

**CITY OF ATLANTIC BEACH  
JOINT WORKSHOP  
CITY COMMISSION  
AND  
BEAUTIFICATION AND NATURAL RESOURCE PRESERVATION  
ADVISORY COMMITTEE  
JUNE 14, 2017 – 6:00 PM  
AGENDA**

Call to order

- 1. Courtesy of floor to visitors**
- 2. Committee reports**
  - A. Summary report (Kevin Hogencamp, Interim City Manager, and Judith Leroux, Committee Chair)
  - B. Proposed ordinance of the City of Atlantic Beach creating an Environmental Stewardship Committee (J. Leroux)
  - C. Proposed ordinance of the City of Atlantic Beach creating a Tree Subcommittee of the Environmental Stewardship Committee.
- 3. Joint discussion** (Facilitated by Mitchell Reeves, Mayor)
- 4. Courtesy of floor to visitors**

**Adjournment**

Please Note: This meeting will be live-streamed and videotaped and can be accessed by clicking on the Commission Meeting Video tab located on the home page of the City's website at [www.coab.us](http://www.coab.us).

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 Chambers.

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 by 5:00 PM, Monday, June 12, 2017.

**CITY OF ATLANTIC BEACH  
JOINT WORKSHOP  
CITY COMMISSION  
AND  
BEAUTIFICATION AND NATURAL RESOURCE PRESERVATION  
ADVISORY COMMITTEE  
JUNE 14, 2017  
STAFF REPORT**

**SUBMITTED BY:** Kevin Hogencamp, Interim City Manager



**DATE:** June 9, 2017

**SUMMARY:**

At its meeting on Oct. 10, 2016, the City Commission approved the appointment of members to the Beautification and Natural Resource Preservation Advisory Committee. On Oct. 15, 2016, a Town Hall meeting was held for the purpose of discussing the Advisory Committee's charge; Commissioner John Stinson summarized the charge in the attached Nov. 8, 2016, staff report. On Nov. 14, 2016, the City Commission officially created the Advisory Committee.

The Advisory Committee commenced its discussions on Dec. 19, 2016 and held subsequent meetings in 2017 on Jan. 30, March 16, March 30, April 13, April 20, May 4 and May 17. Subcommittee meetings also were held on March 29 and May 3, 2017. (Each of the meetings' minutes will be posted to the City's Laserfische platform prior to the workshop.)

The Advisory Committee's deliberations resulted in two proposed ordinances (attached). One ordinance creates an Environmental Stewardship Committee; the other creates a Tree Subcommittee of the Environmental Stewardship Committee. The committee's votes to recommend that the City Commission enact the ordinances were unanimous.

**BUDGET:** Yet-to-be-determined

- ATTACHMENTS:**
1. Nov. 8, 2016 report by Commissioner John Stinson delineating the Advisory Committee's charge
  2. Proposed ordinance of the City of Atlantic Beach creating an Environmental Stewardship Committee
  3. Proposed ordinance of the City of Atlantic Beach creating a Tree Subcommittee of the Environmental Stewardship Committee

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

**AGENDA ITEM:** Beautification and Natural Resource Preservation Advisory Committee

**SUBMITTED BY:** John M. Stinson, Commissioner, Seat No. 2

**DATE:** 8<sup>th</sup> of November 2016

**BACKGROUND:** On the 22<sup>nd</sup> of August 2016, the City of Atlantic Beach, City Commission entertained a discussion regarding the formation of a “tree board” as the committee was described anecdotally. The Commission held discussions regarding the formation of the proposed committee on the 1<sup>st</sup> of September 2016 and again on the 12<sup>th</sup> of September 2016, at which time consensus was achieved by the Commission to move the item forward for action. Each Commission member was requested to nominate two candidates, in addition to John November, to serve on the advisory committee that would be charged with defining roles and responsibilities of the standing committee.

After each Commission member identified their respective nominees, during the City of Atlantic Beach, City Commission meeting of the 10<sup>th</sup> of October 2016, nominated members were approved by a vote of the City Commission meeting.

On the 15<sup>th</sup> of October 2016, a regularly scheduled Town Hall meeting was held with the newly appointed and other interested parties to discuss the *charge* of the advisory group.

**CHARGE:** The Beautification and Natural Resource Preservation Advisory Committee is tasked with performing a comprehensive needs analysis to address beautification and natural resource preservation within the City, and other influencing factors that may contribute to the improvement or detriment of the beautification and preservation of natural resources that define the quality of life for Atlantic Beach residents.

While the scope of the advisory committee is left to be broad, relying on resources from City staff and City assets, and the significant talent, education, knowledge and experience of the appointed members, the advisory committee should:

1. Every member should complete a review of documents provided by the City Clerk from the City Charter and Code of Ordinances applicable to the formation of the standing committee;
2. Define the initial timeline for the advisory committee to make a recommendation to the City Commission for adoption of and creation of the actual standing committee within one month of the first meeting of the advisory committee and seek prompt approval of such timeline by the City Commission as soon as practical;
3. Determine the governing structure of the standing committee, i.e. a single chairperson, co-chairs, the staff liaison most likely to provide adequate and proper support to the standing committee, etc.;
4. Provide a schedule to the City Commission and City staff as to the number and frequency of meetings planned for the standing committee, the assets and resources needed from the City to facilitate such meetings and confirm the proposed meeting venue availability with Parks and Recreation schedulers;
5. Determine and recommend the number of members the standing committee will require to accomplish the overarching goals of the committee;
6. Define the qualifications of members, the length of term for each member, including expiration timing, re-appointment opportunities, term overlap, term limits and governing requirements for such membership;
7. These qualifications and defining guidelines will assist that Board Member Review Committee in its selection of members to serve on the standing committee and for approval by the City Commission. Those persons interested in serving on the standing committee will be required to submit application to the City Clerk following current, standard procedures used to select, nominate and appoint residents;
8. Detail budgetary requirements, if any, prior to the presentation of 2017 / 2018 budget workshops;
9. And, using a methodology of compliance with the overarching goal of *Beautification and Natural Resource Preservation*, identify the initial goals and primary focus of the standing committee. A sampling of ideas, in no particular order, taken from the Town Hall meeting of the 15<sup>th</sup> of October 2016 include:
  - a. An education program for residents, potential residents and contractors;
  - b. How the CoAB Parks system will benefit from the work of the standing committee;
  - c. Interaction with the Beaches Town Center agency, merchants and overlay district;

- d. A review of the current tree ordinance;
  - e. Mitigation plan improvements;
  - f. An annual report to all residents, businesses owners and stakeholders;
  - g. Consideration of a replanting program to accommodate an aging tree canopy;
  - h. The need for a possible parks subcommittee;
  - i. And, if advisory committee recommends that creation of a standing committee is not necessary or prudent at this time, a recommendation to discontinue the formation may be presented to the City Commission.
10. The Sunset Date for the work of the advisory committee should be expected to be six months from the date of the advisory committee first meeting. One additional six-month extension to the Sunset Date may be approved by the City Commission at a minimum of thirty days prior to the end of the initial Sunset Date.
11. The advisory committee may recommend any other issues that it deems appropriate to the City Commission (Note: The City Commission added this verbiage at its Nov. 14, 2016 meeting.)

**BUDGET:**

No budgetary considerations are anticipated at this time, with a minimum of involvement of City staff and time, with the exception being posting meeting dates and times, some printing and copying expenses and access to City facilities for meetings.

**RECOMMENDATION:**

For the City Commission to adopt the formation and utilization of the Beautification and Natural Resource Preservation Advisory Committee as appointed prior and described in this Commission report, to study and make recommendations to the City Commission for the formation of a permanent committee, purposed with the responsibility for overseeing any recommendations adopted by the City Commission.

**ATTACHMENTS:**

1. Minutes of Agenda Item # 8.C. from the City Commission meeting of the 22<sup>nd</sup> of August 2016:
2. Minutes of Agenda Item # 3.C. from the City Commission meeting of the 12<sup>th</sup> of September 2016:
3. Minutes of Agenda Item #3.A. from the City Commission meeting of the 10<sup>th</sup> of October 2016:
4. Minutes of the Town Hall meeting of the 15<sup>th</sup> of October 2016 as highlighted for reference;
5. Pertinent sections of the Charter of the City of Atlantic Beach and the Code of Ordinances that are specific to the authority of the City Commission to consider, create, administer, utilize or dismantle and disband citizen

committees to engage and accomplish the desired work of  
the residents.

6. List of Administrative Tasks
7. List of Appointed Members

Agenda Item  
July % 2017

ORDINANCE NO. 2017- XXXXXXXX

**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA  
AMENDING CHAPTER XX OF THE ATLANTIC BEACH CODE OF  
ORDINANCES, CREATING AN ENVIRONMENTAL STEWARDSHIP  
COMMITTEE, PROVIDING FOR INTENT, PURPOSE, MEMBERSHIP  
AND DUTIES AND RESPONSIBILITIES OF SAID COMMITTEE, AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE CITY COMMISSION ON BEHALF OF  
THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:**

**WHEREAS**, the Boards and Committees established by the Mayor and Commission of the City of Atlantic Beach provide many valuable services to the community by enlisting citizen volunteers to provide input and due consideration of issues important to the citizens of our community, and

**WHEREAS**, the City of Atlantic Beach recognizes both the economic and intrinsic value of its' natural environment and the need to establish a committee to help protect it; and

**WHEREAS**, dedicated and knowledgeable members of this committee will be stewards of our environment, creating a legacy for future generations.

**SECTION 1:** The Code of Ordinances of the City of Atlantic Beach, Florida, is hereby amended by adding a new section to be numbered Sec. XX\_XX- Sec XX-XX, which sections shall read as follows:

**Sec. XX-01. Environmental Stewardship Committee Intent.**

The maritime forest in Atlantic Beach is core to our identity as a small coastal village. Our tree canopy creates beauty, provides a home for wildlife, functions as an element of our water management system and enhances our property values. It is in our best interest for this committee to be the stewards of our tree canopy through advocacy, assessment, maintenance, planting and preservation of this natural resource. Our parks provide open spaces for recreation, exercise, wildlife habitat, relaxation and encounters with the natural world. This committee intends to support our community as we strive to provide a variety of park spaces that are well maintained, accessible and secure. This committee also has an opportunity to take the lead and set high community standards in the beautification and maintenance of our public spaces. The Atlantic Ocean, the St. Johns River and the Intracoastal Waterway have a great deal of influence on our micro climate, drainage issues and the diverse vegetation and wildlife that thrive

here. The care and health of our coast and marsh must be paramount in every recommendation made by this committee about the use of our land, water system and tree canopy.

**Sec. XX-02. Environmental Stewardship Committee Purposes.**

It shall be the purpose of the Environmental Stewardship Committee:

- (a) To study and make recommendations to the City Commission and City officials, and community stakeholders with respect to the City's:
  - (i) Maritime forest, and
  - (ii) Parks and open spaces, and
  - (iii) Beautification of public and private spaces, and
  - (iv) Environmental stewardship.

(b) To act as a motivating and coordinating body to encourage joint public and private participation in promoting these purposes.

**Sec. XX-03. Environmental stewardship committee duties and responsibilities.**

The ENVIRONMENTAL STEWARDSHIP COMMITTEE shall guide, support and monitor the city's work in the following areas and shall have the following duties and responsibilities related to these purposes:

(i) Maritime Forest:

- Clarifying and strengthening the City's processes and all tree and landscape related city codes and ordinances;
- Monitoring the appropriate administration and enforcement of the City's ordinances;
- Promoting transparency through online access to relevant information,;
- Developing and maintaining environmental education and outreach programs about our maritime forest and relevant codes;
- Promoting appropriate planting and care of trees on private property to owners, developers, builders, and tree/ landscape service contractors;
- Developing and maintaining a long-term tree plan that includes an assessment of the tree canopy, projecting future needs, and developing a calendar and budget for tree planting in parks, public spaces and along streets and right of ways;
- Promoting tree canopy advocacy including upholding our city's status as a bona fide "Tree City USA";
- Developing a process for systematic, review of the city's enforcement of the existing tree codes, including the long-term health of trees planted for mitigation; and
- Developing and maintaining a process for citizens to communicate possible violations to the city.

(ii) Parks and Open Spaces:



- Developing and maintaining a long-range plan to protect, improve and beautify our park spaces;
- Improving access to and amenities for parks including disability accommodations, bike paths, parking, signage and other user friendly features;
- Expanding the city's inventory of parks and conservation land through acquisition or other means; and
- Maintaining a web-based, publicly accessible inventory of parks including their history, archeological value, rules of use and easements.

(iii) Beautification of Public and Private Spaces:

- Enhancing public spaces, including public rights of way, roadsides, city buildings, beach accesses and other publicly held properties with art, carefully maintained landscape design and plantings.
- Incentivizing and advocating for beautification of private and commercial spaces;
- Reducing the number and appearance of degraded or blighted properties; and
- Developing a design theme/community branding for signage, bus shelters, lighting and other elements of the built environment.

(iv) Environmental Stewardship:

- Utilizing best practices, including a science based approach, when making any decision about development and its impact on our environment;
- Protecting our beach, dunes, marshlands and wetlands as critical defenses in hurricane, erosion and flooding conditions;
- Communicating the dynamics of our tidal drainage and flood plain with the goal of preserving our flood management system;
- Reviewing our city's environmental codes and ensuring enforcement of rules including, but not limited to dumping, septic tanks, commercial pollution, etc.; and
- Reviewing, updating and maintaining the Marsh Master Plan for adherence to current research about sea level change and wetlands preservation.

**Sec. XX-04. Membership; Terms; Appointments, Geographic Requirements. Composition.**

(a) **Membership.** The Environmental Stewardship Committee shall be composed of a minimum of seven members and a maximum of eleven members. A majority of the members of the committee shall constitute a quorum.

(b) **Terms.** All members who are appointed or reappointed shall serve four-year terms, with the exception of inaugural committee members whose term shall be determined by the commission. Members shall not serve more than eight consecutive years on the committee.

(c) **Appointments.** Committee members shall be selected by the Board Member Review Committee and shall be confirmed by the Commission.

(d) **Geographical Requirements.** At any time there shall be at least one member representing each city district on the committee. Committee members shall

reside in the City of Atlantic Beach, own property in the City of Atlantic Beach or own a business that operates within the city limits of Atlantic Beach.

(e) **Composition.** To the extent possible, committee members should demonstrate at least one of the following skills, experience, expertise, educational background or interests:

- Knowledge of best practices in environmental management and sustainability;
- Developer/building professional;
- Urban planning and design;
- Arborist;
- Landscape architecture;
- Environmental policy;
- Environmental and constitutional law;
- Community engagement; and
- Educational programming.

#### **Sec. XX-05. Organization.**

(a) The committee shall meet at least monthly at such times and places as are fixed by the rules of the committee. Special meetings shall be called in accordance with the rules of the committee. At its first regularly scheduled meeting each September, the Committee shall elect from among its members a Chair, Vice Chair, and secretary who shall assume their positions immediately upon election.

(b) The chair shall preside at all meetings of the committee and shall appoint the members of the various subcommittees authorized by the committee. The vice chair shall preside if the chair is absent.

(c) The committee shall be staffed at each meeting by a City staff member appointed by the City Manager to act as the recording clerk.

(d) Roberts Rules of Order Newly Revised shall be followed at committee meetings. The committee may adopt, amend, and rescind procedural rules of the committee to aid in implementing the provisions of this section. All reports, studies, and recommendations made by or at the direction of the committee shall be approved by the committee before the same may be presented to the Commission on behalf of the committee.

(e) The committee may establish such subcommittees from among its membership as it deems necessary to perform its duties. The subcommittee shall report on its progress to the committee at such times as the Committee shall require. All committee and subcommittee meetings shall be open to the public and are subject to Florida's Government in the Sunshine Laws.

(f) The committee's clerk shall keep minutes of the proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall become a public record.

#### **Sec. XX\_06. - Removal of members.**

Any member of the committee may be removed by the city commission upon written charges and after public hearing. Any member who fails to attend (3) consecutive meetings shall have his office declared vacant unless the member's absence is excused by a majority of the committee's members, and the vacancy shall promptly be filled.

**Section 2.** This ordinance shall take effect immediately upon its final passage and adoption.

Agenda Item  
July % 2017

ORDINANCE NO. 2017- XXXXXXX

**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH,  
FLORIDA AMENDING CHAPTER XX OF THE ATLANTIC  
BEACH CODE OF ORDINANCES, CREATING A TREE  
SUBCOMMITTEE OF THE ENVIRONMENTAL STEWARDSHIP  
COMMITTEE, PROVIDING FOR PURPOSE, MEMBERSHIP  
AND DUTIES AND RESPONSIBILITIES OF SAID COMMITTEE,  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE CITY COMMISSION ON BEHALF OF  
THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:**

**SECTION 1:** The Code of Ordinances of the City of Atlantic Beach, Florida, is hereby amended by adding a new section to be numbered Sec. XX\_XX- Sec XX-XX, which sections shall read as follows:

**Sec. 23-52. Purpose.**

The duty of the Tree Subcommittee of the Environmental Stewardship Committee (ESC) is to systematically review tree permits submitted to the city for completeness and to determine compliance with the tree protection ordinance.

**Sec. 23-53. Establishment, voluntary membership, terms.**

There is hereby established a Tree Subcommittee" of the ESC, referred to in this article as the subcommittee. The subcommittee shall consist of 3 members and 2 alternate members. Alternates shall serve in the case of the absence of any of the 3 members. The members of the subcommittee shall volunteer for membership. All of the members shall be members of the ESC. The ESC shall appoint or remove the members of the subcommittee by a simple majority vote. Filling vacancies shall take place at the next regular scheduled meeting of the ESC after a seat on the subcommittee has become vacated. Members of the subcommittee may serve for as long as they serve on the ESC.

**Sec. 23-54. Organization.**

- (a) The subcommittee shall establish a regular meeting schedule. Unless otherwise determined, the subcommittee's meetings shall meet on the same date as the Environmental Stewardship Committee meets.
- (b) A city staff member designated by the City Manager shall act as clerk for the subcommittee. The clerk shall be responsible for the clerical administration of the subcommittee. The clerk shall also be responsible for the maintenance

and preservation of all records of the subcommittee in coordination with the City Clerk's office.

- (c) The subcommittee shall adopt rules as may be required for the proper conduct of its business. Robert's Rules of Order Newly Revised shall be followed to conduct meetings. All meetings shall be open to the public. The subcommittee shall keep minutes of the proceedings recording the vote of each member upon each question or if absent or failing to vote, indicating such facts. It shall keep records of its examinations and other official actions, all of which shall be immediately filed with the City Clerk's office and shall become public record. This subcommittee will operate in compliance with Florida's Government in the Sunshine Laws.

### **Sec. 23-55. Systematic Permit Review Process.**

Each member of the subcommittee shall systematically review the tree permitting process as described below:

#### **(a) Initial Review Period.**

i. Applications deemed complete and ready for site inspection shall be uploaded to the City's website within 3 business days. The initial site inspection by the administrator may not occur until 3 business days after the complete permit application has been uploaded to the City's website.

ii. The subcommittee shall review random tree permit applications as determined by the tree subcommittee.

iii. The subcommittee members shall independently review all tree permit applications that include the removal of more than 50% of the total inches of the diameter at breast height (DBH) of regulated trees on any property.

iv. The subcommittee members shall independently review all tree permit applications that include the removal of one or more legacy tree(s) on any property.

v. One member of the subcommittee may accompany the administrator on the initial site inspection as an observer. The subcommittee member must make the request to attend the initial site inspection as an observer within 3 business days of the permit being uploaded to the city's website. The subcommittee member may not initiate contact with the property owner or the property owner's agents during the site inspection and shall stay in the vicinity of the administrator during the inspection. The subcommittee member shall be provided 24 hours notice prior to the date and time of the site inspection.

#### **(b) Issuance of a Permit.**

i. When the administrator's application review process and inspection has been completed, the administrator shall distribute a draft tree permit to all members of the tree subcommittee. Within 3 business days of the distribution of a draft permit, any single member of the subcommittee may place a hold on the draft permit by

providing a written petition to the administrator requesting further review. This petition shall include the rationale behind the request for further review.

ii. Within 3 business days of the subcommittee's member's petition being provided in writing to the administrator, the administrator shall have the option to amend the permit or proceed with issuing the draft permit in the permit's original form as long as the administrator and the subcommittee member/members who filed the petition have reached an agreement in writing on the contents of the permit.

iii. If the administrator and the subcommittee member cannot reach written agreement on the contents of the tree permit within this 3 business day period, the full subcommittee shall review contents of the draft permit at a subcommittee meeting that is publicly noticed in compliance with Florida's open meeting requirements. If a majority of the subcommittee cannot reach agreement with the administrator at this subcommittee meeting, the draft permit shall appear on the next commission agenda in which there is sufficient time to meet Florida's public notice requirements.

**(c) Review by the Commission.**

The Commission shall review the draft permit and the rationale of both the administrator and the members of the subcommittee and will make a final determination about the contents of the permit to be issued. The tree permit shall be issued by the administrator within 3 business days of the commission meeting.

**Section 2.** This ordinance shall take effect immediately upon its final passage and adoption.