
		<table><tr><th colspan="6">Staffing Plan</th></tr><tr><th>Project Office</th><th>Sr Project Manager</th><th>Senior Engineer</th><th>Project Engineer</th><th>Engineer Intern</th><th>Senior Administrative Assistant</th><th></th></tr><tr><th colspan="6">Billing Rate</th><th></th></tr><tr><td>\$250.00</td><td>\$230.00</td><td>\$230.00</td><td>\$185.00</td><td>\$100.00</td><td>\$95.00</td><td></td></tr></table>						Staffing Plan						Project Office	Sr Project Manager	Senior Engineer	Project Engineer	Engineer Intern	Senior Administrative Assistant		Billing Rate							\$250.00	\$230.00	\$230.00	\$185.00	\$100.00
Staffing Plan																																
Project Office	Sr Project Manager	Senior Engineer	Project Engineer	Engineer Intern	Senior Administrative Assistant																											
Billing Rate																																
\$250.00	\$230.00	\$230.00	\$185.00	\$100.00	\$95.00																											
Task No.	Task Description	Hours					Total Hours	Expenses (DDFs) Effort	Total Fee																							
	Stormwater Pond Evaluation																															
	Review as-built/permit documents/assessments, site visit, prepare report	5	30	1		38	2	80	\$0 \$11,890																							
	DC							5	\$0 \$2,170																							
	Subtotal Stormwater Pond Evaluation	5	30	1	0	48	2	84	\$0 \$14,060																							
	Grand Total	5	30	1	0	48	2	89	\$0 \$14,060																							

**BUDGET RESOLUTION 23-19**

**CITY OF ST. AUGUSTINE BEACH  
ST. JOHNS COUNTY**

**RE: TO AMEND THE FY2024  
GENERAL FUND BUDGET**

The City Commission does hereby approve the transfer and appropriation from within the Fiscal Year 2023-2024 General Fund Budget as follows:

**INCREASE:** Account 001-381-990 (Transfer from Undesign/Unreserve Fund Balance) in the amount of \$24,275 which will decrease the appropriation in this account to \$683,827.

**INCREASE:** Account 001-4100-541-6380 (R&B Dept-Drainage) in the amount of \$24,275 which will increase the appropriation in this account to \$1,500,840.

**RESOLVED AND DONE,** this 4<sup>th</sup> day of December 2023 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

\_\_\_\_\_  
Mayor – Commissioner

ATTEST:


\_\_\_\_\_  
City Manager

# MEMORANDUM

Agenda Item # 5

Meeting Date 12-4-23

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager 

**DATE:** November 21, 2023

**SUBJECT:** Parking Improvements between A and 1<sup>st</sup> Streets: Award of Bid

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This is a long, on-going project to pave the public parking area along the west side of A1A Beach Boulevard in front of Jack's Bar-B-Q and the brewery. Mr. Brud Helhoski, the owner of the restaurant and the brewery, has been involved in the project's planning phase.

Though the deadline for bids is November 28<sup>th</sup>, after your agenda books have been distributed, we have put this topic on the agenda so that the bid can be awarded and the project completed before next spring's tourist season.

A key question will be the selection of the material for the parking area, such as brick, asphalt or some other material, and the cost of each type of material. A brick surface will match the surface of the parking area along the east side of A1A Beach Boulevard between A and 1<sup>st</sup> Streets, as well as the surface of the parking areas at 8<sup>th</sup> and 10<sup>th</sup> Streets. In the FY 24 budget, \$187,000 has been appropriated for the project from American Rescue Plan Act funds.

After the bids are opened on November 28<sup>th</sup>, Mr. Sparks will prepare a memo with his recommendation, which we will forward to you before your meeting.

**City of St. Augustine Beach Building and Zoning Department**

**TO: Max Royle**  
**FROM: Brian Law**  
**SUBJECT: 2023 Florida Building Code**  
**DATE: 11-16-2023**

Max

The Florida Building Commission shall update the Florida Building Code every 3 years as per Florida Statute 553.73. The effective date of the 2023 Florida Building Code is December 31, 2023. The Florida Statute allows local jurisdictions to create and implement local amendments to the Florida Building Code. This is accomplished via the ordinance process in the City of St. Augustine Beach. When the ordinance is passed it must be transmitted to the Florida Building Commission within 30 days after enactment. I have utilized the Building Official Association of Florida model chapter 1 code as a base and then updated the proposed code to reflect certain land development codes applicable to this city and continue the exceptions to permitting that the city has had in the previous two code cycles. The yellow highlighted codes reflect the 2023 legislative session changes.

*Brian W Law*

Brian W Law CBO, CFM, MCP  
City of St. Augustine Beach  
Director of Building and Zoning  
2200 A1A South  
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(904) 471-8758  
[blaw@cityofsab.org](mailto:blaw@cityofsab.org)

## **ORDINANCE NO. 23-10**

### **AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA ADOPTING AN ADMINISTRATIVE SECTION TO THE FLORIDA BUILDING CODE CHAPTER 1 SCOPE AND ADMINISTRATION; PROVIDING FOR VENUE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of Legislature of the State of Florida to provide a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of a single, unified state building code, to be called the Florida Building Code, which consists of a single set of documents that apply to the design, construction, erection, alteration, modification, repair, or demolition of public or private buildings, structures, or facilities in this state and to the enforcement of such requirements and which will allow effective and reasonable protection for public safety, health, and general welfare for all the people of Florida at the most reasonable cost to the consumer; and

**WHEREAS**, the Florida Building Code shall be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction; and

**WHEREAS**, the Florida Building Code shall provide for flexibility to be exercised in a manner that meets minimum requirements, is affordable, does not inhibit competition, and promotes innovation and new technology; and

**WHEREAS**, the Florida Building Code shall establish minimum standards primarily for public health and life safety, and secondarily for protection of property as appropriate; and

**WHEREAS**, the Florida Building Code, after the effective date of adoption, shall supersede all other building construction codes or ordinances in the state, whether at the local or state level and whether adopted by administrative regulation or by legislative enactment; and

**WHEREAS**, all entities authorized to enforce the Florida Building Code pursuant to section 553.80, Florida Statutes, shall comply with applicable standards for issuance of mandatory certificates of occupancy, minimum types of inspections, and procedures for plans review and inspections; and

**WHEREAS**, local governments may adopt amendments to the administrative provisions of the Florida Building Code; and

**WHEREAS**, these local technical amendments shall not sunset; and

**WHEREAS**, for the foregoing reasons, the City of St. Augustine Beach City Commission has determined that it is in the public interest to adopt the 2023 Model Chapter 1 of the Florida Building Code.

**BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ST. AUGUSTINE BEACH:**

**Section 1. Adoption of Model Chapter 1.**

The 2023 edition of BOAF MODEL ADMINISTRATIVE CODE CHAPTER 1 FOR THE 8<sup>TH</sup> Edition (2023) FLORIDA BUILDING CODE of the Florida Building Code, entitled “Scope and Administration”, as modified in attached Exhibit A, is adopted by reference and incorporated herein.

**Section 2. Venue.**

Venue for any legal or administrative action arising under this ordinance shall lie exclusively in St. Johns County, Florida.

**Section 3. Severability.**

If any part of this ordinance is held to be invalid, unconstitutional, or otherwise unenforceable by a court of competent jurisdiction, such part shall be severable and shall not be construed as to render the remainder of this ordinance invalid, unconstitutional, or otherwise unenforceable.

**Section 4. Effective Date.**

This ordinance shall be effective upon a certified copy being filed with the Florida Department of State.

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this 8<sup>th</sup> day of January 2024.

By: \_\_\_\_\_, Mayor

ATTEST: Max Royle

\_\_\_\_\_

Max Royle, City Manager



**BOAF MODEL ADMINISTRATIVE CODE CHAPTER 1  
FOR THE 8<sup>th</sup> Edition (2023) FLORIDA BUILDING CODE**

**Approved by the BOAF Board of Directors  
4/28/2023**

**Supplement #1 2023 Legislative Session  
Changes**

BOAF Model Administrative Code – 8<sup>th</sup> Edition (2023)

The Building Officials Association of Florida is proud to present this model document for use by its members as a tool to facilitate the uniform and consistent application of local amendments to the administrative provisions of the Florida Building Code. Every effort has been made to present the amendments in mandatory language format. The language that is shaded represents those text revisions approved by the BOAF Board of Directors.

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**Legend:**

Plain Text is from the FBC 8<sup>th</sup> Edition (2023)

Shaded Text is BOAF recommendations

Yellow highlighted text is 2023 Legislative Session Changes

## CHAPTER 1 SCOPE AND ADMINISTRATION

### PART 1—SCOPE AND APPLICATION SECTION 101 GENERAL

**101.1 Title.** These regulations shall be known as the *Florida Building Code*, hereinafter referred to as “this code.”

**101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exceptions:**

1. Detached one-and two-family *dwelling*s and multiple single-family *dwelling*s (*townhouses*) not more than three *stories above grade plane* in height with a separate *means of egress*, and their accessory structures not more than three *stories above grade plane* in height, shall comply with this Code or the *Florida Building Code, Residential*.
2. Code requirements that address snow loads and earthquake protection shall not be utilized or enforced.

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

Florida Building Code-Building

Appendix F-Rodentproofing

**101.2.2** Residential construction standards or practices which are not covered by Florida Building Code, Residential volume shall be in accordance with the provisions of Florida Building Code, Building.

**101.3 Intent.** The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

**101.3.1 Quality control.** Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

**101.3.2 Warranty and Liability.** The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

**101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**101.4.1 Gas.** The provisions of the *Florida Building Code, Fuel Gas* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**101.4.2 Mechanical.** The provisions of the *Florida Building Code, Mechanical* shall apply to the installation, *alterations*, *repairs* and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems,

incinerators and other energy related systems.

**101.4.3 Plumbing.** The provisions of the *Florida Building Code, Plumbing* shall apply to the installation, *alteration, repair* and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

**101.4.4 Property maintenance.** The provisions of the **2021** *International Property Maintenance Code* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

**101.4.5 Fire prevention.** For provisions related to fire prevention, refer to the *Florida Fire Prevention Code*. The *Florida Fire Prevention Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, *repair, alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**101.4.6 Energy.** The provisions of the *Florida Building Code, Energy Conservation* shall apply to all matters governing the design and construction of buildings for energy efficiency.

**101.4.7 Existing buildings.** The provisions of the *Florida Building Code, Existing Building* shall apply to matters governing the *repair, alteration*, change of occupancy, *addition* to and relocation of existing buildings.

**101.4.8 Accessibility.** For provisions related to accessibility, refer to the *Florida Building Code, Accessibility*.

**101.4.9 Manufactured buildings.** For additional administrative and special code requirements, see Section 458, *Florida Building Code, Building*, and Rule 61-41 F.A.C.

## SECTION 102 APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

**102.1.1** *The Florida Building Code* does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the *Florida Building Code*. Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code, Building* to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

**102.2 Building.** The provisions of the *Florida Building Code* shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the *Florida Building Code, Existing Building*. The following buildings, structures and facilities are exempt from the *Florida Building Code* as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.

- (e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Sections 553.501-553.513, *Florida Statutes*) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures. *Permits shall be required for structural support and tie-down, electric supply and all other such utility connections to such mobile or modular structures as required by this jurisdiction.*
- (f) Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida Statutes*, which are directly involved in the generation, transmission, or distribution of electricity.
- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.
- (i) Family mausoleums not exceeding 250 square feet (23 m<sup>2</sup>) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (k) A building or structure having less than 1,000 square feet (93 m<sup>2</sup>) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:
  1. Is not rented or leased or used as a principal residence;
  2. Is not located within the 100-year flood plain according to the Federal Emergency Management Agency’s current Flood Insurance Rate Map; and
  3. Is not connected to an off-site electric power or water supply.
- (l) **A drone port as defined in s. 330.41(2).**

**102.2.1** In addition to the requirements of Sections 553.79 and 553.80, *Florida Statutes*, facilities subject to the provisions of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, and the certification requirements of the federal government.

**102.2.2** Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

1. The building or structure is structurally sound and in occupiable condition for its intended use;
2. The occupancy use classification for the building or structure is not changed as a result of the move;
3. The building is not substantially remodeled;
4. Current fire code requirements for ingress and egress are met;
5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and
6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the *Florida Building Code, Building* for all residential buildings or structures of the same occupancy class.

**102.2.3** The *building official* shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

**102.2.4** This section does not apply to the jurisdiction and authority of the Department of Agriculture and Consumer Services to inspect amusement rides or the Department of Financial Services to inspect state-owned

buildings and boilers.

**102.2.5** Each enforcement district or local enforcement agency shall be governed by a board, the composition of which shall be determined by the affected localities.

1. At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the *Florida Building Code* relating to:
  - a. Addition, alteration, or repairs performed by the property owner upon his or her own property, provided any addition, alteration or repair shall not exceed 1,000 square feet (93 m<sup>2</sup>) or the square footage of the primary structure, whichever is less.
  - b. Addition, alteration, or repairs by a nonowner within a specific cost limitation set by rule, provided the total cost shall not exceed \$5,000 within any 12-month period.
  - c. Building plans review and inspection fees.
2. However, the exemptions under subparagraph 1 do not apply to single-family residences that are located in mapped *flood hazard areas*, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.
3. Each code exemption, as defined in sub-subparagraphs 1a, 1b, and 1c shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

**102.2.6** This section does not apply to swings and other playground equipment accessory to a one- or two-family dwelling.

**Exception:** Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code.

**102.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**102.4 Referenced codes and standards.** The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

**102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

**102.4.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Florida Codes listed in Section 101.4, the provisions of this code or the Florida Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

**102.5 Partial invalidity.** In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

**102.6 Existing structures.** The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *Florida Building Code, Existing Building*, *2021 International Property Maintenance Code* or the *Florida Fire Prevention Code*.

**102.6.1 Buildings not previously occupied.** A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *Florida Building Code, Building* or *Florida Building Code, Residential*, as applicable, for new construction or with any current *permit* for such occupancy.

**102.6.2 Buildings previously occupied.** The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the

*Florida Fire Prevention Code*, *2021 International Property Maintenance Code* or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

#### **102.7 Relocation of manufactured buildings.**

- (1) Relocation of an existing manufactured building does not constitute an alteration.
- (2) A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the *Florida Building Code* (on or after March 1, 2002), the wind speed map of the *Florida Building Code* shall be applicable.
- (3) A relocated building shall comply with the *flood hazard area* requirements of the new location, if applicable.

**102.8 Existing mechanical equipment.** An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the *Florida Building Code* except during reroofing when the equipment is being replaced or moved and is not in compliance with the provisions of the *Florida Building Code* relating to roof-mounted mechanical units.

## **PART 2—ADMINISTRATION AND ENFORCEMENT**

### **SECTION 103**

#### **DEPARTMENT OF BUILDING SAFETY**

**103.1 Creation of enforcement agency.** The Department of Building Safety is hereby created and the official in charge thereof shall be known as the *building official*.

**103.2 Appointment.** The *building official* shall be appointed by the chief appointing authority of the jurisdiction.

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *building official* shall have the authority to appoint a deputy *building official*, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the *building official*.

For the maintenance of existing properties, see the *2021 International Property Maintenance Code*.

### **SECTION 104**

#### **DUTIES AND POWERS OF BUILDING OFFICIAL**

**104.1 General.** The *building official* is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

**104.2 Applications and permits.** The *building official* shall receive applications, review *construction documents* and issue *permits* for the erection, and *alteration*, demolition and moving of buildings and structures, inspect the premises for which such *permits* have been issued and enforce compliance with the provisions of this code.

**104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** For applications for reconstruction, rehabilitation, *repair*, *alteration*, *addition* or other improvement of existing buildings or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes substantial improvement or *repair* of *substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement* or *repair* of *substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612 or R322 of the Florida Building Code, Residential, as applicable.

**104.3 Notices and orders.** The *building official* shall issue all necessary notices or orders to ensure compliance with this code.

**104.4 Inspections.** The *building official* shall make all of the required inspections, or the *building official* shall have the authority to accept reports of inspection by *approved agencies* or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved agency* or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**104.5 Identification.** The *building official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**104.6 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or where the *building official* has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the *building official* is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *building official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

**104.7 Department records.** The *building official* shall keep official records of applications received, *permits* and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records per FS 119.

**104.8 Liability.** The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**104.8.1 Legal defense.** Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**104.9 Approved materials and equipment.** Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

**104.9.1 Used materials and equipment.** The use of used materials that meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the *building official*.

**104.10 Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *building official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

**104.10.1 Flood hazard areas.** The *building official* shall coordinate with the floodplain administrator to review requests submitted to the *building official* that seek approval to modify the strict application of the flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 117.

**104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed alternative meets all of the following:

1. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code,
2. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code as it pertains to the following:

- 2.1. Quality.
- 2.2. Strength.
- 2.3. Effectiveness.
- 2.4. Fire resistance.
- 2.5. Durability.
- 2.6. Safety.

Where the alternative material, design or method of construction is not *approved*, the *building official* shall respond in writing, stating the reasons why the alternative was not *approved*.

**104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

**104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

**104.12 Requirements not covered by code.** Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the *building official*.

## SECTION 105 PERMITS

**105.1 Required.** Any *owner* or owner's authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation

of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*.

**105.1.1 Annual facility permit.** In lieu of an individual *permit* for each *alteration* to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the *building official* is authorized to issue an annual *permit* for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The *building official* shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility *permit* shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate *permit* shall be obtained for each facility and for each construction trade, as applicable. The *permit* application shall contain a general description of the parameters of work intended to be performed during the year.

**105.1.2 Annual Facility permit records.** The person to whom an annual *permit* is issued shall keep a detailed record of *alterations* made under such annual *permit*. The *building official* shall have access to such records at all times or such records shall be filed with the *building official* as designated.

**105.1.3 Food permit.** In accordance with Section 500.12, *Florida Statutes*, a food *permit* from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

**105.1.4 Public swimming pool.** The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating *permit* pursuant to Section 514.031, *Florida Statutes*. A certificate of completion or occupancy may not be issued until such operating *permit* is issued. The local enforcing agency shall conduct their review of the building *permit* application upon filing and in accordance with Chapter 553, *Florida Statutes*. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building *permit* application review while awaiting comment from the Department of Health.

**105.2 Work exempt from permit.** Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the local floodplain management ordinance. *Permits* shall not be required for the following:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>) and not in a special flood hazard area.
2. Fences of all materials other than masonry over 6 feet in height and not located on the A1A Beach Boulevard right of way boundary..
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 12 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwelling except for the electrical service.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the

*exterior wall* and do not require additional support, of Groups R-3 and U occupancies.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Roofing repairs or reroofs not exceeding 2 squares (200 square feet).
15. Siding repairs less than 100 square feet in area, including the area of door and window that are within the work area.
16. Gutters and downspouts.
17. Pool re-marcite for one and two family dwellings.
18. Flag poles less than 35 feet in height for one and two family dwellings.
19. Wooden decks 12 inches or less from finished grade and not in a special flood hazard area.

**Electrical:**

**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

**Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

**Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.
8. The installation, replacement, removal or metering of any load management control device.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**Signs:**

1. Face changes shall not require a building permit providing that there are no changes to the cabinet, structure or internal equipment.

**105.2.1 Emergency repairs.** Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.

**105.2.2 Minor repairs.** Ordinary minor repairs may be made with the approval of the *building official* without a *permit*, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical

codes.

**105.2.3 Public service agencies.** A *permit* shall not be required for the installation, *alteration* or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

**105.3 Application for *permit*.** To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the building department for that purpose.

*Permit* application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Sections 713.135(5) and (6), *Florida Statutes*.

Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building *permit* for which an application is submitted prior to the effective date of the *Florida Building Code*, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the *permit* and any extension granted to the *permit*.

Effective October 1, 2017, a local enforcement agency shall post each type of building *permit* application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the application may be submitted in person in a nonelectronic format, at the discretion of the *building official*.

**105.3.1 Action on application.** The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefor. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefor as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for *permits*, the *building official* shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

**105.3.1.1** If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the *Florida Building Code* on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

**105.3.1.2** No *permit* may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such *permit* provides to the enforcing agency which issues the *permit* any of the following documents which apply to the construction for which the *permit* is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, *Florida Statutes*:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 *Florida Statutes*, may design a new fire protection system of 49 or fewer sprinklers; may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of 249 or fewer sprinklers and the addition of up to 49 sprinklers, as long as the cumulative total number of fire sprinklers being added, relocated, or deleted does not exceed 249, notwithstanding the size of the existing fire sprinkler system; or may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system, if there is no change of occupancy of the affected areas, as defined in this Code and the Florida Fire Prevention Code, and

there is no change in the water demand as defined in NFPA 13, "Standard for the Installation of Sprinkler Systems," and if the occupancy hazard classification as defined in NFPA 13 is reduced or remains the same as a result of the alteration.

3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-, two-, three-, or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, *Florida Statutes*, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

**Example 1:** When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

**Example 2:** Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower, this is considered to be an 18-ton system.

**Note:** It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than \$5,000.

**Exception:**

Simplified permitting processes.

(1) As used in this section, the term:

(a) "Component" means valves, fire sprinklers, escutcheons, hangers, compressors, or any other item deemed acceptable by the local enforcing agency. For purposes of this paragraph, a valve does not include pressure-regulating, pressure-reducing, or pressure-control valves.

(b) "Contractor" means a person who:

1. Is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489, *Florida Statutes*; or
2. Is qualified to engage in the business of fire protection system contracting pursuant to a license or certificate issued by the State Fire Marshal.

(c) "Fire alarm system project" means a fire alarm system alteration of a total of 20 or fewer initiating devices and notification devices, or the installation or replacement of a fire communicator connected to an existing fire alarm control panel in an existing commercial, residential, apartment, cooperative, or condominium building.

(d) "Fire sprinkler system project" means a fire protection system alteration of a total of 20 or fewer fire sprinklers in which the sprinklers are of the same K-factor and located in spaces where there is no change of hazard classification or increased system coverage area, or the installation or replacement of an equivalent fire sprinkler system component in an existing commercial, residential, apartment, cooperative, or condominium building. For purposes of this paragraph, a component is equivalent if the component has the same or better characteristics, including

electrical, hydraulic, pressure losses, and required listings and spacing as the component being replaced.

- (2)(a) A local enforcement agency may require a contractor, as a condition of obtaining a *permit* for a fire alarm system project **or fire sprinkler system project**, to submit a completed application and payment.
  - (b) A local enforcement agency may not require a contractor to submit plans or specifications as a condition of obtaining a *permit* for a fire alarm system project **or fire sprinkler system project**.
  - (3) A local enforcement agency must issue a *permit* for a fire alarm system project **or fire sprinkler system project** in person or electronically.
  - (4) A local enforcement agency must require at least one inspection of a fire alarm system project **or fire sprinkler system project** to ensure compliance with applicable codes and standards. If a fire alarm system project **or fire sprinkler system project** fails an inspection, the contractor must take corrective action as necessary to pass inspection.
  - (5) (a) **For a fire sprinkler alarm system project, a** contractor must keep a copy of the plans and specifications at the fire alarm system project worksite and make such plans and specifications available to the inspector at each inspection.
  - (b) **For a fire sprinkler system project to alter an existing fire protection system, a contractor must keep a copy of the plans and specifications at the fire sprinkler system project worksite and make such plans and specifications available to the inspector at each inspection.**
  - (c) **For a fire sprinkler system project to install or replace a component, a contractor must keep a copy of the manufacturer's installation instructions and any pertinent testing instructions needed to certify or accept the component at the fire sprinkler system project worksite and make such documents available to the inspector at each inspection.**
5. Electrical documents. See *Florida Statutes* 471.003(2)(h). Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. The system, requires an electrical system with a value of over \$125,000; and Requires an aggregate service capacity of over 600 amperes (240 volts) on a residential electrical system or over 800 amperes (240 volts) on a commercial or industrial electrical system;
- Note:** It was further clarified by the Commission that the limiting factor of 240 volt or over is required to be designed by an Engineer. Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, *Florida Statutes*.
6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, *Florida Statutes*.

#### 105.3.1.3 Reviewing application for building permit.

1. When reviewing an application for a building *permit*, a local government may not request additional information from the applicant more than three times, unless the applicant waives such limitation in writing.
2. If a local government requests additional information from an applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 15 days after receiving such information:
  - a. Determine if the application is properly completed;
  - b. Approve the application;
  - c. Approve the application with conditions;
  - d. Deny the application; or
  - e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.
3. If a local government makes a second request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information:
  - a. Determine if the application is properly completed;
  - b. Approve the application;

- c. Approve the application with conditions;
  - d. Deny the application; or
  - e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.
4. Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If a local government makes a third request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information unless the applicant waived the local government's limitation in writing, determine that the application is complete and:
- a. Approve the application;
  - b. Approve the application with conditions; or
  - c. Deny the application.
5. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's request, must process the application and either approve the application, approve the application with conditions, or deny the application.

**105.3.2 Time limitation of application.** An application for a *permit* for any proposed work shall be deemed to have been abandoned becoming null and void 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**105.3.3** An enforcing authority may not issue a building *permit* for any building construction, erection, alteration, modification, repair or addition unless the *permit* either includes on its face or there is attached to the *permit* the following statement: "NOTICE: In addition to the requirements of this *permit*, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional *permits* required from other governmental entities such as water management districts, state agencies, or federal agencies."

**105.3.4** A building *permit* for a single-family residential dwelling must be issued within 30 working days of application therefor unless unusual circumstances require a longer time for processing the application or unless the *permit* application fails to satisfy the *Florida Building Code* or the enforcing agency's laws or ordinances.

**105.3.5 Identification of minimum premium policy.** Except as otherwise provided in Chapter 440, *Florida Statutes*, Workers' Compensation, every employer shall, as a condition to receiving a building *permit*, show proof that it has secured compensation for its employees as provided in Sections 440.10 and 440.38, *Florida Statutes*.

**105.3.6 Asbestos removal.** Moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building *permit* application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

**Disclosure Statement:** State law requires asbestos abatement to be done by licensed contractors. You have applied for a *permit* under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by

county or municipal licensing ordinances.

**105.3.7 Applicable Code for Manufactured Buildings.** Manufacturers should be permitted to complete all buildings designed and *approved* prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for *permit*, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

**105.3.8** A local government may not require a contract between a builder and an owner for the issuance of a building *permit* or as a requirement for the submission of a building *permit* application.

**105.3.9 Public right of way.** A *permit* shall not be given by the *building official* for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way *permit* from the authority having jurisdiction over the street, alley or public lane.

**105.4 Conditions of the *permit*.** The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinance of this jurisdiction.

**105.4.1 Permit intent.** A *permit* issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a *permit* prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every *permit* issued shall become invalid unless the work authorized by such *permit* is commenced within 6 months after its issuance, or if the work authorized by such *permit* is suspended or abandoned for a period of 6 months after the time the work is commenced.

**105.4.1.1** If work has commenced and the *permit* is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new *permit* covering the proposed construction shall be obtained before proceeding with the work.

**105.4.1.2** If a new *permit* is not obtained within 180 days from the date the initial *permit* became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new *permit* may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial *permit* became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new *permit*.

**105.4.1.3** Work shall be considered to be in active progress when the *permit* has received an *approved* inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

**105.4.1.4** The fee for renewal reissuance and extension of a *permit* shall be set forth by the administrative authority.

**105.4.1.5** After the local enforcing agency issues a permit, the local enforcing agency may not make or require any substantive changes to the plans or specifications except changes required for compliance

with the Florida Building Code, the Florida Fire Prevention Code, or the Life Safety Code, or local amendments thereto. If a local enforcing agency makes or requires substantive changes to the plans or specifications after a permit is issued, the local enforcing agency must identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide the information to the permitholder in writing.

**105.5 Expiration.** Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* holder and property owner shall be responsible to either complete all work in accordance with the permitted plans and inspection or remove any partially completed work in a safe and code compliant manner. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated as determined by the *building official*.

**105.5.1 Additional options for closing a *permit*.** Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the application for the building *permit*, may close a building *permit* by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspection in order to close the *permit*. If a contractor other than the original contractor listed on the *permit* is hired by the property owner to close the *permit*, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
2. The property owner may assume the role of an owner- builder, in accordance with Sections 489.103(7) and 489.503(6), *Florida Statutes*.
3. If a building *permit* is expired and its requirements have been substantially completed, as determined by the local enforcement agency, the *permit* may be closed without having to obtain a new building *permit*, and the work required to close the *permit* may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the *permit*, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design or method of construction.
4. A local enforcement agency may close a building *permit* 6 years after the issuance of the *permit*, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For purposes of this section, the term “close” means that the requirements of the *permit* have been satisfied.

**105.5.2** For the purposes of this subsection, a *closed permit* shall mean a *permit* for which all requirements for completion have been satisfied or a *permit* that has been administratively closed by the *building official*.

**105.5.3** For the purposes of this subsection, an *open permit* shall mean a *permit* that has not satisfied all requirements for completion as defined in 105.5.1.1.

**105.6 Denial or revocation.** Whenever a *permit* required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the *Florida Building Code*, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the *permit* applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the *Florida Building Code*, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the *permit* applicant.

**105.6.1** Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building *permit* to; issue a notice of violation to; or fine, penalize, sanction or assess fees against an arm’s-length purchaser of a property for value solely because a building *permit* applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner

and contractor listed on the *permit*.

**105.6.2** Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building *permit* to a contractor solely because the contractor is listed on other building *permits* that were not closed. A local enforcement agency has the authority to deny a new *permit* application from an applicant for other reasons.

**105.7 Placement of *permit*.** The building *permit* or copy shall be kept on the site of the work until the completion of the project.

**105.8 Notice of commencement.** In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building *permit*, the authority issuing such *permit* shall print on the face of each *permit* card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

**105.9 Asbestos.** The enforcing agency shall require each building *permit* for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes*, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

**105.10 Certificate of protective treatment for prevention of termites.** A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the *permit* is issued to and another copy for the building *permit* files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

**105.11 Notice of termite protection.** A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

**105.12 Work starting before *permit* issuance.** Upon approval of the *building official*, the scope of work delineated in the building *permit* application and plan may be started prior to the final approval and issuance of the *permit*, provided any work completed is entirely at risk of the *permit* applicant and the work does not proceed past the first required inspection.

**105.13 Phased *permit* approval.** After submittal of the appropriate *construction documents*, the *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

**105.14 *Permit* issued on basis of an affidavit.** Whenever a *permit* is issued in reliance upon an affidavit or whenever the work to be covered by a *permit* involves installation under conditions which, in the opinion of the *building official*, are hazardous or complex, the *building official* shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the *permit*, provide copies of inspection reports as inspections are performed, and upon completion make and file with the *building official* written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose

qualifications are reviewed by the *building official*. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*.

**105.14.1 Affidavits in flood hazard areas.** *Permit* issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the *Florida Building Code* and the *building official* shall review an inspect those requirements.

**105.15 Opening protection.** When any activity requiring a building *permit*, not including roof covering replacement or repair work associated with the prevention of degradation of the residence, that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site built single-family detached residential structure that is located in the wind-borne debris region as defined in this code and that has an insured value of \$750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more; opening protections as required within this code or *Florida Building Code, Residential* for new construction shall be provided.

**Exception:** Where defined wind-borne debris regions have not changed, single family detached residential structures permitted subject to the *Florida Building Code* are not required to comply with this section.

**105.16 Inspection of existing residential building not impacted by construction.**

- (a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building *permit* the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the *permit* is sought.
- (b) This subsection does not apply to a building *permit* sought for:
  - 1. A substantial improvement as defined in s. 161.54, *Florida Statutes* or as defined in the *Florida Building Code*.
  - 2. A change of occupancy as defined in the *Florida Building Code*.
  - 3. A conversion from residential to nonresidential or mixed use pursuant to s. 553.507(2)(a), *Florida Statutes* or as defined in the *Florida Building Code*.
  - 4. A historic building as defined in the *Florida Building Code*.
- (c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:
  - 1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).
  - 2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the *permit* is sought in accordance with the prohibition in paragraph (a).
  - 3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
  - 4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with ss. 933.20-933.30, *Florida Statutes*.

**105.17 Streamlined low-voltage alarm system installation permitting.**

- (1) As used in this section, the term:
  - (a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under Part II of Chapter 489, *Florida Statutes*.
  - (b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in s. 489.505, *Florida Statutes*,

- including video cameras and closed-circuit television systems used to signal or detect a burglary, fire, robbery, or medical emergency, that is hardwired and operating at low voltage, as defined in the *National Electrical Code* Standard 70, Current Edition, or a new or existing low-voltage electric fence. The term also includes ancillary components or equipment attached to a low-voltage alarm system, or low-voltage electric fence, including, but not limited to, home-automation equipment, thermostats, closed-circuit television systems, access controls, battery recharging devices, and video cameras.
- (c) "Low-voltage electric fence" means an alarm system, as defined in s. 489.505, that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure.
  - (d) "Wireless alarm system" means a burglar alarm system or smoke detector that is not hardwired.
- (2) Notwithstanding any provision of this code, this section applies to all low-voltage alarm system projects for which a *permit* is required by a local enforcement agency. However, a *permit* is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.
  - (3) A low-voltage electric fence must meet all of the following requirements to be permitted as a low-voltage alarm system project and no further *permit* shall be required for the low-voltage alarm system project other than as provided in this section:
    - (a) The electric charge produced by the fence upon contact must not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76, Current Edition.
    - (b) A nonelectric fence or wall must completely enclose the low-voltage electric fence. The low-voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or wall.
    - (c) The low-voltage electric fence must be identified using warning signs attached to the fence at intervals of not more than 60 feet.
    - (d) The low-voltage electric fence shall not be installed in an area zoned exclusively for single-family or multi-family residential use.
    - (e) The low-voltage electric fence shall not enclose the portions of a property which are used for residential purposes.
  - (4) This section does not apply to the installation or replacement of a fire alarm if a plan review is required.
  - (5) A local enforcement agency shall make uniform basic *permit* labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in s. 553.793, *Florida Statutes*. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.
    - (a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.
    - (b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.
  - (6) A contractor shall post an unused uniform basic *permit* label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.
  - (7) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.
  - (8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of s. 553.793(7), *Florida Statutes*.
  - (9) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.
  - (10) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.

- (11) A uniform basic *permit* label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.

The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of Chapter 489, *Florida Statutes*.

## SECTION 106 FLOOR AND ROOF DESIGN LOADS

**106.1 Live loads posted.** In commercial or industrial buildings, for each floor or portion thereof designed for *live loads* exceeding 50 psf (2.40 kN/m<sup>2</sup>), such design *live loads* shall be conspicuously posted by the owner or the owner's authorized agent in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

**106.2 Issuance of certificate of occupancy.** A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

**106.3 Restrictions on loading.** It shall be unlawful to place, or cause or *permit* to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

## SECTION 107 SUBMITTAL DOCUMENTS

**107.1 General.** Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted with each *permit* application in accordance with Florida Statute 553.79. The *construction documents* shall be prepared by a *registered design professional* where required by Chapter 471, *Florida Statutes* & 61G15 Florida Administrative Code or Chapter 481, *Florida Statutes* & 61G1 Florida Administrative Code. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

**107.2 Construction documents.** *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.6.

**107.2.1 Information on construction documents.** *Construction documents* shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted where *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *building official*. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

**107.2.2 Fire protection system shop drawings.** Shop drawings for the *fire protection system(s)* shall be submitted to indicate conformance to this code and the *construction documents* and shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

**107.2.3 Means of egress.** The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* including the path of the *exit discharge* to the *public way* in

compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

**107.2.4 Exterior wall envelope.** *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe

**107.2.5 Exterior balcony and elevated walking surfaces.** Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

**107.2.6 Site plan.** The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, *flood hazard areas*, *floodways*, and *design flood elevations*; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *building official* is authorized to waive or modify the requirement for a site plan where the application for *permit* is for *alteration* or *repair* or where other- wise warranted.

**107.2.6.1 Design flood elevations.** Where *design flood elevations* are not specified, they shall be established in accordance with Section 1612.3.1.

**107.2.6.2** For the purpose of inspection and record retention, site plans for a building may be maintained in the form of an electronic copy at the worksite. These plans must be open to inspection by the *building official* or a duly authorized representative, as required by the *Florida Building Code*.

**107.2.7 Structural information.** The *construction documents* shall provide the information specified in Section 1603.

**107.3 Examination of documents.** The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**Exceptions:**

1. Building plans approved pursuant to Section 553.77(5), *Florida Statutes*, and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to Rule 61-41.009, *Florida Administrative Code*, shall be sufficient for local *permit* application documents of record for the modular building portion of the permitted project.
2. Industrial construction on sites where design, construction and fire safety are supervised by appropriately licensed design and inspection professionals and which contain adequate in-house fire departments and rescue squads is exempt, subject to approval by the *building official*, from review of plans and inspections, providing the appropriate licensed design and inspection professionals certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

**107.3.1 Approval of construction documents.** When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as “Reviewed for Code Compliance.” One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

**107.3.2 Previous approvals.** This code shall not require changes in the *construction documents*, construction or designated occupancy of a structure for which a lawful *permit* has been heretofore issued or otherwise law- fully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

**107.3.3 Phased approval.** The *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder’s own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

**107.3.4 Design professional in responsible charge.** Where it is required that documents be prepared by a *registered design professional*, the *building official* shall be authorized to require the *owner* or the *owner’s* authorized agent to engage and designate on the building *permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the *owner’s* authorized agent shall designate a successor *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *building official* shall be notified in writing by the *owner* or *owner’s* authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties. Successor *registered design professional in responsible charge* licensed under Chapter 471 Florida Statutes shall comply with Section 471.025(4) Florida Statute and the procedure set forth in 61G15-27.001 Florida Administrative Code; or licensed under Chapter 481 Florida Statutes shall comply with Section 481.221(6) Florida Statute and the procedure set forth in 61G1-18.002 Florida Administrative Code.

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

**107.3.4.1 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the *building official*.

Deferral of any submittal items shall have the prior approval of the *building official*. The *registered design professional in responsible charge* shall list the deferred submittals on the *construction documents* for review by the *building official*.

Documents for deferred submittal items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *building official* with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the *building official*.

**107.3.4.2** Certifications by contractors authorized under the provisions of Section 489.115(4)(b), *Florida Statutes*, shall be considered equivalent to sealed plans and specifications by a person licensed under Chapter 471, *Florida Statutes*, or Chapter 481, *Florida Statutes*, by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind- resistance provisions of the code or alternate methodologies approved by the Florida Building Commission for one- and two-family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the

code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under Chapters 471, 481 or 489, *Florida Statutes*.

**107.3.5 Minimum plan review criteria for buildings.** The examination of the documents by the *building official* shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all fenestration and building envelope penetrations; flashing; and rough opening dimensions; and all exterior elevations:

**Commercial Buildings:**

**Building:**

1. Site requirements:
  - Parking
  - Fire access
  - Vehicle loading
  - Driving/turning radius
  - Fire hydrant/water supply/post indicator valve (PIV)
  - Set back/separation (assumed property lines)
  - Location of specific tanks, water lines and sewer lines
  - Flood hazard areas, flood zones, and design flood elevations*
2. Occupancy group and special occupancy requirements shall be determined (with cross check with the energy code submittal).
3. Minimum type of construction shall be determined (see Table 503).
4. Fire-resistant construction requirements shall include the following components:
  - Fire-resistant separations
  - Fire-resistant protection for type of construction
  - Protection of openings and penetrations of rated walls
  - Fireblocking and draftstopping* and calculated fire resistance
5. Fire suppression systems shall include:
  - Early warning smoke evacuation systems
  - Schematic fire sprinklers
  - Standpipes
  - Pre-engineered systems
  - Riser diagram.
6. Life safety systems shall be determined and shall include the following requirements:
  - Occupant load and egress capacities
  - Early warning
  - Smoke control
  - Stair pressurization
  - Systems schematic
7. Occupancy load/egress requirements shall include:
  - Occupancy load
  - Gross
  - Net
  - Means of egress
  - Exit access
  - Exit
  - Exit discharge
  - Stairs construction/geometry and protection
  - Doors
  - Emergency lighting and exit signs
  - Specific occupancy requirements
  - Construction requirements
  - Horizontal exits/exit passageways
8. Structural requirements shall include:
  - Soil conditions/analysis
  - Termite protection

- Design loads
  - Wind requirements
  - Building envelope
  - Impact resistant coverings or systems
  - Structural calculations (if required)
  - Foundation
  - Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage- resistant materials
  - Wall systems
  - Floor systems
  - Roof systems
  - Threshold inspection plan
  - Stair systems
  - 9. Materials shall be reviewed and shall at a minimum include the following:
    - Wood
    - Steel
    - Aluminum
    - Concrete
    - Plastic
    - Glass
    - Masonry
    - Gypsum board and plaster
    - Insulating (mechanical)
    - Roofing
    - Insulation
    - Building envelope portions of the Energy Code (including calculation and mandatory requirements)
  - 10. Accessibility requirements shall include the following:
    - Site requirements
    - Accessible route
    - Vertical accessibility
    - Toilet and bathing facilities
    - Drinking fountains
    - Equipment
    - Special occupancy requirements
    - Fair housing requirements
  - 11. Interior requirements shall include the following:
    - Interior finishes (flame spread/smoke development)
    - Light and ventilation (including corresponding portion of the energy code)
    - Sanitation
  - 12. Special systems:
    - Elevators
    - Escalators
    - Lifts
  - 13. Swimming pools:
    - Barrier requirements
    - Spas
    - Wading pools
  - 14. Location and installation details. The specific location and installation details of each fire door, fire damper, ceiling damper and smoke damper shall be shown and properly identified on the building plans by the designer.
- Electrical:**
1. Electrical:
    - Wiring
    - Services
    - Feeders and branch circuits
    - Overcurrent protection
    - Grounding
    - Wiring methods and materials

**GFCIs**

Electrical portions of the Energy Code (including calculation and mandatory requirements)

2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems
6. Low voltage
7. Load calculations
8. *Design flood elevation*

**Plumbing:**

1. Minimum plumbing facilities
2. Fixture requirements
3. Water supply piping
4. Sanitary drainage
5. Water heaters
6. Vents
7. Roof drainage
8. Back flow prevention
9. Irrigation
10. Location of water supply line
11. Grease traps
12. Environmental requirements
13. Plumbing riser
14. *Design flood elevation*
15. Water/plumbing portions of the Energy Code (including calculation and mandatory requirements)

**Mechanical:**

1. Mechanical portions of the Energy calculations
2. Exhaust systems:  
Clothes dryer exhaust  
Kitchen equipment exhaust  
Specialty exhaust systems
3. Equipment
4. Equipment location
5. Make-up air
6. Roof-mounted equipment
7. Duct systems
8. Ventilation
9. Combustion air
10. Chimneys, fireplaces and vents
11. Appliances
12. Boilers
13. Refrigeration
14. Bathroom ventilation
15. Laboratory
16. *Design flood elevation*
17. Smoke and/or Fire Dampers

**Gas:**

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents
5. Appliances
6. Type of gas

7. Fireplaces
8. LP tank location
9. Riser diagram/shutoffs
10. *Design flood elevation*
11. Gas portions of the Energy Code (including calculation and mandatory requirements)

**Demolition:**

1. Asbestos removal

**Residential (one- and two-family):**

1. Site requirements:  
Set back/separation (assumed property lines) Location of septic tanks
2. Fire-resistant construction (if required)
3. Fire
4. Smoke and/or carbon monoxide alarm/detector locations
5. Egress:  
Egress window size and location stairs construction requirements
6. Structural requirements shall include:  
Wall section from foundation through roof, including assembly and materials connector tables wind requirements structural calculations (if required)  
Termite protection  
Design loads  
Wind requirements  
Building envelope  
Foundation  
Wall systems  
Floor systems  
Roof systems  
*Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage- resistant materials*
7. Accessibility requirements:  
Show/identify  
Accessible bath
8. Impact resistant coverings or systems
9. Residential Energy Code submittal (including calculation and mandatory requirements)

**Manufactured buildings/housing:**

1. Site requirements  
Setback/separation (assumed property lines)  
Location of septic tanks (if applicable)
2. Structural  
Wind zone  
Flood  
Anchoring  
Blocking
3. Plumbing  
List potable water source and meter size (if applicable)
4. Mechanical  
Exhaust systems  
Clothes dryer exhaust  
Kitchen equipment exhaust
5. Electrical exterior disconnect location

**Exemptions:** Plans examination by the *building official* shall not be required for the following work:

1. Replacing existing equipment such as mechanical units, water heaters, etc.
2. Reroofs

3. Minor electrical, plumbing and mechanical repairs
4. Annual maintenance *permits*
5. Prototype plans:  
Except for local site adaptations, siding, foundations and/or modifications.  
Except for structures that require waiver.
6. Manufactured buildings plan except for foundations and modifications of buildings on site and as listed above in manufactured buildings/housing.

**107.4 Amended construction documents.** Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

**107.5 Retention of construction documents.** One set of *approved construction documents* shall be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

**107.6 Affidavits.** The *building official* may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The *building official* may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the *building official* copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the *building official* relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*.

**107.6.1 Building permits issued in flood hazard areas on the basis of an affidavit.** Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Parts 59 and 60), the authority granted to the *building official* to issue *permits*, to rely on inspections, and to accept plans and *construction documents* on the basis of affidavits and plans submitted pursuant to Sections 105.14 and 107.6, shall not extend to the flood load and flood-resistance construction requirements of the *Florida Building Code*.

**107.6.2 Affidavits Provided Pursuant to Section 553.791, Florida Statutes.** For a building or structure in a *flood hazard area*, the *building official* shall review any affidavit certifying compliance with the flood load and flood-resistant construction requirements of the *Florida Building Code*.

**107.7** If the local building code administrator or inspector finds that the plans are not in compliance with the *Florida Building Code*, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. If the building code administrator, plans examiner, or inspector requests another local enforcing agency employee or a person contracted by the local enforcing agency to review the plans and that employee or person identifies specific plan features that do not comply with the applicable codes, the building code administrator, plans examiner, or inspector must provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

## SECTION 108 TEMPORARY STRUCTURES AND USES

**108.1 General.** The *building official* is authorized to issue a *permit* for temporary structures and temporary uses. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

**108.2 Conformance.** Temporary structures and uses shall comply with the requirements in Section 3103.

**108.3 Temporary power.** The *building official* is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

**108.4 Termination of approval.** The *building official* is authorized to terminate such *permit* for a temporary structure or use and to order the temporary structure or use to be discontinued.

## SECTION 109 FEES

**109.1 Payment of fees.** A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

**109.2 Schedule of *permit* fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**109.2.1 Types of Fees Enumerated.** Fees may be charged for but not limited to the following:

1. *Permits*;
2. Plans examination;
3. Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
4. Re-inspections;
5. Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);
6. Variance requests;
7. Administrative appeals;
8. Violations; and
9. Other fees as established by local resolution or ordinance.

**109.3 Building permit valuations.** The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

**109.4 Work commencing before *permit* issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* or without prior approval from the *building official* as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required *permit(s)* must be applied for within three (3) business days and any unreasonable delay in obtaining those *permit(s)* shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a *permit*. The *building official* may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

**109.5 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a building *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

**109.6 Refunds.** The *building official* is authorized to establish a refund policy.

## SECTION 110 INSPECTIONS

**110.1 General.** Construction or work for which a *permit* is required shall be subject to inspection by the *building official* and such construction or work shall remain exposed and provided with access for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *owner* or the *owner's* authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The *building official* shall be permitted to require a boundary line survey prepared by a Florida licensed professional surveyor and mapper whenever the boundary lines cannot be readily determined in the field. Neither the *building official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

**110.1.1 Manufacturers and fabricators.** When deemed necessary by the *building official*, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

**110.1.2 Inspection service.** The *building official* may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the *building official*. The *building official* shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes; or licensed under Chapter 471 or 481 Florida Statutes.

**110.2 Preliminary inspection.** Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

**110.3 Required inspections.** The *building official* upon notification from the *permit* holder or his or her agent shall make the following inspections, or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the *permit* holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The *building official* shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

### Building

1. Foundation inspection. To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:
  - Stem-wall
  - Monolithic slab-on-grade
  - Piling/pile caps
  - Footers/grade beams
- 1.1. Slab Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
- 1.2. A foundation/form board survey prepared and certified by a Florida licensed professional surveyor and mapper may be required, prior to approval of the slab inspection. The survey shall certify placement of

the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.

- 1.3. In *flood hazard areas*, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the *building official*.
2. Framing inspection. To be made after the roof, all framing, *fireblocking* and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved* and shall at a minimum include the following building components:
  - Window/door framing
  - Window U-factor/SHGC (as indicated on *approved* energy calculations)
  - Vertical cells/columns
  - Lintel/tie beams
  - Framing/trusses/bracing/connectors (including truss layout and engineered drawings)
  - Draftstopping/fireblocking*
  - Curtain wall framing
  - Energy insulation (Insulation R-factor as indicated on *approved* energy calculations)
  - Accessibility
  - Verify rough opening dimensions are within tolerances.
  - Window/door buck attachment
  - 2.1 Insulation Inspection: To be made after the framing inspection is *approved* and the insulation is in place, according to *approved* energy calculation submittal. Includes wall and ceiling insulation.
  - 2.2 Lath and gypsum board inspection for fire-resistance rated or shear assemblies. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before ant plastering is applied or gypsum board joints and fasteners are taped and finished.
3. Sheathing inspection. To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:
  - Roof sheathing
  - Wall sheathing
  - Continuous air barrier
  - Exterior siding/cladding
  - Sheathing fasteners
  - Roof/wall dry-in

Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material.
4. Exterior wall coverings. Shall at a minimum include the following building components in progress inspections:
  - Exterior wall coverings and veneers
  - Soffit coverings
5. Roofing inspection. Shall at a minimum be made in at least two inspections and include the following building components:
  - Dry-in
  - Insulation
  - Roof coverings (including In Progress as necessary)
  - Insulation on roof deck (according to submitted energy calculation)
  - Flashing
  - 5.1 Re-roof sheathing inspection. An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the *building official*.
6. Final inspection. To be made after the building is completed and ready for occupancy.
  - 6.1. In *flood hazard areas*, as part of the final inspection, a final certification of the lowest floor elevation or the elevation to which a building is dry floodproofed, as applicable, shall be submitted to the authority having jurisdiction.
7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel,

bonding and main drain and prior to placing of concrete.

1. Steel reinforcement inspection
2. Underground electric inspection
3. Underground piping inspection including a pressure test.
4. Underground electric inspection under deck area (including the equipotential bonding)
5. Underground piping inspection under deck area
6. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place)
7. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.
8. Final pool piping
9. Final Electrical inspection
10. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.

8. Demolition inspections. First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.  
Final inspection to be made after all demolition work is completed.
9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility cross-overs; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the *Florida Building Code*. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).
10. Where impact-resistant coverings or impact-resistant systems are installed, the *building official* shall schedule adequate inspections of impact-resistant coverings or impact-resistant systems to determine the following:  
The system indicated on the plans was installed.  
The system is installed in accordance with the manufacturer's installation instructions and the product approval.

#### Electrical

1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, *fireblocking* and bracing is in place and prior to the installation of wall or ceiling membranes.
3. Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.
4. Existing Swimming Pools. To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

#### Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, *fireblocking* and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.  
*Includes plumbing provisions of the energy code and approved energy calculation provisions.*
3. Final inspection. To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

**Note:** See Section 312 of the *Florida Building Code, Plumbing* for required tests.

#### Mechanical

1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, *fireblocking* and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.  
*Includes mechanical provisions of the energy code and approved energy calculation provisions.*
3. Final inspection. To be made after the building is complete, the mechanical system is in place and properly

connected, and the structure is ready for occupancy.

#### Gas

1. Rough piping inspection. To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected. Includes gas provisions of the energy code and *approved* energy calculation provisions.
2. Final piping inspection. To be made after all piping authorized by the *permit* has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
3. Final inspection. To be made on all new gas work authorized by the *permit* and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

#### Site Debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

#### 110.3.1 Footing and foundation inspection.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

**110.3.2 Concrete slab and under-floor inspection.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

**110.3.3 Lowest floor elevation.** In *flood hazard areas*, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.4 of the Florida Building Code, Building and Section R322 of the Florida Building Code, Residential, shall be submitted to the *building official*.

**110.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, all framing, *fireblocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved*.

**110.3.5 Lath, gypsum board and gypsum panel product inspection.** Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

**Exception:** Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

**110.3.6 Weather-exposed balcony and walking surface waterproofing.** Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and *approved*.

**110.3.7 Fire and smoke-resistant penetrations.** Protection of joints and penetrations in *fire-resistance- rated* assemblies, *smoke barriers* and smoke partitions shall not be concealed from view until inspected and *approved*.

**110.3.8 Energy efficiency inspections.** Inspections shall be made to determine compliance with *FBC, Energy Conservation* and confirm with the *approved energy code submittal* (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation R- and U-values, fenestration U-value, and Solar Heat Gain Coefficient, duct system R-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

**110.3.9 Other inspections.** In addition to the inspections specified in Sections 110.3 through 110.3.8, the *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

**110.3.10 Special inspections.** Reserved.

**110.3.11 Final inspection.** The final inspection shall be made after all work required by the building *permit* is completed.

**110.3.11.1 Flood hazard documentation.**

If located in a *flood hazard area*, documentation as required in Section 1612.5 of the Florida Building Code, Building; or Section R322 of the Florida Building Code, Residential, shall be submitted to the *building official* prior to the final inspection.

**110.3.11.2 Commercial Energy Code documentation.** If required by energy code path submittal, confirmation that commissioning result requirements have been received by building owner.

**110.3.11.3 Residential Energy Code documentation.** If required by energy code path submittal (R405), confirmation that the envelope and duct test requirements shall be received by *building official*.

**110.3.12 Termites.** Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.12.9 or Section 2304.12.4, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the *building official* has been received.

**110.3.13 Impact-resistant coverings or systems.** Where impact-resistant coverings or systems are installed to meet requirements of this code, the *building official* shall schedule adequate inspections of impact-resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.
2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

**110.4 Inspection agencies.** The *building official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**110.5 Inspection requests.** It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *building official* when work is ready for inspection. It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code.

**110.6 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the *permit* holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

**110.7 Shoring.** For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer prior to any required mandatory inspections by the threshold building inspector.

**110.8 Threshold building.**

**110.8.1** During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building *permit* for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the *building official*, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

**110.8.2** The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under s. 553.71(7), *Florida Statutes* may designate such building as a threshold building, subject to more than the minimum number of inspections required by the *Florida Building Code*.

**110.8.3** The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, *Florida Statutes*, as an engineer or under Chapter 481, *Florida Statutes*, as an architect.

**110.8.4** Each enforcement agency shall require that, on every threshold building:

**110.8.4.1** The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above described construction of all structural load-bearing components complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency."

**110.8.4.2** Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency's recorded set of *permit* documents.

**110.8.4.3** All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

**110.8.4.4** All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and Chapter 633, *Florida Statutes*.

**110.8.5** No enforcing agency may issue a building *permit* for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a), *Florida Statutes*, or to a licensed building contractor, as defined in Section 489.105(3)(b), *Florida Statutes*, within the scope of her or his license. The named contractor to whom the building *permit* is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building *permit* was issued.

**110.8.6** The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, *Florida Statutes*, without duplicative inspection by the building department. The *building official* is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*, or certified as a special inspector

under Chapter 471 or 481, *Florida Statutes*. Inspections of threshold buildings required by Section 553.79(5), *Florida Statutes*, are in addition to the minimum inspections required by this code.

#### **110.9 Mandatory structural inspections for condominium and cooperative buildings.**

**110.9.1 General.** The Legislature finds that maintaining the structural integrity of a building throughout the life of the building is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. As such, the Legislature finds that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

#### **110.9.2. As used in this section, the terms:**

- (a) "Milestone inspection" means a structural inspection of a building, including an inspection of load-bearing elements and the primary structural members and primary structural systems as those terms are defined in s. 627.706, *Florida Statutes*, by an architect licensed under chapter 481 or engineer licensed under chapter 471 authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code. The milestone inspection services may be provided by a team of professionals with an architect or engineer acting as a registered design professional in responsible charge with all work and reports signed and sealed by the appropriate qualified team member.
- (b) "Substantial structural deterioration" means substantial structural distress or substantial structural weakness that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

**110.9.3. (a)** An owner or owners of a building that is three stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718, *Florida Statutes*, or a residential cooperative under chapter 719, *Florida Statutes*, must have a milestone inspection performed by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building's initial milestone inspection must be performed before December 31, 2024. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2025. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

(b) The local enforcement agency may determine that local circumstances, including environmental conditions such as proximity to salt water as defined in s. 379.101, require that a milestone inspection must be performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter.

(c) The local enforcement agency may extend the date by which a building's initial milestone inspection must be completed upon a showing of good cause by the owner or owners of the building that the inspection cannot be timely completed if the owner or owners have entered into a contract with an architect or engineer to perform the milestone inspection and the inspection cannot reasonably be completed before the deadline or other circumstance to justify an extension.

(d) The local enforcement agency may accept an inspection report prepared by a licensed engineer or architect for a structural integrity and condition inspection of a building performed before July 1, 2022, if the inspection and report substantially comply with the requirements of this section. Notwithstanding when such inspection was completed, the condominium or cooperative association must comply with the unit owner notice requirements in Section 110.9.9. The inspection for which an inspection report is

accepted by the local enforcement agency under this paragraph is deemed a milestone inspection for the applicable requirements in chapters 718 and 719. If a previous inspection and report is accepted by the local enforcement agency under this paragraph, the deadline for the building's subsequent 10-year milestone inspection is based on the date of the accepted previous inspection.

**110.9.4.** The milestone inspection report must be arranged by a condominium or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership. The condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership are each responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the milestone inspection attributable to the portions of a building which the association is responsible to maintain under the governing documents of the association. This section does not apply to a single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

**110.9.5.** Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association and any owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, as applicable, by certified mail, return receipt requested. The condominium or cooperative association must notify the unit owners of the required milestone inspection within 14 days after receipt of the written notice from the local enforcement agency and provide the date that the milestone inspection must be completed. Such notice may be given by electronic submission to unit owners who consent to receive notice by electronic submission or by posting on the association's website.

**110.9.6.** Phase one of the milestone inspection must be completed within 180 days after the owner or owners of the building receive the written notice under Section 110.9.5. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

**110.9.7.** A milestone inspection consists of two phases:

**110.9.7.1.** For phase one of the milestone inspection, a licensed architect or engineer authorized to practice in this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in Section 110.9.7.2, is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

**110.9.7.2.** A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. If a phase two inspection is required, within 180 days after submitting a phase one inspection report the architect or engineer performing the phase two inspection must submit a phase two progress report to the local enforcement agency with a timeline for completion of the phase two inspection. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

**110.9.8.** Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, to any other owner of any portion of the building which is not subject to the condominium or cooperative form of ownership, and to the *building official* of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

- (a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection.
- (b) Indicate the manner and type of inspection forming the basis for the inspection report.
- (c) Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.
- (d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.
- (e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
- (f) Identify and describe any items requiring further inspection.

**110.9.9.** Within 45 days after receiving the applicable inspection report, the condominium or cooperative association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery at the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under chapter 718 or chapter 719, as applicable, and by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector-prepared summary on the association's website, if the association is required to have a website.

**110.9.10.** A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

**110.9.11.** A board of county commissioners or municipal governing body may adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an owner of the building fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

## SECTION 111 CERTIFICATE OF OCCUPANCY

**111.1 Use and occupancy.** A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

**Exception:** Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

**111.2 Certificate issued.** After the *building official* inspects the building or structure and does not find violations of

the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the *owner* or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. For buildings and structures in *flood hazard areas*, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the *building official*.
7. The name of the *building official*.
8. The edition of the code under which the *permit* was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3.
10. The type of construction as defined in Chapter 6.
11. The design *occupant load*.
12. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building *permit*.

**111.3 Temporary occupancy.** The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

**111.4 Revocation.** The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**111.5 Certificate of completion.** A certificate of completion is proof that a structure or system is complete and for certain types of *permits* is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.

## SECTION 112 SERVICE UTILITIES

**112.1 Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

**112.2 Temporary connection.** The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel or power.

**112.3 Authority to disconnect service utilities.** The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible the *owner* and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the *owner* or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## SECTION 113 BOARD OF APPEALS

**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**113.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

## SECTION 114 VIOLATIONS

**114.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

**114.2 Notice of violation.** The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**114.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**114.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

## SECTION 115 STOP WORK ORDER

**115.1 Authority.** Where the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

**115.2 Issuance.** The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

**115.3 Unlawful continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

## SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

**116.1 Conditions.** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**116.2 Record.** The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**116.3 Notice.** If an unsafe condition is found, the *building official* shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

**116.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

**116.5 Restoration.** Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition, to the extent that repairs, *alterations* or *additions* are made or a change of occupancy occurs during the restoration of the structure, such *repairs, alterations, additions* and change of occupancy shall comply with the requirements of Section 105.2.2 and the *Florida Building Code, Existing Building*.

## SECTION 117 VARIANCES IN FLOOD HAZARD AREAS

**117.1 Flood hazard areas.** Pursuant to Section 553.73(5), *Florida Statutes*, the variance procedures adopted in the local flood plain management ordinance shall apply to requests submitted to the *building official* for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of Section R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.

# MEMORANDUM

Agenda Item # 7

Meeting Date 12-4-23

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager mk

**DATE:** November 13, 2023

**SUBJECT:** Scheduling Date in January for Regular Commission Meeting Because First Monday is New Year's Day

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As the first Monday in January 2024 is a holiday, we ask you to schedule your regular meeting on the second Monday, which will be January 8, 2024.

# MEMORANDUM

Agenda Item # 8

Meeting Date 12-4-23

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager mk

**DATE:** November 13, 2023

**SUBJECT:** Election of Mayor and Vice Mayor for 2024

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In off-election years, when the terms of no Commissioners end on December 31<sup>st</sup> and/or there are no new Commissioners elected that year, the sitting Commission at its December regular meeting selects the Mayor and Vice Mayor for the next calendar year.

Section 1-4 (b) of the City Charter states that the Mayor and Vice Mayor “shall be elected by the members of the city commission from their number and the term of office of the mayor and vice mayor shall be for one (1) year beginning January first of each year and continuing until January first of the succeeding year.” The Section continues that “no member of the commission shall be elected as mayor by the members of the city commission to serve more than two (2) consecutive terms. This subsection shall not be interpreted to preclude a city commissioner from serving as mayor for more than two (2) non-consecutive terms.”

Thus, as Commissioner Samora has been Mayor for two consecutive terms (2022 and 2023), he is not eligible to be elected Mayor for 2024. He will be eligible again in 2025.

The procedure for electing the Mayor and Vice Mayor for 2024 can be this:

1. Start with the Mayor’s position. Commissioners can nominate themselves or another Commissioner. A second for each nomination isn’t required.
2. The voting can be done by voice or by written ballot. If the latter, each ballot has to be signed.
3. If by ballot, the ballots are submitted to the City Attorney, who tallies the results and announces the Commissioner selected.

The same process is followed for selecting the Vice Mayor, except there is no limit as to how many terms a Commissioner can serve as Vice Mayor.

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING  
DECEMBER 4, 2023**

**CODE ENFORCEMENT/BUILDING/ZONING**

Please see pages 1-4.

**COMPREHENSIVE PLANNING AND ZONING BOARD**

Due to lack of topics for its agenda, the Board did not meet in October and November and, as it has no matters to consider in December, it will not meet that month. Its next scheduled meeting will be held on Tuesday, January 16, 2024.

**SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE**

The Committee did not meet in September because one member tested positive for COVID and as there were only three other members available for the meeting, it had to be cancelled because it lacked a quorum. The Committee did meet on October 12th. The minutes of that meeting are attached as pages 5-15. The Committee did not meet on November 9<sup>th</sup> because it lacked a quorum. At the Committee's request, the Commission at its December 4<sup>th</sup> meeting will lower the number of authorized members from seven to five.

**POLICE DEPARTMENT**

Please see page 16.

**PUBLIC WORKS/ENGINEERING DEPARTMENT**

Please see pages 17-22.

**FINANCE DEPARTMENT**

Please see page 23.

**CITY MANAGER**

1. Complaints

A. Non-Functioning Parking Lot Lights

The lot is where the 10<sup>th</sup> Street restrooms are located. The complaint was forwarded to the Public Works Department.

B. Flooding, 200 Block of 12<sup>th</sup> Street

A resident described flooding during heavy rain. Her request for a solution was forwarded to the City Engineer and Public Works Director and his assistant.

2. Major Projects

A

#### A. Road/Sidewalk Improvements

##### 1) Opening 2nd Street West of 2<sup>nd</sup> Avenue

For an update, please see page 19 (attached) of the Engineering/Public Works Department Report.

##### 2) Opening 4<sup>th</sup> Street between A1A Beach Boulevard and 2<sup>nd</sup> Avenue

No action to report.

##### 3) Paving 13<sup>th</sup> Lane

No action to report.

##### 4) Paving West End of 7<sup>th</sup> Street

Residents have requested this project. It will be included as part of drainage improvements for the west end of 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> streets.

#### B. Beach Matters

##### 1) Off-Beach Parking

At this time, the only parking project is improvements to the two parkettes on the west side of A1A Beach Boulevard between A and 1<sup>st</sup> Streets. The City Commission appropriated \$45,000 in the Fiscal Year 2022 budget for this project. The Public Works Director selected a consultant from the County's list of civil engineering consultants. The consultant, the Matthews Design Group, is now doing the design work. Money for the improved parking area will come from American Rescue Plan Act funds. At the Commission's July 11, 2022, meeting, Matthews provided an update report on the design. The Commission selected the second option: Vehicles will enter the parking area from 1<sup>st</sup> Street and exit it to the Boulevard near A Street. Design/permitting is complete; bids for construction were advertised and will be opened on November 28<sup>th</sup>. The Commission will be asked at its December 4<sup>th</sup> meeting to award the bid.

There is no discussion at this time concerning paid parking anywhere in the City.

##### 2) Beach Restoration

The latest information is that the project will commence at the end of February 2024 and be completed by the end of September 2024. Approximately 2.5 million cubic yards of sand will be put on the beach from the middle of Anastasia State Park to A Street for a cost of nearly \$34 million.

#### C. Parks

##### 1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and where the boardwalk to the beach is now located. Over 10 years, the City received a state grant and money from a bond issue to purchase the remaining 16 acres. Then the City obtained other grants to construct the boardwalk, have prefabricated restrooms brought to the Park and other improvements made.

The City Commission at its June 5, 2023, meeting directed the City Manager to ask the Florida Communities Trust, the agency that provided the original grants to purchase the property, whether it would approve deleting all or some of projects required by the park management plan. These include an observation deck, central trail, picnic pavilion, children's playscape, signage and secondary trails. In response to the Manager's letter, the Florida Communities Trust has indicated it would consider having the Park's focus changed from recreation to conservation, pending review of information that it requested the City send to it. The City has yet to receive official confirmation that the Trust has approved the request.

## 2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. At this time, the City does not have the money to develop any trails or other amenities in the Park. Unlike Ocean Hammock Park, there is no management plan for Hammock Dunes Park. A park plan will need to be developed with the help of residents and money to make the Park accessible to the public may come from park impact fees or other sources. There are no plans for improvements to the Park because of other demands on the City's budget,

## 3. Finance and Budget

### A. Fiscal Year 2023

Fiscal Year 2023 began on October 1, 2022, and ended on September 30, 2023. The City's auditing, James Moore and Associates, has begun work on preparing the audit.

### B. Alternative Revenue Sources

In response to the City Commission's request that the administration suggest potential sources of revenue to fund City operations, the Public Works Director has proposed a stormwater utility fee. The Commission discussed this proposal at two meetings in 2021 and decided not to authorize the staff to proceed to the next step in the process to adopt the fee in the future. However, at its October 3, 2022, meeting, the Commission decided to hold a public hearing on November 14, 2022, concerning the fee, and at that meeting approved a resolution stating the City's intent to adopt a non-ad valorem assessment for a stormwater fee. The next step will be to adopt a range for the fee. The Public Works Director presented an ordinance to the Commission at its February 6th. The Commission passed the ordinance on final reading at their March 6<sup>th</sup> meeting but did not approve a budget resolution to appropriate \$13,790 for a civil engineering consultant to digitize impervious surfaces of residences and businesses in the City for determining an equivalent residential charge. The Commission asked that City staff work on preparing the information for a residential charge. Money will be requested in the FY 24 budget for a consultant to develop a range of fees. The City advertised a Request for Qualifications to find a consultant to do the study. Only one firm, Jones Edmonds, responded by the deadline. Once City staff negotiates costs, a proposal will be presented to the City Commission.

### C. Fiscal Year 2024

It began on October 1, 2023, and will end on September 30, 2024. As of the end of the first month of the new fiscal year, October 31, 2023, the City received \$95,581 and had spent \$762,832. Revenues will increase significantly in December when the City begins receiving a large amount of money from its most significant revenue source, property taxes.

#### 4. Miscellaneous

##### A. Permits for Upcoming Events

In November, the City Manager approved the following permits: a. A1A Super Scenic Garage Sale on November 18<sup>th</sup>; b. School Renewal Party on March 2, 2024; c. Carry the Load National Relay, May 14, 2024;

##### B. Vision Plan

On November 13<sup>th</sup>, the Commission held a workshop and a consultant, Mr. Clayton Levins, Executive Director of Smart North Florida, provided an overview of the Smart City concept. The Commission discussed applying the Smart City concept to improvements for pedestrians, traffic, ways of getting around the City, road maintenance, stormwater management and beach access parking, and scheduling further discussion at a future meeting.

##### C. Former City Hall/Hotel Property

On Wednesday, March 23, 2022, the City Commission held a workshop to discuss possible uses for the former city hall, which is located on the south side of pier park. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, informed the Commission that the City had received \$500,000 historic grant to renovate windows and do other work to the building and a \$25,000 grant for interpretative signage to commemorate the wade-in that occurred during the civil rights demonstrations in the early 1960s to desegregate the beach. The outcome of the workshop was that the building would be renovated for use as an arts center with the second floor restored for artists' studios and possibly a small museum. The status of the grants to do is:

\$500,000 Division of Historical Resources, Florida Department of State: Thus far, \$110,252 has been spent on window replacement, roof repair, heating/air conditioning repair and replacement, repair of access to second floor, the balcony and exterior columns.

\$25,000, National Trust for Historic Preservation: Funds have been spent for visual displays to commemorate the efforts to desegregate the beach. Displays will be mounted to the exterior columns.

In addition, there's a \$50,000 National Park Service grant for an interactive exhibition panel that will be put in the new lobby of the building once it is finished.

In mid-June 2023, Ms. Parrish-Stone informed the City that the state had approved the construction documents for improvements to the former city hall, and that the Cultural Council's architect is finalizing the bid documents, which will then be advertised. It likely will take 30 days for the Council to receive bids,

and an additional 60 days to review them and approve one. Construction will likely begin in the fall of 2023. Ms. Parrish-Stone provided a report at the Commission's October 2<sup>nd</sup> meeting.

In the meantime, the Commission at its September 11, 2023, meeting approved the state having an easement to the building. The easement will help the Cultural Council obtain a grant of up to \$750,000 for further renovations to the building. The City's Building Department has issued permits to renovate the second floor balcony on the building's east side and the columns along its north side.

## COSAB NEW SFR CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
3897	15 SABOR DE SAL RD	P2200622	SFR-D	3/7/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4186	13 13TH LN	P2200376	SFR-D	1/24/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4665	171 RIDGEWAY RD	P2200670	SFR-D	3/10/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5018	507 F ST	P2201176	SFR-D	6/15/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5269	6 15TH ST		SFR-D			NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5346	5 15TH ST	P2201519	SFR-D	9/1/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5370	9 11TH ST.	P2300307	SFR-D	12/15/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5569	9 13TH ST	P2300640	SFR-D	2/22/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5570	7 13TH ST	P2300643	SFR-D	2/22/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5587	14 6TH ST	P2300483	SFR-D	2/2/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5592	110 7TH ST	P2201120	SFR-D	6/1/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5644	399 OCEAN FOREST DR	P2201148	SFR-D	6/16/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5724	254 RIDGEWAY RD	P2201288	SFR-D	7/12/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5851	12 2ND ST	P2300674	SFR-D	3/1/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5889	2 C ST	P2300588	SFR-D	2/13/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6076	16 5TH ST	P2300034	SFR-D	10/7/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6122	884 OCEAN PALM WAY	P2300322	SFR-D	12/13/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6484	454 OCEAN FOREST DR	P2300371	SFR-D	1/3/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6548	16 LINDA MAR DR	P2300883	SFR-D	4/11/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6585	9 10TH ST	P2301090	SFR-D	5/25/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6816	372 RIDGEWAY RD	P2300781	SFR-D	3/22/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6837	113 5TH ST	P2300766	SFR-D	3/21/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
6838	117 5th st	P2300769	SFR-D	3/21/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
7032	31 SEAFOAM WAY		SFR-D			NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7091	413 C ST	P2301106	SFR-D	5/26/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7129	131 15TH ST	P2301109	SFR-D	5/26/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7354	619 OLD BEACH RD	P2301329	SFR-D	7/26/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7408	6 2ND ST		SFR-D			NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7568	129 14TH ST	P2301338	SFR-D	7/21/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7674	115 D ST	P2301511	SFR-D	8/29/2023		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7781	494 PYRUS ST		SFR-D			NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
8010	2576 A1A S		SFR-D			NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
8012	106 RIDGEWAY RD		SFR-D			NEW SINGLE FAMILY RESIDENCE-BUILDING	RES

Application Id Range: First to Last

Issue Date Range: First to 11/20/23

Expiration Date Range: First to 09/19/25

Applied For: N Open: Y

Application Date Range: First to 11/20/23

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: SFR-A to SFR-D

User Code Range: First to Last

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

## COSAB COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
6695	3570 A1A S	P2300551	COM REMODEL	2/10/2023		COMMERCIAL BUILDING ALT. -- RENOVATION PERMIT	COM

Application Id Range: First to Last

Issue Date Range: First to 11/20/23

Expiration Date Range: First to 09/19/25

Applied For: N Open: Y

Application Date Range: First to 11/20/23

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: COM ADDITION to COMMERCIAL NEW

User Code Range: First to Last

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

## COSAB FY'24 ZONING REPORT

Application Id	Parcel Id	Property Location	Owner Name	Building Code	Activity Type	Inspector	Date	Status
7604	1640900000	56 WILLOW DR	PITTS KARREN J	ZONING	Z-VARIANCE	JENNIFER	10/26/2023	CANCEL
7672	1627800000	2040 A1A S	L & L PIRTON INC	ZONING	Z-VARIANCE	BONNIE M	10/2/2023	CANCEL
7693	1742000020	1001 A1A Beach Blvd	MCW-RC FL-ANASTASIA LLC	ZONING	Z-FINAL DEV	BONNIE M	9/19/2023	APPROVED
7693	1742000020	1001 A1A Beach Blvd	MCW-RC FL-ANASTASIA LLC	ZONING	Z-FINAL DEV	BONNIE M	10/2/2023	APPROVED
7845	1670700002	15-FT. WIDE ALLEY S.OF 15TH ST.	ATLANTIC BEACH SUBDIVISION	ZONING	Z-VACATE ALLEY	BONNIE M	10/6/2023	CANCEL

Application Id Range: First to Last

Range of Building Codes: ZONING to ZONING

Activity Date Range: 09/01/23 to 12/28/23 Activity Type Range: Z-APPEAL to Z-VARIANCE

Inspector Id Range: First to Last

Included Activity Types: Both

Sent Letter: Y

## FY' 24 COSAB TREE REMOVAL

Application Id	Property Location	Permit No	Work Type	Issue Date	Description	User Code 1
8002	702 16TH ST	P2400143	TREE REMOVAL	11/8/2023	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
8004	215 10TH ST	P2400144	TREE REMOVAL	11/8/2023	RESIDENTIAL-TREE REMOVAL INSPECTION	MF
8065	501 E ST	P2400199	TREE REMOVAL	11/20/2023	RESIDENTIAL-TREE REMOVAL INSPECTION	RES

Application Id Range: First to Last

Issue Date Range: 10/01/23 to 11/20/23

Expiration Date Range: First to 09/19/25

Applied For: N Open: Y

Application Date Range: First to 11/20/23

Use Type Range: First to Last

Hold: N

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: Y

Work Type Range: First to Last

User Code Range: First to Last

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y



## MINUTES

### SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING THURSDAY, OCTOBER 12, 2023, AT 6:00 P.M. CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

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#### I. CALL TO ORDER

Chair Krempasky called the meeting to order at 6:01 p.m.

#### II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

#### III. ROLL CALL

Present: Chair Sandra Krempasky, Vice Chair Lana Bandy, and Members Karen Candler and George O'Brien.

Member Craig Thomson was absent.

Also present: City Clerk Dariana Fitzgerald and Grounds Foreman Tom Large.

#### IV. APPROVAL OF MINUTES OF JULY 13, 2023, REGULAR MEETING

**Motion:** to approve the minutes of July 13, 2023. **Moved by:** Member Candler. **Seconded by:** Vice Chair Bandy. Motion passed unanimously.

#### V. PRESENTATION OF REPORTS:

##### 1. Anastasia Island Environmental Stewardship Awards

Chair Krempasky noted that there were three applications in their packet and that a fourth nomination for Thomas Davis [Exhibit A] was sent to her before the deadline, but City Clerk Fitzgerald's email address was mistyped, so it didn't make it to her until later. She noted that if his nomination was included, then there would be nominees for each category. City Clerk Fitzgerald advised that she verified via timestamp that his nomination was sent to Chair Krempasky on time. Chair Krempasky said that Mr. Davis had a new business to try to help people establish native gardens on their properties. She asked if a motion would be needed or could they just have a consensus to include his nomination. City Clerk Fitzgerald advised that they could have a consensus.

It was the consensus of SEPAC to include Mr. Davis's nomination.

Chair Krempasky said that we now have someone nominated for each category and that she could order the plaques tomorrow so they would be ready in time for the presentation at the November 13<sup>th</sup> Commission meeting. Vice Chair Bandy asked if there was any discussion about the nominations or if everyone agreed that they were all worthy candidates.

Individual (Non-Profit): Nana Royer

Group (Non-Profit): Anastasia Island Branch, St. Johns County Public Library

Individual (Business): Thomas Davis

Group (Business): Panache Salon and Spa

**Motion:** To approve the four nominees in the nominated categories. **Moved by** Member O'Brien. **Seconded by** Chair Krempasky. Motion passed unanimously.

Chair Krempasky suggested that SEPAC should push this a little more next year and to put it in the Newsletter more often. Vice Chair Bandy said that she thought she put it on NextDoor, the Newsletter, the City's website, and sent it to some of the environmental groups. Chair Krempasky said that even though we only received four nominations, they are really good, qualified people. She said that Panache Salon and Spa really tries to take care of disposing of the chemicals that they use in a proper manner.

Chair Krempasky moved on to Item V.2.a.

## 2. Reforestation and Landscaping Projects

### a. Mickler Boulevard

Foreman Large advised that there is a lot of water out there right now from the recent heavy rains but that Public Works did mow the area. He said that he planned to cut it high so that the wildflower seeds would spread but that he did not get with the crew before they cut it, and it was cut low. He said that they spread the rest of the wildflower seeds and that the Finance Director told him that SEPAC had some money left so he bought more plants from Southern Horticulture and planted those as well. Member Candler asked when that had been done. Foreman Large said that it was the last week in September. He advised that there is more money, so there is an option for SEPAC to do something in the other area on Mickler Boulevard that he and Chair Krempasky visited.

Foreman Large advised that there is some grass filling in from the sides, which needs to be maintained but that Public Works does not have the manpower to do it. He said that there are options that he would talk about at another time when they are farther in to it and that he would like to talk about the person that will be taking care of the ecogarden. He said that there is still a good amount left in there and hopefully the seeds will come back up in the spring. He said that they received a lot of compliments from people walking by when they were out there.

Foreman Large reminded SEPAC that there were a few of the parkette signs left and he suggested putting one in the wildflower area to help protect it from drivers and to let people know that it is a City lot. Vice Chair Bandy liked the idea of helping to keep vehicles out of the area. Member Candler suggested putting a natural border around the area. Foreman Large said that he did not think that SEPAC had ever talked about that. Member Candler said that it needed definition so that people would know that it is a wildflower garden and that she was thinking of something made of wood. Chair Krempasky advised that SEPAC did not have much money this year. She said that \$4,000 was moved to the FY 2024 budget, \$1,800 for the maintenance of the swale, and money for awards/plaques.

Foreman Large said that there is \$6,050 in the budget for SEPAC. Chair Krempasky said that she talked with Foreman Large and emailed the Finance Director and that she had forgotten about the Arbor Day funds and she believed that SEPAC could still pull off the purchase of trees from their budget. Foreman Large said that the trees are purchased when they are very small, and are reasonably priced. Member Candler asked how much was spent last year. Foreman Large said he spent about \$450.

Chair Krempasky moved on to Item V.2.b.

b. Parkette Planning/Green Infrastructure

Foreman Large advised that the water truck is up and running but it does not have a pump right now, it has a free-flowing hose on the back that puts out hundreds of gallons of water. He said that he used it last week to water the wildflower area, the ecogarden, as well as the three palm trees.

Foreman Large advised that Leonardi's planted three palm trees at 2<sup>nd</sup> Street and that they really look nice. He said that there was an issue because the root balls are so big and if you do not pack the soil well, there will be air pockets. He said that he found air pockets two weeks after they were planted, and they had to redo everything. Chair Krempasky asked if he did the work or if he had Leonardi's come back to fix it. Foreman Large advised that he did it himself because the air pockets appeared while he was watering them. He said that they look great, and the nearby homeowner is very happy with them. He said that the cost was \$1,459.98 and that he thought that they did a great job overall.

Chair Krempasky said that the ecogarden fence is in and there was supposed to be Honeysuckle vines and she asked if they were ever planted. Foreman Large advised that they are there, just small.

Foreman Large advised that Southern Horticulture did the ecogarden, which was \$2,521.50. He provided the list of plants [Exhibit B] and said he counted every one of them. He reported that we have lost about six dune daisies, and he found about four piles of dog feces in the flower bed. He said that he did not know where the dogs came from, but that no one picked up after them and it was all over the place. He said that he talked to his supervisors about possibly putting a dog mitt station there and they are looking into it. He advised that he did not know if that was the reason that the plants died or possibly too much water because when a hundred gallons of water a minute are pouring out, you cannot really see, which plants may be getting too much water. He said Southern Horticulture put the cardboard down and stuff on top of it, so it is hard to tell how wet the soil is. He plans to contact Southern Horticulture to see if they would replant the flowers because they are guaranteed. If they will not replace them, it would cost about \$24 to buy more daisies, which were planted right in the front and should be replaced.

Foreman Large advised that Member Thomson wanted to move the flowerbed ten feet to the south and when he met with Southern Horticulture, they did move it, which changed the design a little bit, but they did a really good job putting it in.

Foreman Large advised that he met with Shayan from Ruah Gardens, and he believed that he would do a great job of edging the swale and making it look nice. He provided the maintenance proposal from Ruah Gardens for the 8<sup>th</sup> Street ecogarden [Exhibit C] and

said that it was another option to put one of the leftover signs. Chair Krempasky said that we were planning to do some sort of signage there for educational purposes and maybe Lonnie Kaczmarzsky could help with that since he did the sign for the bioswale. Foreman Large asked if he should hold off on the sign for now. Chair Krempasky said yes. Foreman Large said that Shayan did not start yet because he did not realize that he needed a City business license, so he is in the process of getting that and his insurance. He said that his proposal for 8<sup>th</sup> Street is \$150 a month and that he would really like to work with the City and do more. He advised that he took Shayan to the wildflower area, and said that he would provide us with a quote. He said that he lives in the City and would like to help beautify it. Vice Chair Bandy asked if his was the only quote that was received. Chair Krempasky said that she got a quote from Southern Horticulture and Native Plant Consulting and neither of them could do it. She said that she contacted The Elegant Gardener who was interested but did not provide a quote. She said that Ruah Gardens contacted her, and she forwarded his information to Foreman Large. Vice Chair Bandy asked how often he would go there. Chair Krempasky said it would be once a month and that he was only charging \$150. She said that he seemed to be very conscientious and would not want his product to look bad. Foreman Large agreed. Chair Krempasky said that if we are displeased after a few months, then we could give him guidance or cancel and try to find someone else. Vice Chair Bandy asked if it would come out of SEPAC's budget. Chair Krempasky said yes, it is from the \$1,800 that SEPAC has in its budget.

Member O'Brien said that what Public Works has been doing around the City has been fantastic and they are always conscientious and have safety in mind. Foreman Large thanked him. Chair Krempasky asked if Public Works supplied the cardboard. Foreman Large said yes, because they did not want to purchase it since they have it in their recycling area at Public Works. Chair Krempasky said that pulling it from recycling saved us money. Foreman Large said that it worked out well.

Chair Krempasky moved on to Item V.3.a.

- c. Urban Forestry
- d. Environmental Planning Projects

### 3. Educational Programs

- a. Environmentally Friendly Landscaping Recognition

Chair Krempasky advised that SEPAC would recognize the two residents at the November 13<sup>th</sup> Commission meeting along with the four Stewardship Award winners. Vice Chair Bandy asked if they had been notified yet. Chair Krempasky said no because she was not sure if SEPAC was going to meet tonight. Vice Chair Bandy asked if she should notify her person. Chair Krempasky said yes.

Chair Krempasky moved on to Item V.3.b.

- b. Environmental Speaker and Film Series

Chair Krempasky advised that they would be showing a film called "Protect our Paradise", which is a series that someone in the State of Florida did, and the speaker would be Deirdre Irwin who works for the St. Johns River Water Management District. Ms. Irwin

would introduce the film, which is about twenty-eight minutes long, and then answer any questions, then she may also give a brief presentation. She advised that Ms. Irwin is a water conservationist and may talk about that as well. It will be at the library in Sea Grove on October 26<sup>th</sup> at 6:00 p.m. and she encouraged everyone to go.

Vice Chair Bandy said that SEPAC needed to talk about the future of the speaker and film series. She said that we could wait to see how this attendance is, but since it restarted this year, it has been pretty bad, and it may not be worth the effort that we are putting into it. Member O'Brien asked what SEPAC is doing to bring awareness to it other than the Newsletter. Chair Krempasky said that the library has an event calendar. Vice Chair Bandy said that the library has their series and they put it on their website and newsletter. She said that we put it in our Newsletter and send it to various environmental groups to help promote it. Member O'Brien asked to have any marketing sent to him because he is on the Board at the YMCA. He said that there are so many individual groups and there was not a lot of collaboration or sharing and there may be an opportunity for us to share across different platforms such as with the schools. He said that he gets emails from the schools asking about different activities for the kids and we could do a PDF or a flyer for the school to send out and then we could decide if the effort is worth it. Chair Krempasky said that before Covid, they were getting about thirty to forty people, so it was successful, but we have not been able to get back to those numbers. Vice Chair Bandy said she was told that all the library programs have been suffering. Member O'Brien said that there have been a lot of people that moved here since Covid, and they probably do not know anything about the series so it would be an opportunity to educate them. Vice Chair Bandy suggested for him to get it from the last Newsletter because they cannot communicate with him outside of a meeting.

Chair Krempasky said that she would hate to see it go away but that she knows it has been a lot of work for Vice Chair Bandy. Vice Chair Bandy said that she liked doing it but that she gets disappointed because some of the speakers drive from Gainesville and only have three people in the audience. She said that this event would be the last one for this year since we would be going into the holidays and that we could talk about it again later. Chair Krempasky asked when she would want to start it back up again. Vice Chair Bandy said that she did not know.

Chair Krempasky moved on to Item V.3.c.

c. Newsletter Topics

Vice Chair Bandy said that she could do something in the Newsletter about the ecogarden and every month they have been doing the Environmentally Friendly Landscaping but have not had any applications lately. Chair Krempasky said that Commissioner George's business property looked pretty good, but she did not think that she should be the person to review the property due to a potential conflict. She said that she was not sure if the majority of her plants were native, so she asked her for a plant list. She said that she also has permeable pavers, solar panels, the right type of mulch, and that she would be a good person to nominate for the Environmentally Friendly Landscape Award. Member O'Brien said that he could nominate her because then there would be no conflict. Chair Krempasky asked if the Vice Chair wanted to go look at the property. Vice Chair Bandy said that she could do that. Chair Krempasky said that she would fill out the paperwork

and have Commissioner George's assistant send it. Vice Chair Bandy asked if she should look at this month or wait until we receive the application. Chair Krempasky said to wait until we receive the application, but that Commissioner George is really interested in it. She said that she talked to her about the Anastasia Island Environmental Stewardship Awards but that she did not think it would be a good fit for the type of people and organizations that we have recognized. Even though she is very environmentally focused, it was not landscaping per se.

Vice Chair Bandy went back to discuss the Speaker Series and said that Member O'Brien talked about coordinating with other groups and that EcoCinema is also doing water conservation. Chair Krempasky said that she got their movies and needed to take a look at them but that they are not really willing to push SEPAC because we do not have a way to push them.

Member O'Brien said that if SEPAC does not want to do the Speaker Series because it takes time, then maybe we could promote the Eco Series in the newsletters and we would have more time to focus on the things that we want to do. Chair Krempasky said that the Eco Cinema Series has an advantage over SEPAC in that you can drink alcohol. Vice Chair Bandy said that they have vendors and groups. Member Candler said that she did not know what they were talking about. Chair Krempasky said that it is from the St. Augustine Film Society, and they have an Eco Series at the St. Augustine Yacht Club. She said that if we are not considering them as competition, then it would be good to collaborate. Vice Chair Bandy said that they have the support of the Amphitheatre and various sponsors.

Chair Krempasky asked the Vice Chair if she had everything she needed for the Newsletter. Vice Chair Bandy said yes and that she could also put something in about a native plant or something.

Chair Krempasky moved on to Item V.3.d.

d. Environmental Education Materials

Chair Krempasky said that we do not have any money next year to make flyers but that she noticed that someone from the City had been preparing flyers. City Clerk Fitzgerald advised that the Engineering Director has flyers on certain topics as a requirement of some of the grants and certifications that we have. Chair Krempasky asked if they would be in the Newsletter. City Clerk Fitzgerald said that she did not know everywhere that he sent them, but that they were sent out with the Business Tax Receipt (BTR) applications this year, which was roughly five-hundred mailings that were going out anyway. She said that they have been all over City Hall and she believed they were also at Arbor Day.

Chair Krempasky moved on to Item VI.

VI. OTHER COMMITTEE MATTERS

Member O'Brien discussed his email regarding gutters [Exhibit D]. He said that we get a lot of rain here and a lot of people do not have gutters. He would like to start a dialogue about what could be done to start requiring gutters and downspouts, which is tough to do after someone is living there. He said that there are a lot of people trying to move here and people are making huge profits from their properties. He said that if they want to sell their property and it does not have

gutters and downspouts, then they should be required to install them before they could sell the property. He said that in the municipality that he moved from, any time that you bought a property, it would be inspected, and you would be required to fix things such as cracked sidewalks because they are a tripping hazard. He said that he did not know if it was legal in Florida and that it would be something for the City Attorney to look at. He said that his original comment was to do this for new construction and then it could potentially be required if you sell your property. He said that the feedback was that there was not a lot of new building happening, but if you walk around near 8<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> Streets, there is a lot being built. He said that his street is flooded, people are going through his yard to avoid the water, and no one has downspouts. He said that there were nine new properties built on 9<sup>th</sup> Street and only five of them have downspouts and on 5<sup>th</sup> Street there was only one out of three with downspouts. He advised that a lot of neighboring streets are flooded and that it never used to be like this. He has lived here for three years and never had water like this before.

Member O'Brien said that this was worth putting in the minutes because he was concerned as a homeowner. There is new construction going on and gutters and downspouts are not overly expensive. He suggested that SEPAC should look at this and make some recommendations to the Commission and that he would be attending the meetings to voice his opinion. He said before we throw up our hands, let's find out how legal this is. Chair Krempasky asked if he talked to the Commission about this once before. Member O'Brien said that he referenced it to them. Member Candler asked how it would help the street from flooding because it is the same amount of water coming off the roof whether it goes down a spout or not. Member O'Brien said because it is a control measure to capture the water and direct it to a certain place, such as a rain barrel. He said that a neighboring property has rainwater coming off the roof onto his property because they chose not to capture the water. He said that he cannot do anything about them being grandfathered in, but he would love for it to be something that they would have to control if the property sells. Member Candler said that it is bigger than just gutters, it takes the water and puts it where you want it. Member O'Brien said yes, it is controlling it. He said that up north, if he puts in flexible extensions off of his downspouts, and his water goes onto someone else's property, he would be cited for it. He said that there is one stormwater drain on 10<sup>th</sup> Street on the public parking side that usually captures the water, but since the lot behind the hotel has been built up, the water cannot go there anymore. He said that the engineers should know these things so that as the City approves development, it could be put in beforehand. He said that he is not an engineer but that he has seen it and there are opportunities to try to control it. He said that his home did not have them but when he redid the exterior stucco, he put in gutters and downspouts.

Chair Krempasky said that it was her understanding that Public Works looked at that for new construction. She said that her house is the lowest spot on her street and there is a three-story house that is two feet above hers and the prior Public Works Director made them put in French drains, gutters, and bury a rain barrel in the yard to keep the water from coming onto her property. Foreman Large said that this was not his area, so he did not know, but controlling the water would be much better than letting it just run off your house. He said that he could ask the Public Works Director and Assistant Director if this was something they would look at. Member O'Brien said that he was not asking for a solution, but he wanted it in the minutes because he was serving on this Committee to make an impact and have a voice, so when he gets in front of the Commission, he could tell them that SEPAC had this conversation and would be happy to continue with it and help them in any way. He said that not doing it and leaving it for the next group to do

was not acceptable to him. He pointed out that there is house near the gas station that controlled their rental property's water into a drain, which he felt was the responsible thing to do.

Chair Krempasky said that after this meeting she would write up a brief description of what SEPAC discussed because the Commissioners do not read SEPAC's minutes and that it would be nice if Foreman Large could start a conversation with Public Works. Foreman Large said that he did not know if it should be Public Works or the Engineer. City Clerk Fitzgerald said that it was previously done as part of the engineering review, which would now be done by Engineer Sparks and the Engineering Department. She reminded SEPAC that they only deal with public property, not private property and that SEPAC does not meet the statutory standards to work in land use, which has financial disclosures, etc. Member O'Brien said that he was fine with that, but he believed that the street in front of his house was public and there are people that park at the public lot and go through his yard with their dogs, etc. and he does not like it, but he accepts it. But when people walk through his property because the road is flooded, it is public, and he will make comments to the Commissioners about it because he wanted his voice heard and he wanted it in the minutes. Chair Krempasky said that just because it is not SEPAC's purview does not mean that he cannot talk to Public Works to ask if they are still doing the same thing.

Member O'Brien said he wanted to bring awareness because not everyone lives on a street that floods. He said that the entire area looks like trash significantly more than in the past because we are not doing enough to control the rainwater. SEPAC has an initiative about rainwater management and most of the water is coming from the houses, which they are not controlling. He said that he was not asking for any regulations, only for it to be mentioned so that future action could be taken by the appropriate people and that he had no problem meeting with City staff and the Commission about it. He said that he was told that this was where he could make comments and start making changes and that is why he was here. He said that he would rather be with his children at their sports programs right now, but that he was here instead because he cares about this community, he loves the work that SEPAC is trying to do, and he wanted it in the minutes so he could talk to the appropriate people.

Chair Krempasky said that she had one more thing to discuss and she asked if there was anything else that SEPAC wanted to discuss. Vice Chair Bandy asked about the budget and whether anything was presented. Chair Krempasky said no and that she believed that SEPAC had \$6,000. Foreman Large advised that the Finance Director and Chair Krempasky took care of it. Vice Chair Bandy asked if it was so much less because SEPAC did not spend it last year or that the City just did not have the money. City Clerk Fitzgerald advised that it was for both reasons, the budget was extremely tight this year, plus SEPAC did not make a formal presentation with a list of projects. Chair Krempasky said that SEPAC also did not have meetings in August or September and that she explained to the Finance Director that SEPAC did not get some things done, we did not have the water truck, or the support of the residents, and she was on board with that. Vice Chair Bandy said that SEPAC did a lot in September. Chair Krempasky agreed and said that we spent a good bit of our funds, we had \$4,000 moved to next year, and maybe next month we could discuss what projects we want to take on so we could go directly to the Commission early for their support. She said that A Street is a swimming pool, and if it is still that way in a few days, then we should address that plaza. She also suggested that SEPAC should shoot for D Street because once we see other projects start to flower, we could prove to the Commission that we would be maintaining it even if it costs SEPAC a little bit of money. Member Candler said that it was our goal to complete one or two so that people would realize what we are doing. Vice Chair Bandy said that we need

the sign to educate people about what it is, and she questioned if SEPAC had the money for that. Chair Krempasky suggested to figure out what size sign they wanted and that it should only be a few hundred dollars that we might be able to get out of the next budget. Vice Chair Bandy said that Lonnie designed the sign for the wildflower garden, which was really nice, and he also did the one for the bioswale so maybe we could be consistent and ask him to do this sign too. Chair Krempasky said that Lonnie had back surgery yesterday and he cannot go anywhere for thirty days. City Clerk Fitzgerald said since SEPAC has a limited budget, she suggested to use the next few months to plan their projects and get quotes so they would have a full-fledged proposal to present to the Commission and then they would have a year to accomplish everything. Chair Krempasky agreed.

Chair Krempasky advised that the City Clerk provided a timeline of how this Committee has changed over the past twenty plus years [Exhibit E]. She said that she asked the City Manager what the process would be, and he said that she would need to present a proposal to SEPAC, we would need to vote whether we wanted to take this to the Commission, and then someone would need to speak at the November 13<sup>th</sup> Commission meeting. She said that she was not sure if the next step would be to do a resolution but that the City Clerk provided her with copies of the prior resolutions, and she asked the City Clerk if she would forward them to the other Members. City Clerk Fitzgerald said yes.

Chair Krempasky said in addition to reducing it from seven members to five members, it would be nice if we could have members from all over the island. She said that the Charter stated that SEPAC members are supposed to be City residents, but most of the people that we nominate for Stewardship Awards are not in the City and it would give us a larger pool of people. Vice Chair Bandy said that she has had some people interested but they did not live in the City. Chair Krempasky said that someone who lives across the street in the Commodore's Club cannot be on a committee that basically affects them since they are right across the street. City Clerk Fitzgerald advised that there are some boards in the State that allow certain membership from outside of their city, but it is usually someone with an interest in that city, such as a property owner that lives elsewhere or a business owner, etc. She said that allowing membership on a city-run and/or city-financed board can become an issue because some claim you are using city taxpayers' dollars on people that do not live within the city limits. She said that all our projects are within our City limits because we do not want to spend taxpayers' dollars elsewhere. Vice Chair Bandy said that volunteers do not get money and our projects would still be in the City. City Clerk Fitzgerald said that every time SEPAC meets, it costs the City money for her and Foreman Large to be there, to type the minutes, to record the meeting, to have the lights on, etc. Vice Chair Bandy said yes, but it did not financially benefit someone that lived over there that is coming here. City Clerk Fitzgerald said that the fact that they would be on this Committee would mean that City taxpayers' dollars would be spent on them, and if non-residents became the majority of the members, then it could become an issue, but it would ultimately be up to the Commission with the City Attorney's advice. She recommended against it unless it became absolutely necessary and at that point SEPAC would be better off becoming a club that could allow its members to be anyone.

Member O'Brien suggested going to five members with two alternates and to only allow City residents as members, but that he also thought it would be a good compromise to allow someone with an interest such as a City property owner or a City business owner. Chair Krempasky asked if everyone felt the same. Member Candler said she felt the same. Chair Krempasky asked if SEPAC wanted her to go to the Commission's November 13<sup>th</sup> meeting and propose a reduction from

seven members to five members. Vice Chair Bandy said yes. City Clerk Fitzgerald advised that at that point, there would be two paths. You could either go to the Commission with a drafted resolution and ask that they pass it on the spot, or you could go to them with the request to try to gauge which way they are leaning and have the resolution at a later meeting. Chair Krempasky said from her own standpoint, she would rather run it past them before we spend any time drafting a resolution that they may not do anything with. Member Candler said that she did not see why they would care. Vice Chair Bandy said that the only reason that they might not care would be if they do not want SEPAC at all. She said that she has been on SEPAC for five or six years and that we have almost always had our meetings until lately. She said that SEPAC would get a new member and they would not last very long, which has been a struggle. She said that she did not see any reason not to go to five members because that is what we have now. Chair Krempasky said that since the focus of SEPAC has shifted to the environment, the Master Gardeners are not lining up like they used to do to be a part of the Beautification Committee. She said that asking the Commission to cut it to five members could lead to the real possibility of them saying that they do not need this Committee.

Discussion ensued regarding how many members were on the other City Boards; whether the Charter Review Committee had all seven members yet; that the Charter Review Committee is only a six-month commitment; etc.

Chair Krempasky said that she would be happy to suggest it at the next Commission meeting. Member Candler said that she would feel better presenting the Commission with a resolution because otherwise you would only be asking for their permission. Chair Krempasky said that she asked the City Manager what the process was, and he said to bring a proposal to the Commission. She said that she has never written a resolution before, and that if SEPAC tried to write a resolution, we would only have two weeks to finalize it and it would be without SEPAC seeing it because it would need to be in the Commission agenda book two weeks before the meeting. Vice Chair Bandy asked what their reason would be for saying no, we are requesting this because there is a limited number of people in this City, and we have tried for many years, but people do not want to make the commitment. Member O'Brien said to get action done, sometimes less is more by having a smaller quorum, and then we could expand it to people with a vested interest. He said that it is a win-win, and they would not say that SEPAC has to go because what we focus on is important and that he assumed that the Commission believed in that. He said that he would attend the meeting and back up Chair Krempasky. Chair Krempasky said okay.

City Clerk Fitzgerald recommended writing a letter or memo to City Manager Royle to go into the Commission's agenda book that would explain the bulk of what SEPAC wanted to do, which would mean less speaking. Vice Chair Bandy said that if we could open it up to business owners, maybe we could get two alternates, which would allow us to be able to have our meetings even if a regular member was not able to attend. Chair Krempasky said okay and asked the Vice Chair if she knew any other Master Gardeners that lived in the City. Vice Chair Bandy said yes. Chair Krempasky asked if she would ask them if they would be interested in SEPAC because beautification equals environmental resiliency. She said that she believed that the projects that SEPAC does. Vice Chair Bandy said that she tried many times to get one lady that is really active, she signed the clean water petition, and every time she runs into her, she says that she is still thinking about it.

Chair Krempasky asked if anyone had anything else to discuss. City Clerk Fitzgerald said that she did not remember if it was discussed at the last meeting, but the City of St. Augustine's glass

recycling is now open and there is a dumpster at R.B. Hunt Elementary School. She said that the City is in the process of talking about the possibility of getting a dumpster in the City, but we are not sure where it would be located. Member O'Brien said that the glass could not be in bags. City Clerk Fitzgerald confirmed and advised that it should be glass only because the opening is small, but it will fit most sizes of bottles. Chair Krempasky said that it is loud when you drop the bottles in, and she wished that it could be padded somehow.

Chair Krempasky moved on to Item VII.

VII. ADJOURNMENT

**Motion:** to Adjourn. **Moved by** Member O'Brien. **Seconded by** Vice Chair Bandy. Motion passed unanimously.

Chair Krempasky adjourned the meeting at 7:08 p.m.

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Sandra Krempasky, Chair

ATTEST

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Dariana Fitzgerald, City Clerk

## **COMMISSION REPORT**

**November 2023**

**TO:** MAYOR/COMMISSIONERS

**FROM:** DANIEL P. CARSWELL, CHIEF OF POLICE

### **DEPARTMENT STATISTICS October 28<sup>th</sup> – November 20<sup>th</sup>, 2023**

**CALLS FOR SERVICE – 919**

**OFFENSE REPORTS - 33**

**CITATIONS ISSUED -54**

**LOCAL ORDINANCE CITATIONS - 7**

**DUI – 0**

**TRAFFIC WARNINGS- 134**

**TRESSPASS WARNINGS- 10**

**ANIMAL COMPLAINTS - 6**

**ARRESTS - 15**

- **ANIMAL CONTROL:**
  - St. Johns County Animal Control handled 6 complaints in St. Augustine Beach area.

### **MONTHLY ACTIVITIES –**

**Blood Drive – November 7th**

Grant Project	Grant Type	Grant Amount	Grant Expiration Date	Project Stage	Status
Ocean Hammock Park Phase 3	CPI	\$60,000	9/30/2023	Final Reimbursement/Canceled	11/17: Follow-up email to Melanie Orozco for updated and comprehensive Stewardship Report for #08-018-FF8 and #16-014-UA17 in Ocean Hammock Park. Melanie Orozco from FCT-FDEP review regarding Phase 3 management plan changes from active to passive recreation.
Ocean Walk Drainage Impvmts	Leg. Appr.: LPA0222	\$694,000	3/31/2025	Phase I Pre-Bid	11/20: JSparks spoke to JHelms (George F Young) today and potable water main soft digs will be tomorrow on the N side of Ms. Kemplar's. Matthews revising plans. 11/16: Met with Matthews ...SUE Data: Check and doublecheck proposed drainage asset locations for conflicts with existing utilities. Especially Relocate the water main on the corner N of Ms. Kemplar's driveway. Show W/WW utilities and proposed utility relocations. Coordinate with SJUD.
Ocean Walk Drainage Impvmts	SJRWMD (25% Cost Share)	\$354,087	09/30/2025	Phase I Pre-Bid	See above
Sea Oats	FDEP (Matching Funds): 19SJ3	\$25,000	9/30/2024	Pre-Construction	11/20: Amendment 19SJ3_A4 (time ext) received for City signature; sent for Public Works and City Manager Review/comment. Amendment is for requesting an additional time extension to Fall 2025 due to conflict with beach renourishment/Sea Turtle Nesting Season.
C.R. A1A/Pope Road Storm Surge Protection	FEMA/ FDEM: 4468-017-R	\$52,500	10/18/2024	Pre-Bid/FDEM Phase II Review	11/16: Review of grant requirements and MDG scope; email sent to MDG about H&H scope of work. 11/16: Response from CPurser with FDEM regarding H&H and BCA. City must provide requested info per grant

# St. Augustine Beach Public Works/Engineering Monthly Project Report

11/21/2023

					agreement and provide POP Ext and Budget Increase official request forms for additional time and funding, following discussion with Matthews.
					11/02: PIO fact sheet transmitted by Public Works. Construction for the dune walkovers at 10 <sup>th</sup> and 6 <sup>th</sup> St. will begin Monday November 6 <sup>th</sup> . They plan to work on both simultaneously and finish within the next 4 weeks (weather pending). If anyone has any questions or concerns, call (904) 484-9102.
<b>Dune Walkovers</b>	SJC Port and Waterway (Matching Funds)	\$190,025	N/A	December 2023	11/15: RFR #1 prep in progress; All ECT invoices processed. 11/02: received final signed/sealed pre-design study from ECT.
<b>Magnolia Dunes/ Atlantic Oaks Circle Drainage Impvmts</b>	Leg. Appr. : LPA0387	\$1,200,000	12/31/2026	Design Proposal Phase	
<b>7th 8th and 9th Street Drainage</b>	Leg. Appr. : LPA0386	\$90,000	12/31/2024	Design/ Permitting	11/17: JBPro plan revisions underway, hope to send to City by Wednesday afternoon before the Thanksgiving break. Still waiting on the UES quote with the revisions, and will provide as soon as they receive for PO requisition.
<b>Vulnerability Assessment Update</b>	FDEP: 23PLN30	\$50,000	06/30/2026	Kick-Off Mtg/Data Acquisition	11/28: Kick-off Meeting scheduled. 11/15: Executed Amendment (budget allocation) received from FDEP. 10/17: PO#24-00088 executed. Applied for \$151,549 expansion of funding on 7/19/2023.

# St. Augustine Beach Public Works/Engineering Monthly Project Report

11/21/2023

Non-Grant Project	Contract Expiration Date	Project Stage	Completion	Status
2 <sup>nd</sup> St Widening and Extension	11/2023	Construction	TBD	11/20: Progress Mtg #14 (11/08) minutes issued. Await AsBuilts and SJCUD forms from DBCC to prepare the SJCUD & FDEP submittals. FDEP COC form requires Sign/Seal by CMT, signed by Max and Gordon. 3 <sup>rd</sup> Alley ADS pipe swamp weights guidance provided by ADS to City and DBCivil. DBCivil preparing change order for labor and material for ADS pipe weights.
A Street to 1st Street West Parking Lot	TBD	Advertised	2nd Qtr FY2024	11/15: Updated project page on City website and created a bid advertisement page. 10/31: Invitation to Bid #23-08 advertised on DemandStar. Bids Due Nov 28 @ 10a.
Citywide Pavement Management	02/2024	In Progress	2nd Qtr FY2024	11/20: City utilizing StreetScan to inventory city roadway pavement condition and develop multi-year work plan; see link to City announcement: <a href="https://www.staugbch.com/community/page/streetscan-car-city">https://www.staugbch.com/community/page/streetscan-car-city</a>
11th Street Drainage & Roadway	TBD	Pre-Design/ Permitting	FY24	11/21: Recommendation to award Cured-in-Place-Pipe Lining As needed Continuing Services contracts to 5 contractors on Dec 4 Commission Consent agenda. 10/25: Cured-in Place Pipe lining bids due 11/09. Clean/TV/Line pipe, reconstruct South lane.
Stormwater Utility Rate Structure Determination	TBD	Contract Negotiations	FY24-25	11/20: Provided City comments on draft2 to consultant.
RFQ 23-06 Continuing Contracts for Professional Services	3 yrs, w/ 2 one yr renewal options	Advertised	2nd Qtr FY2024	11/21: City team evaluations of 6 categories underway. Evaluation Review Public Meetings scheduled Dec 5, 6 & 7. Architectural, Surveying, Environmental, GIS, General Civil Engineering and Mechanical/Electrical/Plumbing Engineering Services. Responses were due Nov 9. Multiple vendors to be awarded contracts.
Bid 23-07 Citywide Pipe and Manhole Lining, Renewal and Rehabilitation Services	3 yrs, w/ 2 one yr renewal options	Advertised	2nd Qtr FY2024	11/21: Recommendation to award Cured-in-Place-Pipe Lining As needed Continuing Services contracts to 5 contractors on Dec 4 Commission Consent agenda. Drainage structure cleaning, camera and renewal/rehabilitation. Responses were due Nov 9. Multiple vendors to be awarded.
Enterprise Asset Management/Smart N FL	TBD	Ongoing	TBD	11/13 Vision Plan Workshop Meeting held w/Commission . Clayton Levins, Smart NFL provided discussion points based on the CSAB draft proposal. Presentation/answered questions.

Proposed Appropriations Projects	Funding	Estimated Amount	Scope
Mizell Stormwater Treatment Facility Improvements (Pond Berm, Weir and Discharge Canal)	24-25 Appropriations	\$2,000,000	11/06: DRAFT Senate/House Forms. Evaluate increasing weir and pond berm height to provide additional storm surge protection at the Mizell Weir. Evaluate downstream and upstream impacts. Benefits majority of the City's drainage service area, as well as County and FDOT facilities. Note that had Hurricane Ian's storm surge been a few inches higher, the weir would have overtopped, resulting in inundation of the city's drainage system. Combined with intense rainfall, this could be severely damaging to properties. (estimated benefit 5,000 people). Armor canal, renew S side bulkhead W of Fiddlers' Point Drive
Mickler Blvd Ditch Erosion Mitigation 16th Street to 11th Street; A Street to 11th Street.	24-25 Appropriations	\$4,100,000	11/07: DRAFT Senate/House Forms Regrade ditch at 11th Street, south of 16th Street. Armor ditch throughout project limits with semi-permeable product to mitigate erosion/stabilize ditch bank and increase ease of maintenance. Culvert improvements beneath 16th Street, 11th Street and at 3 independent driveway locations north of A Street will reduce system head loss and promote positive drainage. Mag Dunes/Atlantic Oaks project may absorb this project to armor ditch.
Oceanside Circle Roadway and Drainage Improvements	24-25 Appropriations	\$2,000,000	11/07: DRAFT Senate/House Forms Oceanside Circle is ~915 linear feet dead end road connected to, and north of, Versaggi Dr. in SAB. Prior to 2011, the road was shell/dirt. In late 2011, for cost reasons (30% less), the City paved the road with a double chip seal instead of a typical road build (stabilized subbase, limerock base, and asphaltic concrete surface). The average life span of a chip seal is 7 years, versus up to 25 years for a typical constructed traditional asphaltic concrete road. The chip seal surface on Oceanside Circle is now deteriorating and in need of replacement. Oceanside Circle also has no drainage system and runoff causes localized flooding in low areas prior to eventual ground percolation. Flooding is worsening due to increasing impervious surface areas associated with new residential development on the roadway. Roadway flooding significantly reduces the life of a roadway, leading to base failure and potholes. Construction of a drainage system is essential prior to reconstruction of the roadway.
FDOT Ditch 500/400 Capacity Expansion	24-25 Appropriations	\$3,000,000	11/08: DRAFT Senate/House Forms. Expand storage capacity for COSA floodwater mitigation projects. FDOT retains O&M Authority.

Future FY Projects	Project Stage	Status
Parking Improvements - 4th Street East Parallel Parking, 5th Street Parking, 8th Street Lot SW	FY25-26 ARPA & City Paid	\$370K (\$215K + \$155k) & \$305K
Citywide Parking Improvements	FY25-26 City Paid	Pushed to FY25-26
4 <sup>th</sup> St Opening	FY24-27 City Paid	08/11/23 mtg: \$5k FY24 for Eng Cons OPCC. \$75k FY25 des/perm. \$1.1M FY26- 27 Construction
CRA1A / Pope Road	FY25-26 Federal Grant	\$750k each year
Citywide Pavement Management Program	FY25-28 City Paid	~\$300k/year
Ocean Walk Drainage Improvements	FY25 State Grant	\$305,086.00 (FDEP) and \$177,043 (SJRWMD)
Magnolia Dunes / Atlantic Oaks Circle Drainage Improvements	FY25 State Grant	\$499,000.00
11th Street Roadway and Drainage improvements	FY25-26 City Paid	\$200k/yr
Sea Oats	FY25 City Paid	\$25k (grant reimbursement)
Oceanside Circle	FY25-26 City Paid	\$750k/yr (Legislative Appropriations?)
A Street/1st Street West Lot Parking Improvements	FY25 City Paid	\$313,000
Replace Storm Drainage pipes on Mickler Blvd	FY26-27 City Paid	\$50k & \$200k

Site Plan reviews/Bldg Dept projects	Status
Publix Drainage	Comments provided
A1A and F St	Initial review complete.
Old Beach Rd	Fill placement in question. Retaining wall likely required
King's Quarry	Final CO issuance

Misc Projects	Status
Sea Oaks ponds	10/25: PO's issued for topographic survey and engineering eval
OTR/Sabor Del Sal	Residents coordinating
Oceanside Circle	11/21: Unofficial peer review comments align with current design. Alternative suggestion to acquire property and build pond at end of Circle or analyze for smaller pump station at end of Circle pumping to Linda Mar station. 10/25: Request peer review of previous design. Legislative Appropriations
Mizell Canal/Marsh Creek	10/18: Met with Mr. Rau. City providing sandbags and fill. Met with Truemont for Redi Block budgetary quote. Received quote for new bulkhead along S Side from C&H Marine.
11th St/A1A ADA Ramp mod	11/21: No response from contractor. Estimated \$10,000 construction cost. 08/21: On-site meeting with Contractor; Requested quote from multiple contractors to demo and reconstruct ramp with a longer/wider turning radius and to modify handrail. No response to date.
NPDES StH2O Insp memo	For B Law presentation at CC meeting, proposed fees for site plan review for commercial, stormwater erosion and sed ctrl, lot grading/lot grading final, waste control and IDDE inspections. Ref permit requirements.
NPDES Annual Report review comments	11/14: FDEP Annual Report review administratively complete. This item will be removed from future reports.
Stormwater Code Revision	Address during Stormwater Utility Rate Determination
Contractor Continuing Svcs Bid	Not started

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## MEMORANDUM

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**TO:** MAX ROYLE, CITY MANAGER  
**FROM:** PATTY DOUYLLIEZ, FINANCE DIRECTOR  
**SUBJECT:** MONTHLY REPORT  
**DATE:** 11/17/2023

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### Finance

FY24 is off to a steady start with capital projects moving forward and equipment purchases under way. We have been working with the vendors to ensure that we have all FY23 invoices paid by the end of November, as well as recognizing all the revenues from the previous year. The preliminary audit has been performed and we will be working to pull together the remaining information for the final audit scheduled for the last week of January and first week of February.

### Communications and Events

<https://www.staugbch.com/events>

Our **Light Up the BEACH!** season will kick off with the following events:

- 4<sup>th</sup> Annual **Beach Art Walk** – Saturday, November 25<sup>th</sup> from 2pm to 7pm
- **Surf Illumination** – Saturday, December 2<sup>nd</sup> from 4pm to 7pm
- **Holiday Market** – Saturday, December 9<sup>th</sup> from 3pm to 7pm
- **Christmas with Cops & Claus** – Wednesday, December 13<sup>th</sup> from 5:30pm to 7:30pm
- **Light Up the NIGHT!** Fireworks Show – Sunday, December 31<sup>st</sup> @ 8:30pm

In addition to these events, the Police Department will be collecting **Kilo's Presents for Pets** from December 1<sup>st</sup> through December 22<sup>nd</sup> at the SABPD and during the Holiday Market on December 9<sup>th</sup>. We hope to see everyone there for the festivities!

## PENDING ACTIVITIES AND PROJECTS

1. **LAND DEVELOPMENT REGULATIONS CHANGES.** The City's Planning and Zoning Division proposed two changes to the regulations: a. Ordinance 23-09, to amend Section 6.01.04 to allow architectural features to exceed 35 feet for commercial buildings only, and Section 6.01.05, to include drainage requirements for new developments. The Planning Board held a public hearing on Ordinance 23-09 at its September 19, 2023, meeting, and passed the ordinance on first reading. The City Commission held a public hearing and second reading of the Ordinance at its October 2<sup>nd</sup> meeting. Commissioner George pointed out that the amendment to 6.01.04 was in violation of the 35-foot building height restriction in the City Charter. Section 6.01.04 will be deleted from Ordinance 23-09. A public hearing and final reading of the Ordinance with Section 6.01.05 was held at the Commission's November 13<sup>th</sup> meeting, when the ordinance was approved on final reading. b. Also, at its September 19<sup>th</sup> meeting, the Planning Board reviewed changes to the regulations for special events for business promotional/sales permits and approved it. An ordinance will be prepared for the Board's December 19<sup>th</sup> meeting.

2. **VISION PLAN.** After discussion and making changes to it, the Commission adopted the Plan at its March 6, 2023, meeting. The Commission discussed at its June 5<sup>th</sup> meeting whether to schedule a workshop concerning the Plan later in June but decided to have the workshop in October with members of the Planning Board and the Sustainability and Environmental Planning Advisory Committee as well as Mr. Clayton Levins, an expert on Smart City planning. The Commission at its October 2<sup>nd</sup> meeting decided to have the workshop on November 13<sup>th</sup>, starting at 5 p.m. A Smart City consultant, Clayton Levins, will be invited to explain including the Smart City concept in the Vision Plan. XXXXXX

3. **PARKING IMPROVEMENTS.** At this time, the only parking project is paving the dirt plazas on the west side of the Boulevard between A and 1<sup>st</sup> Streets. A civil engineering consultant did the design and permitting phase for a cost of \$15,000. The City Commission reviewed two concept plans and selected one where vehicles will enter the parking lot from 1<sup>st</sup> Street with the exit on A1A Beach Boulevard. Final plans have been prepared, the required permits have been issued and the deadline for bids is November 28<sup>th</sup>. City staff will recommend that the Commission award the bid at its December 4<sup>th</sup> meeting.

There are no plans at this time for the Commission to consider paid parking.

### 4. JOINT MEETINGS:

a. With the County Commission: At the City Commission's October 2<sup>nd</sup> meeting, Commissioner Morgan asked about having a joint meeting. As the County Commission has hired new Administrator, the City may wait until the new Administrator has been in the position for a few months before proposing a joint meeting. Possible topics for the joint meeting could be maintenance of pier park, the County's plans to relocate the fire station and what the County's plans are for a new fishing pier.

b. With the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC): No date has been proposed for a meeting.

5. **UPDATING PERSONNEL MANUAL.** City staff has begun reviewing the Manual section by section. When the review is done, a labor attorney will be asked to review the Manual to make certain it complies with current regulations and laws. Then a draft will be prepared for the Commission to review.

6. GRANTS. The City has received grants from the following agencies:

a. Coastal Partnership Initiative: The City received a Partnership grant for \$60,000. It was proposed that this amount along with \$110,000 from American Rescue Plan Act funds would be used to construct a nature trail and scenic overlook in Ocean Hammock Park. The deadline for bids was May 23<sup>rd</sup>. One bid for \$826,210 was received. As this was well above the \$170,000 appropriated for this project, the Commission at its June 5<sup>th</sup> meeting rejected the bid and decided to ask the Florida Communities Trust (FCT), which provided grants to help purchase the Park, to allow the City to stop construction of any more facilities, such as the scenic overlook, in the Park. This will change the focus of the park from recreation to conservation. The Florida Communities Trust has responded favorably to this request and has asked that the City provide documentation to what improvements have been made to the Park to date, which the City provided. The City informed the state that it wouldn't use the Coastal Partnership Initiative grant.

b. Vulnerability Assessment. The City received a \$50,000 grant from the Florida Department of Environmental Protection's Resilient Florida Program. The grant will help pay the costs to create the City's vulnerability study to ensure that it complies with recent changes to state law. The state sent a draft work plan for the City to review and comment, which the City provided. The grant agreement has been executed. In July, the City applied for an additional \$151,549 to complete the study. A purchase order has been issued; the City Engineer will meet with the consultant on November 28<sup>th</sup>.

7. FLOODING COMPLAINTS. Citizens have expressed concerns about the following areas:

a. Ocean Walk Subdivision. The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16<sup>th</sup> Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents complained that the piping of the ditch caused flooding along the subdivision's west side. To improve the flow of water, the Public Works Director had debris cleared from the Mickler and 11<sup>th</sup> Street ditches. The Commission approved the hiring of a civil engineering consultant, the Matthew Design Group. It provided a plan for swales, a pump station and other improvements. Also, in 2022, the City received a state appropriation of \$694,000 for the project. The St. Johns River Water Management District will provide up to an additional \$354,087 for the project. In October, the City Manager signed the agreement with the District for the money. As the estimated cost for the project is \$1.4 million, the project will be done in stages, which the Florida Department of Environmental Protection has approved. Additional funding will be sought for the later stages. The City has received an easement from one subdivision resident. The City will advertise for bids for Phase 1 in early December.

b. Oceanside Circle. This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. Three bids were received for a new, paved road and drainage improvements. As all the bids were well above the \$500,000 estimate provided by the City's civil engineering consultant, the City Commission at its February 6, 2023, meeting, approved the Public Works Director's recommendation to reject the bids. This project has been postponed. It could be funded in the future by one or more of the following means: a stormwater utility fee, assessing the owners of the properties adjacent to the street, grants or an appropriation by the Florida Legislature. The City has applied for legislative funding in 2024-25.

c. St. Augustine Beach and Tennis Complex and the Sabor de Sal subdivision. During periods of intense rainfall, two retention ponds can become full, which threatens adjacent residential properties. Because

the ponds and adjacent road to one of them are privately owned and public money cannot be spent to improve private property, the City cannot develop a solution that will require the spending of public funds. The St. Johns River Water Management District determined that the areas were developed in the 1970s and early '80s, before permits were required. On June 22, 2023, the City Engineer and the City Manager held a meeting with concerned residents about the need for them to organize themselves to hire a civil engineering consultant to advise them about possible solutions. Since then, Water Management District staff has provided the City with an analysis of two private ponds. City staff met with concerned residents on August 17, 2023, to discuss possible solutions that they will have to develop and pay for. Afterwards, the Commission at its September 11<sup>th</sup> meeting approved the City pumping excess water from the Sabor de Sal and Atlantic Beach and Tennis Club ponds, if needed, during the current hurricane season.

On October 18<sup>th</sup>, the Public Works Director and City Manager met with two representatives from the St. Augustine Beach and Tennis Condos. Their large parking lot was flooded for several days from a storm on October 12<sup>th</sup>. A possible solution is for the Condos to have an underground pipe from the parking lot to the City's Linda Mar drainage system, which is connected to the Florida Department of Transportation system under State Road A1A. However, at a meeting with Florida DOT, the City Engineer and the Assistant Public Works Director learned that the DOT won't accept additional water into its system under State Road A1A. The next step will be another meeting with the condo representatives and informing Mr. Bill Brothers, owner of the Atlantic Beach Tennis Club, that he no longer can pump water from his pond to the Linda Mar system. The City Manager has asked Mr. Brothers to cease the pumping.

In a meeting with City staff of November 20<sup>th</sup>, Ms. Janice Lauroesch of Sabor de Sal suggested the City obtain an easement over a short bridge at the pond's east end for a pumping system. The question then is to where is the pond water to be pumped? City staff will ask the City Attorney about the easement.

d. Pipes under Pope Road and A1A Beach Boulevard. Application for \$557,702, 75% of which will come from the Hazard Mitigation Grant Program. The contract with the Florida Division of Emergency Management has been executed. The Public Works Director prepared a Request for Qualifications for a design consultant. The responses were reviewed and ranked by a City staff committee and the Commission at its September 12, 2022, meeting authorized the City Manager to negotiate with the firm ranked first, the Matthews DCCM. The contract was executed in October 2022 and the design has been completed. The City has submitted the design and bid documents to the Florida Division of Emergency Management for evaluation and approval of construction funding. Florida DEM requested additional engineering information leading to additional scope of work by the Matthews DCCM and a request by the City for an extension of the grant.

e. Magnolia Dunes/Atlantic Oaks Subdivisions. Thanks to the efforts of Vice Mayor Rumrell, state representative Cyndi Stevenson and state senator Travis Hutson, \$1,200,000 was put in the state's Fiscal Year 2023, which went into effect on July 1, 2022. The appropriation survived the Governor's veto pen. The Florida Department of Environmental Protection prepared a grant agreement, which was signed in late October 2022. The next step is for the City to advertise a Request for Qualifications for a design consultant to do design and permitting work. At its February 6<sup>th</sup> meeting, the City Commission approved the staff negotiating a fee for services with Environmental Consulting and Technology of Jackson. Negotiations are under way. The consultant has been hired and the pre-design study is currently being done. The state has extended the grant agreement for an additional year. It will expire on June 30, 2026.

At the Commission's September meeting, City staff asked that discussion of plans for the drainage improvements be postponed so that the staff could research more options. The City Engineer presented the options at the Commission's October 2<sup>nd</sup> meeting. The Commission decided the staff should explore using the Florida Department of Transportation retention pond on State Road A1A.

On October 26<sup>th</sup>, the City Engineer, Assistant Public Works Director and City Manager held a town hall meeting with residents of the two subdivisions. The final pre-design study was received on November 2, 2023. The City has requested a design phase scope/proposal from a consultant.

f. West end of 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> Streets. The Legislature in its 2023 budget approved an appropriation of \$90,000 for this project. The City has signed a grant agreement with the Florida Department of Environmental Protection (FDEP). Design and permitting work began in July 2023 and be completed by November 2023. The City has asked FDEP to approve this schedule. The City has issued a purchase order for a consultant to do the design phase of the project. The deadline for the consultant to complete the design is November 30, 2023. A town hall meeting to review the design was held on November 2<sup>nd</sup>. Final plans and bid package are being prepared.

8. STORMWATER UTILITY FEE. The Commission decided at its October 4, 2021, meeting that the time to levy the fee wasn't right in light of the recent increase in the non-ad valorem fee for the collection of household waste and recyclables and the increase in property taxes due to the rise of property values in the City. The Commission discussed the fee at its October 3, 2022, meeting and approved having a public hearing on November 14<sup>th</sup> meeting. At that meeting, the Commission approved a resolution stating the City's intent to adopt the non-ad valorem assessment. At its March 6, 2023, meeting, the Commission adopted an ordinance that will allow the Commission to levy a stormwater utility fee in 2024. At that meeting, the Commission did not approve a budget resolution to appropriate \$13,000 for a civil engineering consultant to research the data needed for the City to propose a range of fees for the utility but as the fees cannot be recommended by the June or July deadline for submission of the range to the Tax Collector. Money has been appropriated in the FY 24 budget to pay a consultant to develop a fee schedule for Fiscal Year 2025. In the meantime, the City staff prepared a Request for Qualifications from consulting firms. The deadline for responses was September 11<sup>th</sup>. Only Jones Edmonds provided a response. City staff is providing comments to the consultant on the second draft of its scope of work.

9. RENOVATING THE FORMER CITY HALL AND CIVIL RIGHTS MONUMENT. On March 23, 2022, the City Commission held a workshop, the purpose of which was to discuss with citizens the renovation of the second floor of the former city hall at pier park, future uses of the building and a civil rights monument. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, made a PowerPoint presentation that described the building's history and the \$500,000 historic grant that can be spent on renovating certain features of the building, such as the upstairs windows and exterior awnings, and a smaller \$25,000 grant that can be spent on interpretative signage for the building. Ms. Stone highlighted that the building's designation as historic by the federal government enhanced its eligibility for the \$500,000 grant. The outcome of the workshop is that the building is to be used as a cultural arts center with the second floor possibly having artists' studios and a small museum. Artwork outside the building, such as a new civil rights monument to replace the old one that commemorates the 1964 civil rights struggle to integrate the adjacent beach, would be created. City staff will work with Ms. Stone and the Cultural Council on such matters as the building's structural strength, building code requirements to renovate the second floor, accessibility to the second floor for the public, fund raising and seeking

citizens to serve as volunteers on a citizen advisory committee. The money from the \$500,000 grant must be spent by June 2024.

On July 12<sup>th</sup>, Ms. Christina Parrish Stone and Ms. Brenda Swan of the Cultural Council met with the Public Works Director and the City Manager and reported that the Council was advertising for proposals from architectural firms for the civil rights monument. Also discussed was where the monument would be located. One possible site is on the concrete walkway next to seawall and the stairs to the beach, so that the monument will be positioned where visitors can see it and the beach where the civil rights wade-in occurred in 1964.

At the Commission's March 2, 2023, meeting Ms. Parrish Stone showed illustrations of the proposed civil rights memorial to commemorate the "wade in" of the City's beach in front of the former city hall in 1964. She and a local architect, Mr. Connor Dowling, also showed illustrations of the new, second floor windows and some interior renovations. The memorial and other work will be paid by state grant funds. One delay is the columns along the building's north side to which the memorial panels will be attached may have to be replaced.

The latest update concerning grants for the building's renovation and the civil rights memorial is:

- Florida Department of State, Division of Historical Resources, \$500,000: \$110,251 has been spent on window replacement, roof repair, heating/air unit repair/replacement, second floor access improvements, balcony repair and repair/replacement of exterior columns.
- National Trust for Historic Preservation, \$25,000. It has been spent for visual displays to commemorate the 1964 wave-in to desegregate the beach in front of the former city hall. The displays will be put on the exterior columns once they have been repaired or replaced.
- National Park Service grant, \$50,000. This will pay for an interactive exhibition panel on the wave-in that will be in the new lobby of the restored building.

At its September 11, 2023, meeting, the City Commission agreed by consensus to provide an easement to the state. This was done at the request of the Cultural Council to help it obtain a grant of up to \$750,000 for renovations to the interior of the building.

Ms. Christina Parish-Stone provided a progress report at the City Commission's October 2<sup>nd</sup> meeting, such as roof repairs and replacing three air conditioning units. She said a contractor, DiMare, has been selected for further repairs, such as the columns, windows and awnings. She added that the Cultural Council would apply for a \$750,000 state grant with a \$100,000 match to be provided by the Cultural Council. This money will be used for a new lobby and entrance, an elevator, conference space and improvements to the area now leased by the Art Studio.

In late October, the Building Department received plans from DiMare Construction to replace the second floor windows, reconstruct the columns for an awning along the building's north side and repair the balcony on the building's east side. The City Department has issued the permit for construction.

In 2026, the long-term agreement the Cultural Council has to lease the former city hall from the City will expire. The Commission will discuss the future of the agreement at a meeting in early 2024.

10. BEACH RESTORATION. According to the U.S. Army Corps of Engineers, 2.5 million cubic yards of sand will be put on the beach from the middle of Anastasia State Park to south of A Street. The project will be done between February and September 2024. The federal government will pay the entire \$35 million cost.

11. NEW YEAR'S EVE FIREWORKS SHOW. The money for the fireworks is provided from the bed tax by the County Commission. The fireworks company has increased the cost for a 20-minute show from \$25,000 to \$27,500. The contract was signed in October by the City Manager. The City's Events Coordinator, Ms. Melinda Conlon, will work with the fireworks company on the music that accompanies the show.

12. INTERGOVERNMENTAL PROJECTS. When the Commission discussed the strategic plan at its February 1, 2021, meeting, more involvement with the County and St. Augustine was mentioned as desirable. Below is a summary of the City's current involvement with various area governmental entities.

a. Mobility: At the City Commission's August 11, 2021, meeting, St. Augustine's Public Works Director, Reuben Franklin, March 2021, presented his city's mobility plan. St. Augustine has received a grant to create a transportation connector in that city. If money remains from the grant, the two cities may discuss having a connector between them.

b. River-to-Sea Loop: This is a Florida Department of Transportation, St. Johns County, St. Augustine and St. Augustine Beach project to construct 26 miles of a paved bike/pedestrian trail as part of the 260-mile trail from the St. Johns River in Putnam County to the ocean in St. Johns County. The Loop will then go south through Flagler and Volusia counties to Brevard County. This is a long-term, multi-year project. At this time, the Loop will enter St. Augustine along King Street, go across the Bridge of Lions, south along State Road A1A to the State Park, through the Park and into our City, then along A1A Beach Boulevard to State Road A1A. Though possibly not feasible in all locations, the goal is to have a wide, bike/pedestrian trail separate from the adjacent road.

The Loop's final route has yet to be determined. It might be through the State Park into our City to A1A Beach Boulevard, or along Pope Road from Old Beach Road to the Boulevard. At a meeting on November 17, 2023, the City Engineer was informed that the River-to-Sea Loop was in the County's five-year transportation improvements plan.

c. Transportation Development Plan: The development of the plan involves several agencies, such as the County, St. Augustine, our City, the North Florida Transportation Organization and the Sunshine Bus System. On February 25, 2021, the City Manager attended by telephone a stakeholders' meeting for an update on the development of the plan's vision, mission goals and objectives. Most of the presentation was data, such as population density, percentage of residents without vehicles, senior citizens and low income and minority residents in the County and the areas served by the Sunshine Bus. The next stakeholders' meeting has yet to be announced. The agenda will include transit strategies and alternatives and a 10-year implementation plan.

d. Recycling Glass Containers. St. Augustine Beach will join St. Augustine's program. St. Augustine has put a dumpster in the south city hall parking lot for glass containers and the City's Communications Coordinator, Ms. Melinda Conlon, has informed the public of this new service.

13. BEACH ACCESS WALKOVERS. The Assistant Public Works Director and City Manager asked the St. Augustine Port, Waterway and Beach Commission at its July 18<sup>th</sup> meeting to appropriate money in its Fiscal Year 2024 budget for walkovers. The Port Commission at its July 18, 2023, meeting appropriated \$190,025 for walkovers. The City will match this amount to construct walkovers at 10<sup>th</sup> and 6<sup>th</sup> Streets in Fiscal Year 2024, which are now under construction. They should be completed by the end of December. Money for two more walkovers, C and E Streets, will be requested for the Fiscal Year 2025 budget. At a November 17, 2023, meeting of the County's Transportation Advisory Group, an agreement for the County to maintain the walkovers was discussed, once the C and E Street ones are completed next year.

14. HAMMOCK DUNES PARK. This Park is located on the west side of A1A Beach Boulevard between the shopping center and the Whispering Oaks subdivision. At this time, it has no amenities, such as walking trails, and the City has no money for them because of significant drainage and other projects.

15. UNDERGROUNDING OF ELECTRIC WIRES ALONG A1A Beach Boulevard. Because of the estimated cost of \$1 million per mile and the City's current focus is on drainage improvements, there is no current action to report. However, in accordance with Commission policy, the undergrounding of the lines will be done on new residential streets, such as 2<sup>nd</sup> Street west of 2<sup>nd</sup> Avenue.

16. TRAFFIC SIGNAL ON STATE ROAD A1A AT MADRID STREET AND THE ENTRANCE TO MARSH CREEK SUBDIVISION. This has been requested by City residents. The signal would benefit the residents of two private, gated subdivisions, Whispering Oaks and Marsh Creek, and one ungated subdivision, Sevilla Gardens, with public streets. In response to emails from the City Manager, the Florida Department of Transportation responded that there aren't enough residents in Sevilla Gardens to justify the signal and the two gated subdivisions would be responsible for having a traffic study done, and, if the study showed the signal was justified, paying for the signal. The City Manager forwarded this information to a Whispering Oaks resident, who said he would contact Marsh Creek. At the Commission's December 5, 2022, meeting, Commissioner George said she would contact the Marsh Creek Homeowners Association about the traffic signal proposal. She reported at the Commission's April 3, 2023, meeting that the cost of the signal system, according to the Florida Department of Transportation, would be \$1 million. At the Commission's August 7<sup>th</sup> meeting, she reported that she met with the board members of the Marsh Creek Homeowners Association and that some of the members were not in favor of the signal. She said she would follow up with the board again to see if they wanted more information or if they would take a formal position concerning the signal.

#### 17. NEW STREETLIGHTS ON 11<sup>TH</sup> STREET

The City has asked Florida Power and Light to put two new lights on the north side of 11<sup>th</sup> Street between Mickler Boulevard and the entrance to the Ocean Ridge subdivision. The City Manager has signed the contract for the lights. A deposit of \$1,400 for the new lights has been sent to FP&L. The schedule is for the lights to be in place by February 2024.

18. NEW STREETS. There are two projects: 2<sup>nd</sup> Street west of 2<sup>nd</sup> Avenue and 4<sup>th</sup> Street between A1A Beach Boulevard and 2<sup>nd</sup> Avenue. The 2<sup>nd</sup> Street project also included rebuilding the existing street between the Boulevard and 2<sup>nd</sup> Avenue. Both sections of 2<sup>nd</sup> Street were paved in October. This project should be completed by mid-November.

Fourth Street is a platted street, most of which between the Boulevard and 2<sup>nd</sup> Avenue is unpaved. The City's policy is that the cost to open and pave such streets is paid by the owners of the lots adjacent to them and the City. The owners are charged an assessment. At its November 14, 2022, meeting, the City Commission approved the City Manager notifying the owners of the City's intent to open the street and charge them an assessment. In early December, the Manager sent the notification letters to the four owners. In late February, one property owner in response to his inquiry was told the cost to construct the street would be between \$460,000 and \$500,000, though the City Engineer considers this estimate to be low. The other property owners did not respond. An Engineer will get a revised estimate and the City staff will schedule a meeting with the owners to discuss a special assessment.

19. **CLEANING OF STATUES IN LAKESIDE PARK.** Some of the statues are showing wear and their age. The City Manager wrote to Ms. Marianne Lerbs, the wife of sculptor Thomas Glover, who is now deceased, for guidance to clean the statues.

20. **REVIEW OF PUBLIC WORKS OPERATIONS.** The City Manager held a meeting with the Finance Director, Public Works Director and Assistant Public Works Director, to discuss doing a review of public works operations to see where changes can be made to save money and improve efficiency. One outcome of the discussion was to meet with staff of St. Augustine and Flagler Beach to see what can be learned from how they do their operations, especially recycling.

21. **REQUEST FOR QUALIFICATIONS.** The City Engineer has prepared a Request for Qualifications for firms to provide various types of services, which include architectural, surveying, environmental, GIS, general civil engineering and mechanical/electrical/plumbing engineering. He has also requested bids for City-wide pipe and manhole lining renewal and rehab services. Proposals from numerous companies were received by the November 9, 2023, deadline. A committee of senior City employees is now evaluating and ranking the proposals, and will provide recommendations at the Commission's January 8, 2024, meeting.