City of Atlantic Beach

# Final Agenda

## Regular City Commission Meeting

**Monday, January 22, 2024 - 6:30 p.m.**
**Commission Chamber**
**City Hall, 800 Seminole Road**
**Atlantic Beach, FL 32233**

**INVOCATION AND PLEDGE TO THE FLAG**
**CALL TO ORDER**

Page(s)

**1. APPROVAL OF MINUTES**

* 1.A. Approve minutes of the Regular Commission meeting held on January 8, 2024. 3 - 19
1-8-24 Regular City Commission Draft Minutes

**2. COURTESY OF FLOOR TO VISITORS**

**PUBLIC COMMENT**

**3. CITY MANAGER REPORTS**

3.A. Accept the 90-Day Calendar (Feb. - Apr. 2024) 21 - 24
90 Day Calendar (Feb. - Apr. 2024)

**4. REPORTS AND/OR REQUESTS FROM CITY COMMISSIONERS**

**5. UNFINISHED BUSINESS FROM PREVIOUS MEETINGS**

None.

**6. CONSENT AGENDA**

None.

**7. COMMITTEE REPORTS**

None.

**8. ACTION ON RESOLUTIONS**

8.A. **RESOLUTION NO. 24-04** 25 - 30
A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA APPROVING AND ACCEPTING THE TEMPORARY CONSTRUCTION EASEMENT AGREEMENT FROM ST. JOHN THE BAPTIST PARISH FOR TEMPORARY NON-EXCLUSIVE EASEMENT FOR CONSTRUCTION AND RELATED PURPOSES, SUBJECT TO THE RESPECTIVE TERMS IN THE EASEMENT AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE

THE EASEMENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
Resolution No. 24-04

## 9. ACTION ON ORDINANCES

None.

## 10. MISCELLANEOUS BUSINESS

None.

## 11. CITY ATTORNEY/CITY CLERK REPORTS AND/OR REQUESTS

## 12. CLOSING COMMENTS BY CITY COMMISSIONERS AND CITY MANAGER

## 13. ADJOURNMENT

This meeting will be live-streamed and videotaped. The video recording will be posted within four business days on the City's website. To access live or recorded videos, click on the Meeting Videos tab on the city's home page at www.coab.us.

If any person decides to appeal any decision made by the City Commission with respect to any matter considered at any meeting, such person may need a record of the proceedings, and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record shall include the testimony and evidence upon which the appeal is to be based.

Any person wishing to speak to the City Commission on any matter at this meeting should submit a request to the City Clerk prior to the meeting. For your convenience, forms for this purpose are available at the entrance to the Commission Chamber.

Every effort is made to indicate what action the City Commission is expected to take on each agenda item. However, the City Commission may act upon any agenda subject, regardless of how the matter is stated on the agenda.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-5821 or at City Hall, 800 Seminole Road, Atlantic Beach, FL 32233, no later than 5:00 PM on the Thursday prior to the meeting.

# MINUTES
## Regular City Commission Meeting
## Monday, January 8, 2024 - 6:30 PM
## Commission Chamber
## City Hall, 800 Seminole Road
## Atlantic Beach, FL 32233

**INVOCATION AND PLEDGE OF ALLEGIANCE**
**CALL TO ORDER:**

Following the Pledge of Allegiance, Mayor Ford called the meeting to order at 6:30 PM. CC Bartle called the roll.

**ATTENDANCE:**

**Present:**
Curtis Ford, Mayor - Seat 1
Bruce Bole, Commissioner - Seat 2 (District 1308)
Michael Waters, Commissioner - Seat 3 (District 1307)
Candace Kelly, Commissioner - Seat 4 (District 1306)
Jessica Ring, Commissioner - Seat 5 (District 1312)

**Also Present:**
William B. Killingsworth, City Manager (CM)
Jason Gabriel, City Attorney (CA)
Donna Bartle, City Clerk (CC)
Kevin Hogencamp, Deputy City Manager (DCM)
Ladayija Nichols, Deputy City Clerk (DCC)
Amanda Askew, Planning & Community Development Dir. (PCDD)

**1 APPROVAL OF MINUTES**

**1A. Approve minutes of the Regular Commission Meetings held on September 11, 2023, November 13, 2023, November 27, 2023, and December 11, 2023.**

Mayor Ford asked if there were any corrections or changes needed. There were no corrections to the minutes. Mayor Ford stated the minutes stand as submitted.

**2. COURTESY OF FLOOR TO VISITORS**

**2.A. Wreaths Across America presentation (Leslie May & Sherry Saucerman)**

Mayor Ford invited Ms. May and Ms. Saucerman to speak about their organization and present certificates of appreciation to City staff and civilian volunteers. Mayor Ford expressed words of gratitude.

**PUBLIC COMMENT**



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Mayor Ford explained the process for public comments and opened the Courtesy of the Floor to Visitors. CC Bartle called each speaker to the podium.

**Megan and Patti Nottingham** expressed concerns about speeding in their neighborhood. Mayor Ford and CM Killingsworth ensured that speed tables would be placed in their neighborhood.

**Brinkley Harrell** spoke about agenda item 3B as detailed in a handout (which is attached hereto and made part of this Official Record as **Attachment A**).
1-8-24 Attachment A

## 3. CITY MANAGER REPORTS

### 3.A. Accept the 90-Day Calendar (Jan. - Mar. 2024)

CM Killingsworth reported on this item as detailed in the agenda packet. He noted that the priority setting is being rescheduled for a date in February.

Commissioner Ring requested that the Martin Luther King Jr. ceremony happening on January 13, 2024 be added to the calendar.

There was a ***CONSENSUS*** to approve the 90-Day Calendar as presented and amended.

### 3.B. Status update for the complete streets improvements on Ahern Street between Ocean Blvd. and East Coast Drive.

PCDD Askew presented this item as detailed in the agenda packet.

Commissioner Waters inquired about the Ragtime Tavern parking lot. PCDD Askew explained that the entrance on Ahern will be closed off and that there will be two entrances that will reorient the parking lot to go east-west instead of north-south.

Commissioner Bole asked about nonporous surface. PCDD Askew informed that the sidewalks are nonporous and the engineers have been asked to look at engineering the parking spaces with grass block pavers. She explained that concrete will be added as a part of this project and that drainage would be looked at for updates as well.

Commissioner Kelly expressed concerns about phase two of the project. PCDD Askew expressed that the rest of Ahern is anticipated in phase two.

Commissioner Ring asked if staff has met with 42 East Coast Drive. PCDD Askew answered yes and that a sidewalk is being provided on the north side of their property and that a connection between their sidewalk and across East Coast Drive is being looked at in hopes of making it safer. Commissioner Ring inquired about a four-way stop being considered. PCDD Askew informed that the traffic engineers would review this option to make sure they aren't going to violate anything in the greenbook. She informed that options have been discussed and a plan would start to develop during the 60% completion drawings portion of the project.



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Mayor Ford inquired about public parking located on 42 East Coast Drive and bike paths. PCDD Askew informed that there will be public on street parking. She shared that bike paths can be looked at by the consultants however, it does not coincide with the greater plan.

Commissioner Waters inquired about Coop 303's offsite parking and about bike racks. PCDD Askew informed that Coop 303 and 42 East Coast Drive have an agreement and a variance for offsite parking. She expressed that one of the proposed changes to Chapter 24 is potentially limiting the bike racks in regard to parking reductions.

PCDD Askew reiterated a summary of what the Commission would like to see: 60% plans, concerns about pedestrian crossings on East Coast Drive, look at the offset intersections, storm water, pervious concrete and adding a potential option for bike lane.

**3.C. Presentation on Existing Goals**

PCDD Askew reported on this item as detailed in a slideshow presentation (which is attached hereto and made part of this Official Record as **Attachment B**).

Commissioner Kelly encouraged supporting the work that ESC has done.

1-8-24 Attachment B

**4. REPORTS AND/OR REQUESTS FROM CITY COMMISSIONERS**

**Commissioner Bole**

- Announced a Beaches Town Center Agency meeting happening on January 9, 2024.
- Briefly spoke about the Form 6 and expressed hopes that it does not deter citizens to run for office.
- Expressed that he has completed research on the liability issue and that he would like to come up with a policy.

**Commissioner Kelly**

- Informed that she has completed research regarding recreation and community support services.
- Announced that she attended the Florida League of Cities Form 6 presentation.

**Commissioner Ring**

- Announced that Duval County Public Schools will be closed on January 9, 2024 due to inclement weather.
- Expressed gratitude for the work done to get the speed tables implemented in her neighborhood.

**Commissioner Waters**

- Requested that the STOP committee provide a brief presentation of their progress.
- Briefly spoke about the potential use of the Almost Home property and expressed that he would like for the veterans to have first priority. CM Killingsworth informed that the City has made an offer and is currently in the due diligence process and expressed that he is willing to sit down with any group to discuss the use for this site.

**Mayor Ford**



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- Expressed that he is disbanding the assignment of Commissioners to committees and that he would instead like to hear from the chairs of the committees. Commissioner Bole requested that someone from staff watch the Pension Board meetings because it's financial and important. CM Killingsworth asked how often the Commission would like the chairs to meet. Commissioner Ring suggested that they meet biannually. Commissioner Waters suggested speaking with the chair of the STOP committee to find out what he thinks is appropriate. Mayor Ford expressed that he would like to see a representative at each Commission meeting providing an update. Commissioner Kelly asked about how the Commission will ensure that the two way communication amongst the Commission and committees will continue. Mayor Ford expressed that he would like to hear from chairs on a frequency that they deem appropriate to provide the Commission with an update. Commissioner Ring opined that by having a voting member from a Committee provide the Commission a report will allow for direct communication.

**5. UNFINISHED BUSINESS FROM PREVIOUS MEETINGS**
None.

**6. CONSENT AGENDA**
None.

**7. COMMITTEE REPORTS**
None.

**8. ACTION ON RESOLUTIONS**

**8.A. RESOLUTION NO. 24-01**
**A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA, AUTHORIZING THE INSTALLATION OF A NEW WELL 3W AT THE WATER TREATMENT PLANT #3 AT 902 ASSISI LANE; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS AND PURCHASE ORDERS IN ACCORDANCE WITH AND AS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Ford read the title of the resolution.

CM Killingsworth reported on this item as detailed in the agenda packet.

***MOTION:*** Approve Resolution No. 24-01.

***Motion: Jessica Ring***
***Second: Candace Kelly***

| | |
|---|---|
| ***Curtis Ford*** | ***For*** |
| ***Bruce Bole*** | ***For*** |
| ***Michael Waters*** | ***For*** |
| ***Candace Kelly (Seconded By)*** | ***For*** |



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| | |
|---|---|
| ***Jessica Ring (Moved By)*** | ***For*** |

***Motion passed 5 to 0.***

**8.B. RESOLUTION NO. 24-02**

**A RESOLUTION OF THE CITY OF ATLANTIC BEACH EXTENDING THE TERM OF SUZANNE GREEN AS SPECIAL MAGISTRATE FOR ONE YEAR; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS AND PURCHASE ORDERS IN ACCORDANCE WITH AND AS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Ford read the title of the resolution.

CM Killingsworth reported on this item as detailed in the agenda packet.

The Commission expressed that the magistrate is doing great.

***MOTION:*** Approve Resolution No. 24-02.

***Motion: Bruce Bole***
***Second: Candace Kelly***

| | |
|---|---|
| ***Curtis Ford*** | ***For*** |
| ***Bruce Bole (Moved By)*** | ***For*** |
| ***Michael Waters*** | ***For*** |
| ***Candace Kelly (Seconded By)*** | ***For*** |
| ***Jessica Ring*** | ***For*** |

***Motion passed 5 to 0.***

**8.C. RESOLUTION NO. 24-03**

**A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF A $65,000 DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT, A $86,950 DEPARTMENT OF ECONOMIC OPPORTUNITY GRANT, AND $10,000 CITY FUNDS TO ENGAGE JONES EDMUNDS TO PERFORM A REVIEW AND UPDATE OF THE CITY'S COASTAL VULNERABILITY ASSESSMENT AND ADAPTATION PLAN; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS AND PURCHASE ORDERS IN ACCORDANCE WITH AND AS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Ford read the title of the resolution.

CM Killingsworth reported on this item as detailed in the agenda packet.



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***MOTION:*** Approve Resolution (No.) 24-03.

***Motion: Jessica Ring***
***Second: Michael Waters***

| | |
|---|---|
| ***Curtis Ford*** | ***For*** |
| ***Bruce Bole*** | ***For*** |
| ***Michael Waters (Seconded By)*** | ***For*** |
| ***Candace Kelly*** | ***For*** |
| ***Jessica Ring (Moved By)*** | ***For*** |

***Motion passed 5 to 0.***

**9. ACTION ON ORDINANCES**
None.

**10. MISCELLANEOUS BUSINESS**
None.

**11. CITY ATTORNEY/CITY CLERK REPORTS AND/OR REQUESTS**
CA Gabriel

- Reported on Form 6 findings, what the form entails and answered questions from the Commission.

**12. CLOSING COMMENTS BY CITY COMMISSIONERS AND CITY MANAGER**
**Commissioner Ring**

- Encouraged the public to submit topics that they would like to see the Commission prioritize.

**Commissioner Waters**

- Wished everyone a happy New Year.

**13. ADJOURNMENT**
The meeting adjourned at 7:49 p.m.

Attest:

_____ _____
Donna L. Bartle, City Clerk Curtis Ford, Mayor

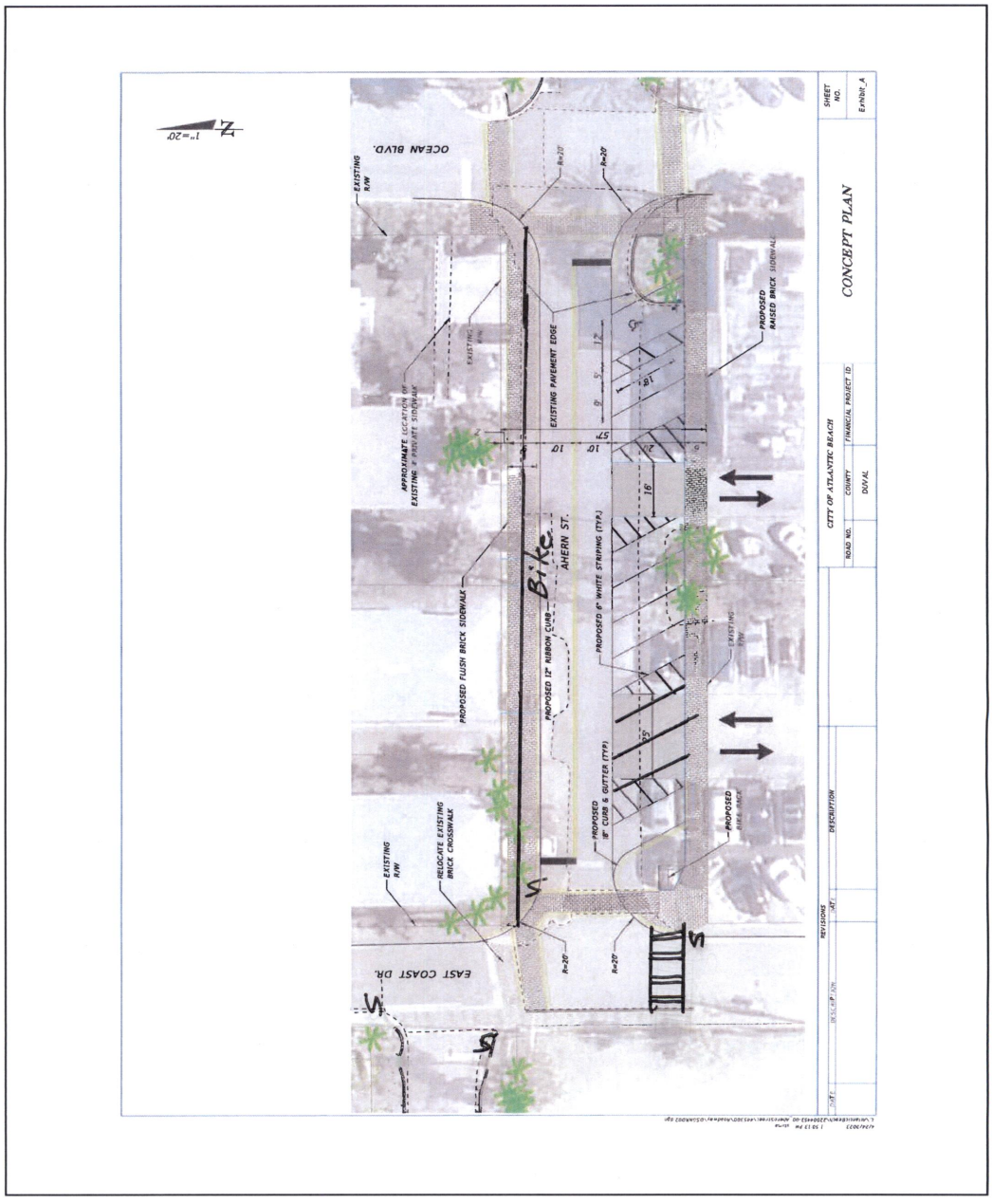
Date Approved:_____

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**Attachment A to
1-8-24 Minutes**

1/8/24 – Handout - Brinkley Harrell

**Agenda Item #3.B.
08 Jan 2024**



# Existing Goals from City Plans

- ❑ 2023 Comprehensive Plan
- ❑ Coastal Vulnerability, Resiliency and Adaptation Plan
- ❑ Connectivity Plan
- ❑ Sustainability and Resiliency Community Action Plan

# ❑ 2023 Comprehensive Plan

**Goal A.1** The City shall manage growth and redevelopment in a manner, which results in a pattern of land uses that: 1) encourages, creates and maintains a healthy and aesthetically pleasing built environment, 2) avoids blighting influences, 3) preserves and enhances coastal, environmental, natural, historic and cultural resources, 4) maintains the City's distinct residential community character, 5) provides for reasonable public safety and security from hazardous conditions associated with coastal locations, 6) that provides public services and facilities in a timely and cost effective manner, and 7) that encourages energy efficiency and the use of renewable energy resources.

**Goal B.1** The City shall provide a safe, reliable and efficient roadway system with reasonable operational and maintenance characteristics.

**Goal C.1** The City shall provide needed public facilities and infrastructure in a manner, which protects investment in the existing facilities and promotes efficient and appropriate use by existing and future development.

# ❑ 2023 Comprehensive Plan

**Goal C.2** Adequate stormwater management and provision for drainage shall be provided to afford reasonable protection from flooding and to prevent degradation in the quality of receiving surface water and ground water.

**Goal D.1** The City shall protect, enhance and preserve beach and dune systems, as well as other coastal resources of environmental value, through proper maintenance and management practices, the avoidance of inappropriate use and development, including publicly-financed improvements within the Coastal High Hazard Area, and shall continue an ongoing program of re-vegetation and installation of properly designed public access-ways in areas that are subject to erosion such as the dune system.

# ❑ 2023 Comprehensive Plan

**Goal D.4** The City shall promote and encourage energy conservation and efficiency in an effort to reduce greenhouse gas emissions and protect the environment.

**Goal D.5** The City shall ensure the development and redevelopment of property requires principles, strategies, and engineering solutions that reduce flood risks which result from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

**Goal E.1** The City shall maintain sufficient parks, recreation facilities and open space so as to provide the citizens with a wide variety of leisure time activities in order that the City continues to be a healthy, desirable and attractive community in which to live.

# ❑ Coastal Vulnerability, Resiliency and Adaptation Plan

| Recommendation | Action | Timeframe for Initiation |
|---|---|---|
| Review all capital projects in context of adaptation | Incorporate into project planning procedures | Immediate |
| Building and zoning code review | Initiate review process and produce report of recommended actions | Near-Term |
| Policies to encourage homeowner resiliency projects | Establish policies | Mid-Term |
| Reinforce value of trees for absorbing runoff | Develop educational materials; coordinate with COJ efforts | Near-Term |
| Real estate disclosures | Initiate discussions with Property Appraiser and develop approach for implementation | Mid-Term |
| Education and Public Engagement Tools | Develop/adapt educational materials | Near-Term |
| Low maintenance buffers on City property | Establish policy | Immediate |
| Marsh restoration partnering w/ COJ, JAXPORT, USACE | Begin planning, discuss with relevant agencies, determine funding sources | Long-Term |
| Work with COJ on vulnerability outreach program | Begin coordination and development of outreach materials | Mid-Term |
| Invasive species mapping in riparian areas | Complete map and develop eradication plan | Near-Term |
| Maintain federal authorization for beach renourishment | Maintain contact with USACE, COJ and FDEP to assure authorization is maintained | Ongoing |

# ❑ Coastal Vulnerability, Resiliency and Adaptation Plan

| | | |
|---|---|---|
| Incorporate EPA Green Streets into planning & projects | Incorporate in to Complete Streets program | Near-Term |
| Seek funding to phase out septic tanks | Initiate discussions with COJ, FDEP and SJRWMD to identify funding opportunities | Ongoing |
| Incentivize LID practices | Develop LID guide and update code as necessary to incentivize | Near-Term |
| Review minimum off-street parking requirements | Review and update applicable sections of code | Near-Term |
| Revise minimum FFEs in exposed areas | Evaluate impact of change and implement code change | Mid-Term |

# ❑ Connectivity Plan

## Purpose and Benefits

Improving connectivity by providing a safe environment for pedestrians and bicyclists is a top priority within the city. The purpose of this plan is to identify opportunities for on– and off-street facilities that help create safe and comfortable connections that capitalize on the city's natural, cultural, and recreational amenities such as parks, commercial districts, schools, community centers and the beach. In addition to enhanced connectivity and access, pedestrian and bicycle infrastructure also influence:

# ❑Sustainability and Resiliency Community Action Plan (SRCAP)

| Focus Area | 2050 (or earlier) Goals |
|---|---|
| Natural Systems & Ecology | • Develop and enhance connectivity and walkability between parks and within city.<br>• Ensure that 95% of residential addresses are located within ½ mile of a park or open space.<br>• Increase and maintain healthy, diverse tree canopy to 40%.<br>• Reduce use of harmful chemicals and biocides by 90% |
| Energy & Climate | • Reduce greenhouse gas emissions (GHG) emissions to below two metric tons per capita or 80% below 1990 levels<br>• Commit to Under 2° actions and implementation.<br>• Reduce 20% of overall energy consumption.<br>• Work with Jacksonville Eclectic Authority (JEA) and other partners to generate 33% of citywide electricity from renewable energy and obtain 100% of electricity from clean, renewable sources city wide |
| Quality of Life / Livability | • Demonstrate an annual improving trend achievement for the stated thresholds and metrics (LEED quality of life data , safe community, housing & transportation affordability, food access & nutrition, community health, ambient noise & light, active living, aging in the community, environmental justice, arts & culture, historic preservation, social & cultural diversity) |
| Water | • Meet or exceed National Primary Drinking Water Regulations for 90 known contaminants and add status of water withdrawal areas in annual report.<br>• Reduce gross potable water consumption per capita by 40% including on lawns.<br>• Make 100% of COAB waterways fishable and swimmable.<br>• Ensure COAB has sufficient water storage and mitigates inland flooding during extreme weather events.<br>• No treated or non-point source pollution in Intercoastal Waterway, St. Johns River or ocean. |
| Green Building & Infrastructure | • Strive for 100% of new buildings meet green building and resiliency standards (GB&R).<br>• Strive for 100% of existing buildings are educated about GB&R standards and benefits and at least 50% actively striving to meet standards.<br>• Reduce total electricity consumption by 20%. |

# ❑Sustainability and Resiliency Community Action Plan (SRCAP)

| | |
|---|---|
| Solid Waste | • Reduce municipal solid waste (MSW) generated by 30%.<br>• Increase MSW diverted from landfill by 30% through reduction, composting and recycling.<br>• Actively work at becoming a "zero waste" community reporting action items and lessons learned in annual report. |
| Transportation & Land Use | • Increase number of lots that retain trees (not denuded due to construction) and incentivize renovations instead of tear downs by 25%.<br>• Define and identify number of historic homes/buildings in AB and incentivize preservation.<br>• Increase number of historic homes/buildings, number of lots that retain trees (not denuded due to construction), and renovate versus razing by 25%<br>• Reduce total vehicle miles traveled (VMT) and emissions from vehicles by 20% and achieve majority of trips made by foot, bike, carpooling, or transit.<br>• Achieve and maintain a Gold ranking for the League of American Bicyclists Bicycle Friendly Community Score.<br>• Eliminate pedestrian and bike fatalities.<br>• Attain a "good" rating on the Air Quality Index (AQI) 365 days/year. |
| Governance, Community Outreach & Education | • Improve measurement, performance, and reporting year over year and share results in annual report for both city and community wide.<br>• Achieve and maintain best quality bond rating.<br>• Continue to grow COAB sustainability and resiliency leadership commitments (one per year/multi-year).<br>• Achieve 90% engagement by COAB residents with this plan.<br>• Designate a SRO/Office and add sustainability and resiliency to employee's workplan and performance metrics (2025).<br>• Uphold a process that ensures the civil and human rights of all people is fundamental. |

**CITY OF ATLANTIC BEACH**
**CITY COMMISSION MEETING**
**STAFF REPORT**

**AGENDA ITEM:** 90-Day Calendar for the Mayor and Commission

**SUBMITTED BY:** Yvonne Calverley, Executive Assistant to the City Manager

**TODAY'S DATE:** January 10, 2024

**MEETING DATE:** January 22, 2024

**BACKGROUND:** The 90-day calendar is included on the agenda for the purpose of setting meeting dates and determining the location, time and whether to videotape special meetings and workshops. The rolling 90-day calendar will be revised after receiving input from City staff and the Commission, and will be included in each agenda for consideration.

Notes:
• A Priority Setting Meeting has been scheduled for Monday, February 5 at 5:30 pm in the Chamber.

**BUDGET:** None

**RECOMMENDATION:** Approve the 90-Day Calendar for February – April 2024

**ATTACHMENT:** 1) Mayor and Commission 90-Day Calendar (February – April 2024)

**REVIEWED BY CITY MANAGER:**

**MAYOR AND COMMISSION**

# February 2024

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|---|---|---|---|---|---|---|
| | | | | 1 | 2 | 3 |
| 4 Farmers Market 10 am – 2 pm (Russell Park) Songwriters Concert 6 pm (Bull Park) | 5 Priority Setting Meeting 5:30 pm | 6 | 7 Atlantic Beach Teen Council 5 pm | 8 Pension Board Meetings 6:30 pm | 9 | 10 |
| 11 Farmers Market 10 am – 2 pm (Russell Park) | 12 Commission Mtg 6:30 pm (Invoc-Waters) | 13 ARCC Meeting 6 pm | 14 ESC Tree Subcommittee 5:15 pm ESC Meeting 6 pm | 15 STOP Committee Meeting 6 pm | 16 | 17 Black History Month Music & Trivia 3-5 pm (Veterans Park) |
| 18 Farmers Market 10 am – 2 pm (Russell Park) | 19 President's Day City Offices Closed | 20 Community Development Board Mtg 6 pm | 21 ESC Outreach Subcommittee 4:45 pm | 22 Sustainability and Resiliency Subcommittee 9 am | 23 | 24 Black History Month Movie in the Park 6:30 pm (Jordan Park) |
| 25 Farmers Market 10 am – 2 pm (Russell Park) | 26 Commission Mtg 6:30 pm (Invoc-Kelly) | 27 | 28 Charter Review Committee 6 pm | 29 | | |

MAYOR AND COMMISSION

# March 2024

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|---|---|---|---|---|---|---|
| | | | | | 1 | 2 |
| 3 Farmers Market 10 am – 2 pm (Russell Park) Songwriters Concert 6 pm Bull Park | 4 | 5 | 6 Atlantic Beach Teen Council 5 pm | 7 Environmental Speaker Series 6 pm (Chamber) | 8 | 9 Tour de Parks 9am – 11 am (Russell Park) |
| 10 Farmers Market 10 am – 2 pm (Russell Park) | 11 Commission Meeting 6:30 pm (Invoc-Ring) | 12 ARCC Meeting 6 pm | 13 Tree Subcommittee Mtg 5:15 pm Environmental Committee 6 pm | 14 | 15 | 16 |
| 17 Farmers Market 10 am – 2 pm (Russell Park) | 18 | 19 CDBG Meeting 6 pm | 20 Environmental Outreach Mtg 4:45 pm | 21 STOP Committee 6 pm | 22 | 23 |
| 24 Farmers Market 10 am – 2 pm (Russell Park) | 25 Commission Meeting 6:30 pm (Invoc-Ford) | 26 | 27 | 28 Sustainability and Resiliency Subcommittee 9am | 29 | 30 Egg Hunt 10 am – 1 pm Jordan Park |
| 31 Farmers Market 10 am – 2 pm (Russell Park) | | | | | | |

MAYOR AND COMMISSION

# April 2024

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|---|---|---|---|---|---|---|
| | 1 | 2 | 3<br>Atlantic Beach Teen Council 5 pm | 4 | 5 | 6 |
| 7<br>Farmers Market 10 am – 2 pm (Russell Park)<br>Songwriters Concert 6 pm | 8<br>Commission Meeting 6:30 pm (Invoc-Bole) | 9<br>ARCC Meeting 6 pm | 10<br>Tree Subcommittee Mtg 5:15 pm<br>Environmental Committee 6 pm | 11 | 12 | 13<br>Town Hall Meeting 10 am (Baker Center) |
| 14<br>Farmers Market 10 am – 2 pm (Russell Park) | 15 | 16<br>CDBG Meeting 6 pm | 17<br>Environmental Outreach Mtg 4:45 pm | 18<br>STOP Committee 6 pm | 19 | 20<br>Arts in the Park 10 am – 4 pm Johansen Park |
| 21<br>Farmers Market 10 am – 2 pm (Russell Park) | 22<br>Commission Meeting 6:30 pm (Invoc-Waters) | 23 | 24<br>Charter Review Committee 6 pm | 25<br>Sustainability and Resiliency Subcommittee 9am | 26 | 27 |
| 28<br>Farmers Market 10 am – 2 pm (Russell Park) | 29 | 30 | | | | |

**CITY OF ATLANTIC BEACH**
**CITY COMMISSION MEETING**
**STAFF REPORT**

**AGENDA ITEM:** Resolution No. 24-04 approving and accepting the temporary construction easement agreement from St. John the Baptist Parish for temporary non-exclusive easement for construction and related purposes, subject to the respective terms in each easement agreement; authorizing the mayor to execute the easement agreements.

**SUBMITTED BY:** Steve Swann, City Engineer

**TODAY'S DATE:** January 9, 2024

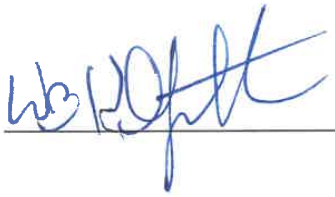
**MEETING DATE:** January 22, 2024

**BACKGROUND:** The City of Atlantic Beach is proposing to construct a new 16" potable water well at Water Treatment Plant No. 3, 902 Assisi Lane, to replace the existing wells. The new well will be constructed on City of Atlantic Beach property. Due to site constraints, the contractor constructing the new well requires additional offsite area for drilling equipment and material staging.

St. John the Baptist Parish owns property adjacent to Water Treatment Plant No. 3 and has agreed to a temporary construction easement to allow the City's contractor to utilize a portion of their property during construction. This easement must be executed by the Mayor.

**RECOMMENDATION:** The City Commission approve Resolution No. 24-04

**ATTACHMENTS:** Resolution No. 24-04
Attachment A - Temporary Construction Easement Agreement

**REVIEWED BY CITY MANAGER:** 

**RESOLUTION NO. 24-04**

**A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA APPROVING AND ACCEPTING THE TEMPORARY CONSTRUCTION EASEMENT AGREEMENT FROM ST. JOHN THE BAPTIST PARISH FOR TEMPORARY NON-EXCLUSIVE EASEMENT FOR CONSTRUCTION AND RELATED PURPOSES, SUBJECT TO THE RESPECTIVE TERMS IN THE EASEMENT AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City will be constructing a new potable water well at Water Treatment Plant No. 3; and

**WHEREAS,** as part of this project, additional offsite area for staging construction equipment and materials is needed on adjacent property owned by St. John the Baptist Parish; and

**WHEREAS,** the City requested and St. John the Baptist Parish has agreed to grant to the City a temporary non-exclusive easement for staging of construction equipment and construction activities and related purposes, subject to the terms therein.

**NOW THEREFORE,** be it resolved by the City Commission of the City of Atlantic Beach as follows:

**SECTION 1.** The City Commission hereby approves and accepts the Temporary Construction Easement Agreement with St. John the Baptist Parish as set forth in Attachment A, attached hereto and made a part hereof..

**SECTION 2.** The City Commission hereby authorizes the City Manager to execute contracts and purchase orders in accordance with and as necessary to effectuate the provisions of this resolution.

**SECTION 3.** The Mayor is hereby authorized to execute the attached St. John the Baptist Parish easement, Exhibit A, and such other documents as may be necessary to effectuate the purpose of this Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** by the City Commission of the City of Atlantic Beach, this 22nd day of January, 2024.

_____
Curtis Ford, Mayor

Attest:

_____
Donna L. Bartle, City Clerk

Approved as to form and correctness:

_____
Jason Gabriel, City Attorney

# Attachment A

**Prepared by and Return to:**
Steve Swann, PE, City Engineer
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, FL 32233

## TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

This Temporary Construction Easement Agreement (the "Agreement") is made and entered into __ day of _____, 2022, (the "Effective Date") by and between ST. JOHN THE BAPTIST PARISH ("Grantor"), whose mailing address is 2400 Mayport Rd, Jacksonville FL, 32233 and the CITY OF ATLANTIC BEACH ("Grantee"), whose mailing address is 800 Seminole Road, Atlantic Beach, Florida 32233, with reference to the following recitals of fact:

A. Grantor is the owner of that certain property described in the attached Exhibit "A" (hereafter "Property").

B. Grantee is undertaking the construction of a new potable water supply well at the adjacent Water Treatment Plant No. 3 (the "Improvements").

C. Grantee has requested that Grantor provide a Temporary Construction Easement to Grantee over the Property for the purpose of conducting staging of construction equipment and construction activities necessary for the construction of the potable water well.

D. Grantor and Grantee are entering into this Agreement to temporarily permit construction activities by Grantee within the Property and to establish the terms and conditions thereof.

NOW, THEREFORE, for and in consideration of the terms and conditions set forth in this Agreement, Grantor and Grantee agree as follows:

1. Recitals. The Recitals set forth above are true and correct and shall form a part of this Agreement.

2. Grant of Easement. Grantor hereby grants and conveys unto Grantee a temporary construction easement to enter upon that portion of Grantor's Property as shown on Exhibit "A" attached hereto (the "Easement"), for the purpose of conducting staging of construction equipment and construction activities on the Property to allow for the horizontal directional boring associated with the Improvements.

3. Costs and Condition of Easement. All costs associated with the use within the Easement area shall be borne by Grantee. Grantee shall not damage Grantor's Property or improvements except as may be reasonably necessary to use the Easement for its intended purpose. The Property shall be re-sodded, and any unreasonable damage to the Property shall be repaired by Grantee at Grantee's sole expense.

4. Term. The Temporary Construction Easement shall be for a term of one hundred and eighty (180) days from the commencement of construction. Grantee shall provide written notice to

Grantor of said commencement date. In no event shall the term exceed one year from the Effective Date unless the parties agree in writing to extend the term.

5. Warranty of Title. Grantor hereby covenants and warrants that it is lawfully seized of the land where the Easement is located, that it has right and lawful authority to grant and convey the Easement to Grantee, and that it will defend the Easement against the lawful claims of all persons whomsoever.

6. Florida Law; Severability; Attorneys' Fees. This Agreement shall be construed and enforced pursuant to Florida Law. If any provision of this Agreement is determined to be invalid or unenforceable, such provision shall be severed from the remaining provisions of this Agreement and the remaining provisions shall continue to be valid and enforceable. In the event of any litigation between the parties arising out of this Agreement, the prevailing party in such litigation shall be entitled to its attorneys' fees and costs, whether at trial or appellate levels.

7. Entire Agreement. This Agreement sets forth the entire understanding of the parties regarding the subject matter hereof. Any prior agreements, representations, understandings, and oral statements regarding the subject matter of this Agreement are merged herein and shall be of no further force or effect between the parties.

IN WITNESS WHEREOF, Grantor and Grantee have caused this Agreement to be executed as of the day and year first above written.

*Signed, sealed and delivered in the presence of:*

Print name: Troy Stephens

Print name: Chris Wilcox

GRANTOR:

**ST. JOHN THE BAPTIST PARISH**

By: _____

Printed Name: F. Rafael Lavilla

Its: Pastor

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 4 day of Jan, 2022, by Rafael Lavilla, as Pastor of Corey Properties, LLC, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC, State of Florida
My Commission expires:

JAMIE D. SMITH
MY COMMISSION # HH 290615
EXPIRES: September 5, 2026



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*Signed, sealed and* delivered
*in the presence of:*

GRANTEE:

**CITY OF ATLANTIC BEACH, FLORIDA**

_____

Print name: _____

_____

Print name: _____

By: _____

Printed Name: _____

Its: _____

STATE OF FLORIDA

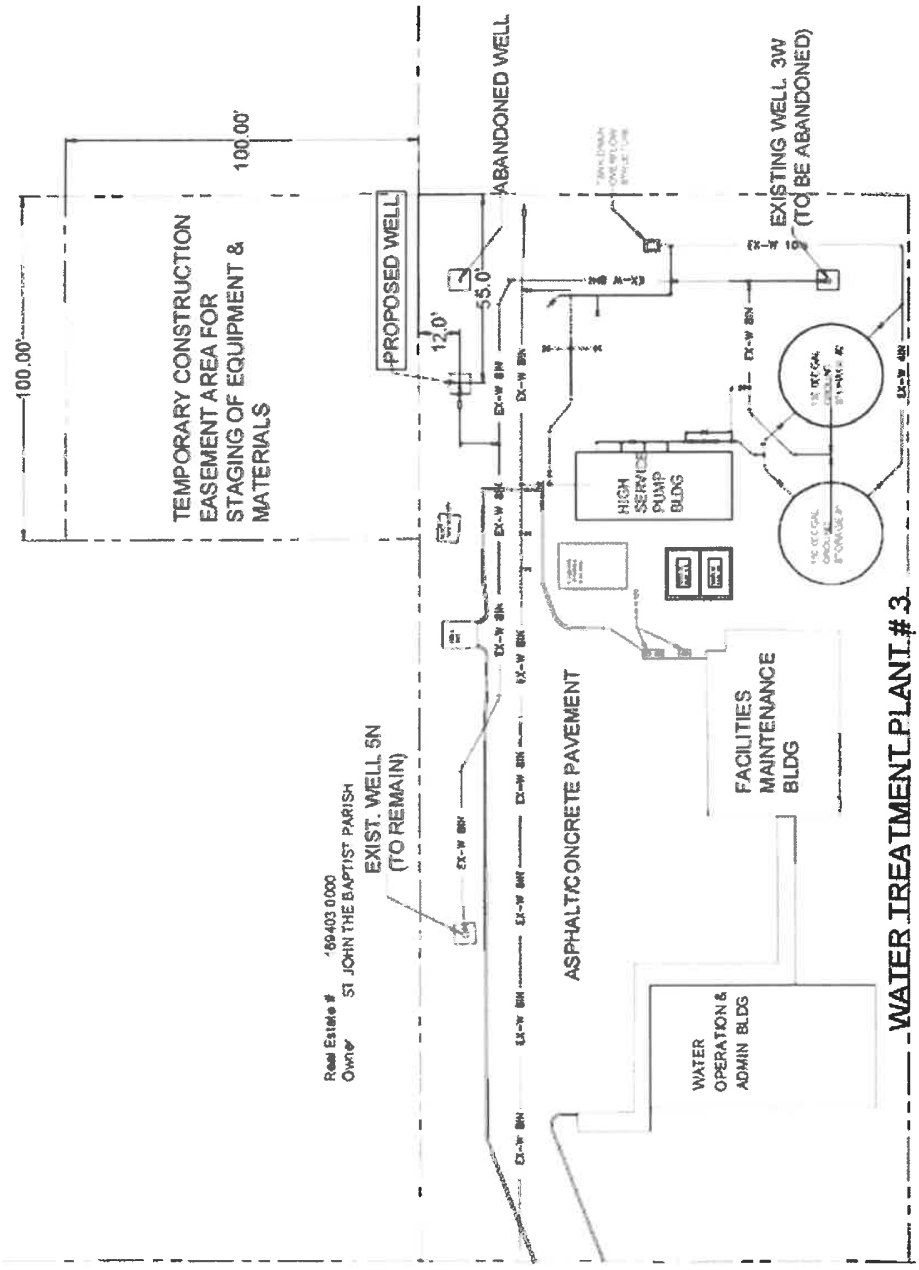
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2022, by _____, as _____ of City of Atlantic Beach, Florida, , who is personally known to me or who has produced _____ as identification.

_____
NOTARY PUBLIC, State of Florida
My Commission expires:

**Exhibit "A"**

**Real Estate Parcel #169403-0000**




01639366-2

Page 4 of 4