

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

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

**DATE:** July 1, 2019

**SUBJECT:** Agenda Items # 3 and 4: Revised Ordinances 19-03 and 19-04 re: Plastics

The City Attorney informed us this afternoon that the ordinances have been revised because of comments from Ms. Jane West.

At your meeting tonight, he can point out where the changes have been made.

**CITY OF ST. AUGUSTINE BEACH, FLORIDA**

**ORDINANCE NO. 19-03**

**AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE CITY OF ST. AUGUSTINE BEACH CODE BY AMENDING ARTICLE V OF SECTION 13, PROHIBITING THE USE OF EXPANDED POLYSTYRENE CONTAINERS AND SINGLE-USE PLASTIC STRAWS BY RESTAURANTS WITHIN THE CITY; PROVIDING FOR SEVERABILITY, CODIFICATION, PENALTY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Augustine Beach declares that it is in the best interest of the public health, safety and welfare of its residents and visitors to reduce litter and pollutants on the land and in the waters of the City; and

**WHEREAS**, expanded polystyrene is a petroleum-based plastic, most commonly incorrectly referred to by the name of "Styrofoam," which is actually the proprietary trade name of a polystyrene foam product; and

**WHEREAS**, expanded polystyrene containers and single-use plastic straws are detrimental to the environment because they do not fully degrade, they overburden landfills, introduce unsafe chemicals into the environment, become litter and create hazards for land and aquatic animals due to ingestion, and create impediments to waste reduction and recycling goals, while creating unsightly litter; and

**WHEREAS**, use and distribution of expanded polystyrene containers and single-use plastic straws has a detrimental effect on the public health, safety and welfare of the City, County and State; and

**WHEREAS**, expanded polystyrene and single-use plastic straws constitute a portion of the litter in the City's streets, parks, public places and waterways; and

**WHEREAS**, as an environmental leader among local governments in the State of Florida, the goal of the City is to replace expanded polystyrene and single-use plastic straws with recyclable or compostable alternatives whenever possible; and

**WHEREAS**, this Ordinance provides for a 1-year implementation period allowing for an extensive education campaign and for retail establishments to expand their current stock of expanded polystyrene and single-use plastic straws and transition to recyclable or compostable alternatives; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety and welfare of the City residents and visitors and future generations; and

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH:**

**SECTION 1.** That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

**SECTION 2.** That Chapter V, Articles 13-47 and 13-48 of the Code of the City of St. Augustine Beach, Florida, are hereby created to read as follows:

**ARTICLE V. PROHIBITION OF USE, SALE, OR DISTRIBUTION OF CERTAIN SINGLE-USE PLASTIC PRODUCTS**

**Sec. 13-47. – Prohibition on Use of Expanded Polystyrene and Single-Use Plastic Straws**

(a) *Definitions.* For the purposes of this Article only, the following definitions apply:

1. *Food service provider* means a person or entity that provides food directly to the consumer, regardless of whether such food is provided free of charge or sold, or whether consumption occurs on or off premises, or whether the food is provided from a building, pushcart, stand, or vehicle. Food service providers include, but are not limited to, restaurants, cafes, sidewalk cafes, delicatessens, coffee shops, grocery stores, markets, supermarkets, drug stores, pharmacies, bakeries, caterers, gas stations, vending or food trucks or carts, or cafeterias.
2. *Retail establishment* means any person or entity engaged in the retail sale of goods. Retail establishments include any supermarket, grocery store, convenience store, shop, gas station, restaurant, farmer's market vendor, and any other sales outlet where a customer can directly purchase goods, materials, or products.
3. *Expanded polystyrene product* shall mean any product that consists of blown polystyrene, or expanded or extruded foams, that are thermoplastic petrochemical materials utilizing a styrene monomer, that are processed by any number of techniques including but not limited to fusion of polymer spheres (expandable bead foam), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene). Expanded polystyrene products shall include food containers, plates, bowls, cups, drink containers, lids, trays, coolers, ice chests, "clamshells," and all similar articles that are made of expanded polystyrene.
4. *Single-use plastic straw* shall mean a plastic tube plastic derived from petroleum or a biologically-based source intended for transferring food or beverage from a container to the mouth of a person.
5. *Special event permittee* means any entity or individual, and their subcontractor(s), who has been issued a special event permit by the City for a special event on City property, in a City facility, or in the City's right-of-way, for the promotion or sale of their product(s) and/or business(es).

***(b) Prohibited Use of Expanded Polystyrene Products and Single-Use Plastic Straws; Special Events; Exceptions***

1. No retail establishment or food service provider shall provide to any customer expanded polystyrene products and/or single-use plastic straws unless noted in exceptions below.
2. *Prohibition of Expanded Polystyrene Products and/or Single-Use Plastic Straws for Special Events*
  - a. Special event permittees shall not provide expanded polystyrene products and/or single-use plastic straws during special events as a condition of approval.
  - b. Upon warning, the special event permittee must cease providing the expanded polystyrene products and/or single-use plastic straws immediately. If the special events permittee does not do so, he or she may be forced to discontinue the service, sale, or participation in the special event.
  - c. A violation of this section shall constitute a City code violation and may result in the revocation of the special events permit, the imposition of fines, and may be grounds for the placement of conditions on, or for denial, of a future special events permit.
3. *Exceptions.* Although the discontinuation of the use of expanded polystyrene and single-use plastic straws products is strongly encouraged, this Article shall not apply to:
  - a. Expanded polystyrene products used for prepackaged food that have been filled and sealed prior to receipt by the food service provider or retail establishment;
  - b. Expanded polystyrene products used to store raw meat or seafood sold from a butcher case or similar refrigerated display or storage case;
  - c. Expanded polystyrene products sold by retail establishments as a packaged product to be used by private individuals; or
  - d. Expanded polystyrene used as a packaging material to prevent the damage of goods sold by a retail establishment that have been packaged prior to receipt by the food service provider or retail establishment; or
  - e. Single-use plastic straws sold by retail establishments as a packaged product to be used by private individuals.

**Sec. 13-48. – Enforcement; Penalties**

Any violation of this Article shall be punishable as follows:

1. An initial violation of this Article shall result in a verbal warning to be remedied immediately.
2. The first violation of this Article after a warning has been issued shall result in a \$50 fine.
3. Any subsequent violations of this Article following the issuance of the \$50 fine shall result in a \$100 fine for each additional violation.
4. Each item that is prohibited under this Article, that is distributed in violation of this Article, shall constitute an individual violation of this Article.



### **SECTION 3. SEVERABILITY.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

### **SECTION 4. REPEALER.**

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

### **SECTION 5. CODIFICATION.**

It is the intention of the Commission of the City of St. Augustine Beach, Florida, that the provisions of this Ordinance shall become and be made part of the City of St. Augustine Beach Code of Ordinances immediately upon the signing of the Ordinance; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

### **SECTION 6. EFFECTIVE DATE**

This Ordinance shall become effective on January 1<sup>st</sup>, 2020 and enforcement shall begin immediately on that date with the issuance of warnings.

**PASSED** by the City Commission of the City of St. Augustine Beach, Florida upon second reading this \_\_\_\_ day of \_\_\_\_\_, 2019

**CITY COMMISSION OF THE CITY OF  
ST. AUGUSTINE BEACH**

**ATTEST:** \_\_\_\_\_  
City Manager, Max Royle

**BY:** \_\_\_\_\_  
Mayor, Undine C. George

**CITY OF ST. AUGUSTINE BEACH, FLORIDA**

**ORDINANCE NO. 19-04**

**AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE CITY OF ST. AUGUSTINE BEACH CODE BY CREATING ARTICLE V OF SECTION 13, PROHIBITING SALE, USE, AND DISTRIBUTION OF SINGLE-USE CARRYOUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS WITHIN THE CITY; PROVIDING FOR SEVERABILITY, CODIFICATION, PENALTY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Augustine Beach declares that it is in the best interest of the public health, safety and welfare of its residents and visitors to reduce litter and pollutants on the land and in the waters of the City; and

**WHEREAS**, distribution of single-use carryout plastic bags by retailers to consumers for use in carrying purchased goods has a detrimental effect on the environment of the City, County, and State; and

**WHEREAS**, discarded single-use carryout plastic bags contribute to overburdened landfills, threaten wildlife and marine life and degrade and litter the beaches and waters off the Florida coast, which include areas within the City; and

**WHEREAS**, single-use carryout plastic bags are photo-biodegradable and break down into smaller pieces which can make their way into the food chain via such animals as jellyfish and endangered sea turtles; and

**WHEREAS**, plastic bags constitute a portion of the litter in the City's streets, parks, public places and waterways; and

**WHEREAS**, as an environmental leader among local governments in the State of Florida, the goal of the City is to replace single-use carryout plastic bags with reusable, recyclable, or compostable alternatives whenever possible; and

**WHEREAS**, retail establishments such as ALDI, Trader Joes, and Whole Foods have successfully incorporated programs that encourage the use of reusable and/or recyclable alternatives to single-use carryout plastic bags; and

**WHEREAS**, this Ordinance provides for a 1-year implementation period allowing for an extensive education campaign and for retail establishments to deplete their current stock of single-use carryout plastic bags and transition to reusable or compostable alternatives; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety and welfare of the City residents and visitors and future generations.

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH:**

**SECTION 1.** That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

**SECTION 2.** That Article V, Sections 13-44 thru 13-46 of the Code of the City of St. Augustine Beach, Florida, is hereby created to read as follows:

**ARTICLE V. PROHIBITION OF USE, SALE, OR DISTRIBUTION OF CERTAIN SINGLE-USE PLASTIC PRODUCTS**

**Sec. 13-44. – Prohibition on Single-Use Carryout Plastic Bags for Special Events**

(a) *Definitions.* For the purposes of this section only, the following definitions apply:

1. *Single-use carryout plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags, as defined above, provided to an individual to transport items provided free of charge, including but not limited to, samples and informational materials.
2. *City facility* includes, but is not limited to, any building, structure, or park owned, operated, or managed by the City.
3. *Special event permittee* means any entity or individual, and their subcontractor(s), who has been issued a special event permit by the City for a special event on City property, in a City facility, or in the City's right-of-way, for the promotion or sale of their product(s) and/or business(es).
4. *Compostable carryout bag* means a bag made from a material that that undergoes degradation by biological processes to yield carbon dioxide, water, inorganic compounds, and biomass under natural outdoor conditions within 90 days and that leaves no visible, distinguishable, or toxic residue.
5. *Exempt bag* means (1) a compostable carryout bag as defined herein; (2) a bag used to protect food or merchandise from being damaged or contaminated by other food or merchandise, when items are placed together in a reusable bag, including produce bags; (3) a bag used to hold prescription medications dispensed from a pharmacy or veterinary office; (4) a bag designed to be placed over articles of clothing on a hanger, including dry cleaning bags; (5) door hanger bags; (6) newspaper bags; (7) garbage bags; (8) pet waste bags; (9) yard waste bags; (10) bags of any type that a customer previously owned and brings to a retail establishment or food service provider for his or her own use in carrying away store goods.

(b) *Prohibited Use of Plastic Bags for Special Events; Penalties; Exceptions*

1. Special event permittees shall not provide single-use carryout plastic bags during special events as a condition of approval.
2. Upon warning, the special event permittee must cease providing the single-use carryout plastic bags immediately. If the special events permittee does not do so immediately,

he or she may be forced to discontinue the service, sale, or participation in the special event.

3. A violation of this section shall constitute a City code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.
4. *Exceptions.* This prohibition shall not apply to exempt bags or other types of single-use plastic bags used, provided or given out by individuals who are special events permittees for the purpose of hosting a small private event (100 people or less) (e.g. birthday party, family reunion).

#### **Section 13-45. – Sale, Use, or Distribution of Single-Use Carryout Plastic Bags by Retail Establishments and Food Service Providers**

- (a) *Definitions.* For the purposes of this section only, the following definitions should apply:
  - (a) *Customer* means any person purchasing goods from a retail establishment or food service provider.
  - (b) *Single-use carryout plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags provided to a customer to transport items provided free of charge, including but not limited to, samples, and informational materials.
  - (c) *Exempt bag* means (1) a compostable carryout bag as defined herein; (2) a bag used to protect food or merchandise from being damaged or contaminated by other food or merchandise, when items are placed together in a reusable bag, including produce bags; (3) a bag used to hold prescription medications dispensed from a pharmacy or veterinary office; (4) a bag designed to be placed over articles of clothing on a hanger, including dry cleaning bags; (5) door hanger bags; (6) newspaper bags; (7) garbage bags; (8) pet waste bags; (9) yard waste bags; (10) bags of any type that a customer previously owned and brings to a retail establishment or food service provider for his or her own use in carrying away store goods.
  - (d) *Reusable bag* means a bag with handles that is specifically designed and manufactured for multiple uses made of durable material specifically designed for, and provided to, consumers with the intention of multiple, long-term use. This definition does not include any film plastic bags.
  - (e) *Recyclable paper bag* means a bag that contains a minimum average of forty percent (40%) post-consumer recycled materials and displays the minimum percent of post-consumer content on the outside of the bag.
  - (f) *Compostable carryout bag* means a bag made from a material that that undergoes degradation by biological processes to yield carbon dioxide, water, inorganic compounds, and biomass under natural outdoor conditions within 90 days and that leaves no visible, distinguishable, or toxic residue.
  - (g) *Retail establishment* means any entity or individual engaged in the retail sale of goods. Retail establishment includes any supermarket, grocery store, convenience store, shop, gas station, restaurant, farmers' market vendor, and any other sales outlet where a customer can directly purchase goods, materials, or products.

- (h) *Food service provider* means a person or entity that provides food directly to the consumer, regardless of whether such food is provided free of charge or sold, or whether consumption occurs on or off premises, or whether the food is provided from a building, pushcart, stand, or vehicle. Food service providers include, but are not limited to, restaurants, cafes, sidewalk cafes, delicatessens, coffee shops, grocery stores, markets, supermarkets, drug stores, pharmacies, bakeries, caterers, gas stations, vending or food trucks or carts, or cafeterias.
- (b) *Prohibited Use of Plastic Bags by Retail Establishments and Food Service Providers; Penalties; Exceptions*
- (a) No retail establishment or food service provider shall provide to any customer a single-use carryout plastic bag, unless noted in exceptions below.
- (b) *Exceptions.* Although the discontinuation of the use of single-use carryout plastic bags is strongly encouraged by the City of St. Augustine Beach, this article shall not apply to Exempt Bags as defined above.
- (c) Retail establishments and food service providers may propose innovative and creative environmentally sustainable alternative programs that eliminate the use of single-use plastic bags. After being submitted, the program is reviewed by City staff for approval. Each program is reviewed on a case by case basis.
- (c) *Reusable bags*
- Retail establishments and food service providers are strongly encouraged to educate their staff to promote reusable bags and to post signs encouraging customers to use reusable bags. Should retail establishments or food service providers provide carryout bags, they shall be reusable, compostable carryout bags, and/or recyclable paper bags free of charge or for a fee as determined by the merchant. Retail establishments or food service providers may keep any fees charged for providing such bags to offset the cost of providing the bag.

#### **Sec. 13-46. – Enforcement; Penalties**

Any violation of this Article shall be punishable as follows:

1. An initial violation of this Article shall result in a verbal warning to be remedied immediately.
2. The first violation of this Article after a warning has been issued shall result in a \$50 fine.
3. Any subsequent violations of this Article following the issuance of the \$50 fine shall result in a \$100 fine for each additional violation.
4. Each item that is prohibited under this Article, that is distributed in violation of this Article, shall constitute an individual violation of this Article.

#### **SECTION 3. SEVERABILITY.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

#### **SECTION 4. REPEALER.**

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

#### **SECTION 5. CODIFICATION.**

It is the intention of the Commission of the City of St. Augustine Beach, Florida, that the provisions of this Ordinance shall become binding and be made part of the City of St. Augustine Beach Code of Ordinances on January 1<sup>st</sup>, 2020; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

#### **SECTION 6. EFFECTIVE DATE**

This Ordinance shall become effective on January 1<sup>st</sup>, 2020 and enforcement shall begin immediately on that date with the issuance of warnings.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_, A.D., 2019.

(Moved: \_\_\_\_\_)

(Yeas: \_\_\_\_\_)

(Unanimous: \_\_\_\_\_ Vote)

(Agenda Item: \_\_\_\_\_)

Approved: \_\_\_\_\_  
Mayor-Commissioner

Attest: \_\_\_\_\_  
City Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
JAMES P. WILSON  
CITY ATTORNEY



## AGENDA

### REGULAR CITY COMMISSION MEETING

MONDAY, JULY 1, 2019, 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."

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON JUNE 10, 2019, CONTINUATION OF THE REGULAR COMMISSION MEETING ON JUNE 11, 2019 AND SPECIAL COMMISSION MEETING ON JUNE 17, 2019
- V. ADDITIONS OR DELETIONS OF THE AGENDA
- VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- VII. PRESENTATIONS
  - A. Results of the Citizen Survey (Presenter: Cindy Walker, Communications / Events Coordinator)
- VIII. PUBLIC COMMENTS
- IX. COMMISSIONER COMMENTS
- X. PUBLIC HEARINGS
  1. Continuation of Review of Request to Construct Five Houses in the Commercial Land Use District on North Side of 7<sup>th</sup> Street, Opposite Marriott Hotel (Lots 5, 7, 8, 9 and 10, Block 15, Chautauqua Beach Subdivision) (Mr. James Whitehouse, Agent for MSB Hotels of Ormond Beach, Florida)
  2. Request for Modification to Final Development Order for Anastasia Dunes Subdivision to Allow a Maximum of 45 Percent Total Lot Coverage and a Maximum of 55 Percent Total Impervious Surface Ratio Coverage Mr. James Whitehouse, St. Johns Law Group, Agent for the Anastasia Dunes Association, Inc. (Presenter: Brian Law, Building Official)
  3. Ordinance 19-03, Public Hearing and Final Reading: to Prohibit the Use of Polystyrene Containers and Single-Use Plastic Straws in City (Presenter: James Wilson, City Attorney)

4. Ordinance 19-04, Public Hearing and Final Reading: to Prohibit the Sale, Use and Distribution of Single-Use Plastic Bags by Retail Establishments in the City (Presenter: James Wilson, City Attorney)
5. Ordinance 19-08, Public Hearing and Final Reading: to Establish Resident Only Parking Permit System (Presenter: James Wilson, City Attorney)
6. Ordinance 19-09, Public Hearing and Final Reading: to Change Parking Regulations in Chapter 19 of the City Code (Presenter: James Wilson, City Attorney)

XI. CONSENT

None

XII. OLD BUSINESS

7. Streaming of City Meetings: Review of Responses Received to City's Request for Proposals (Presenter Anthony Johns, Information Technology Manager)
8. City Attorney Services: Review of Proposal from Coquina Law Group (Presenter: James Wilson, City Attorney)
9. Ordinance 19-11, First Reading: to Add Cigarette Butts and Tobacco-Related Products to the Definition of Litter (Presenter: James Wilson, City Attorney)
10. Ordinance 19-12, First Reading: to Vacate Alley on East Side of A1A Beach Boulevard in Block 9, Chautauqua Beach Subdivision, between 2<sup>nd</sup> and 3<sup>rd</sup> Streets (Presenter: James Wilson, City Attorney)

XIII. NEW BUSINESS

11. Property, Liability, Vehicle and Workers Compensation Insurance: Consideration of Whether to Advertise Request for Proposals (Presenter: Max Royle, City Manager)
12. 2020 U.S. Consensus: Appointment of Representative to County's Complete Count Committee (Presenter: Max Royle, City Manager)
13. Performance Evaluation of Police Chief and City Manager: Discussion of Process and Timetable (Presenter: Max Royle, City Manager)
14. Proposed Fiscal Year 2020 Budget: Scheduling Date for Special Meeting in Late July to Review Budget and Set the Tentative Millage (Presenter: Max Royle, City Manager)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

**NOTICES TO THE PUBLIC**

1. **SPECIAL COMMISSION MEETING.** It will be a public hearing that will be held on Tuesday, July 2, 2019, starting at 5:30 p.m. in the Commission meeting room at city hall. The purposed will be to review proposed changes to the Comprehensive Plan with the City's planning consultant, Ms. Janis Fleet.



2. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING AND ADVISORY COMMITTEE.** It will hold its monthly meeting on Thursday, July 11, 2019, starting at 6 p.m. in the Commission meeting room.
3. **ST. JOHNS RIVER-TO-SEA LOOP MULTI-USE TRAIL.** The County Public Works staff will hold a public meeting concerning the multi-use trail from 5 p.m. to 7 p.m. at the Guy Harvey Resort conference room, 860 A1A Beach Boulevard. The purpose will be to provide project information and obtain public comment related to the trail's alignment and alternatives from 207/I-95 into St. Augustine and to St. Augustine Beach. Once constructed, the trail will be located in five counties: Putnam, St Johns, Flagler, Volusia, and Brevard.
4. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, July 16, 2019, at 6:00 p.m. in the Commission meeting room at city hall. Topics on the agenda may include: a. Request for variance to reduce front yard setback from 25 feet to 18 feet for new house at 5 Kimberly Lane; b. discussion of possible goals for the City's strategic plan.
5. **COMMISSION REVIEW OF PROPOSED FISCAL YEAR 2020 BUDGET.** The review will be done at a City Commission meeting in late July. The Commission will decide the exact date at its July 1<sup>st</sup> meeting. At the budget meeting, the Commission will set the tentative property tax millage for FY 2020, which will begin on October 1, 2019.

**NOTE:**

*The agenda material containing background information for this meeting is available on a CD in pdf format upon request at the City Manager's office for a \$5 fee. Adobe Acrobat Reader will be needed to open the file.*

**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**  
**REGULAR CITY COMMISSION MEETING**  
**MONDAY, JUNE 10, 2019, 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 George called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor George asked to Commissioner Kostka lead the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor George, Vice Mayor England, Commissioner Kostka, Commissioner Rumrell, and Commissioner Samora.

Also present: City Manager Royle, City Attorney Wilson, Police Chief Hardwick, City Clerk Raddatz, Building Official Law, and Public Works Director Tredik.

IV. APPROVAL OF MINUTES OF SPECIAL COMMISSION MEETING ON APRIL 29, 2019 AND REGULAR COMMISSION MEETING ON MAY 6, 2019

Mayor George introduced Item IV and asked the Commission if there were any discussion regarding the minutes. Being none, Mayor George asked for a motion.

**Motion:** to approve Special Commission minutes of April 29, 2019 and Regular Commission minutes of May 6, 2019. **Moved by** Commissioner Samora, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor George asked if there were any additions or deletions of the agenda. Being none, Mayor George moved on to Item VI.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor George asked if there were any changes to the order of topics on the agenda. Being none, Mayor George made a motion.

**Motion:** to approve the agenda as published. **Moved by** Vice Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

VII. PRESENTATIONS

- A. Request for Approval of Memorandum of Understanding with the Property Appraiser for Homestead Exemption Audit (Presenter: Eddie Creamer, St. Johns County Property Appraiser)

Mayor George introduced Item VII.A. and asked Mr. Creamer to the podium.

Mr. Creamer, St. Johns County Property Appraiser, 4030 Lewis Speedway, St. Augustine, FL, explained that the Property Appraiser's Office has selected an audit firm called the Exemption Project because of the data sources they use, and they would allow the St. Johns County Property Appraiser's office direct local sources that they might not use. The Property Appraiser's Office would be looking for residents who could qualify for exemptions, but don't take advantage of them. He advised that the Exemption Project firm does well in identifying short- and long-term rentals. He explained that this firm came in at 18% instead of the standard fee of 30%. St. Johns County, St. Johns County School Board, St. Johns River Water Management District, and the City of St. Augustine all will have the contracts approved by tomorrow.

Discussion ensued regarding the fee being based on the taxes collected; the illegal exempt property will be lienied for the back taxes and penalties and then the municipalities or County will be paid on the 18% that is paid; property owners would be notified before a lien is put on the property; the Exemption Project firm will notify the Property Appraiser's Office of possible illegal exemption in order of confidence whether the property may have claimed an exemption when they shouldn't have, property owner would be notified by the Property Appraiser's Office by a phone call or a rental questionnaire; communications would be a public record unless it is a confidential parcel according to Florida Statutes; the Property Appraisal's Office is expecting to receive all the signed documents from the taxing authorities this week and will start the Exemption Project firm by July 1, 2019 and results will start in groups within 90 days; and liens need to be paid when sold for clear title.

Mayor George asked City Attorney Wilson if he reviewed the contract and he advised he reviewed it and has no concerns with it.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that the City has undue limitations on public comments; commended the Property Appraiser for his Request for Proposal process and thanked the Property Appraisal's Office for working on Airbnb's.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, advised that taking illegal exemptions is a criminal behavior and those elected officials doing that are criminals and cited Florida Statutes 837.06.

Mayor George closed the Public Comments section and asked for any further Commission discussion. Being none, Mayor George asked for a motion.

**Motion:** to authorized Mayor George to execute the Memorandum of Understanding. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item VII.B.

B. Sunshine Bus Service and Request for City Subsidy (Presenter: Becky Yanni, Executive Director)

Mayor George introduced Item VII.B. and asked Becky Yanni to come to the podium.

Becky Yanni, Executive Director of Council on Aging, 180 Marine Street, St. Augustine, FL, advised what the Council on Aging does for St. Johns County residents by giving transportation for medical treatment and appointments or nutrition services to the elderly, disadvantaged,

or disabled. She explained that the other transportation system is the Sunshine Bus Service which is open to everyone in St. Johns County and goes on a regular route. She commented that the City has the green line bus that goes through the City inbound and outbound 12 times a day and on an average month the Sunshine Bus Service gives 24,000 rides throughout the County and 3,000 rides in the City, which is 13% of the overall ridership. She explained that the minority of rides are in the rural areas, which is 21%. She explained that her purpose today was to answer questions that the Commission may have regarding the service and what is required in order to continue the service.

Mayor George asked if the firm has considered increasing the cost of the ride.

Ms. Yanni advised yes, and they are in the process of increasing it currently. She explained that they are holding two public meetings to address the increase. She commented that the fare box is a very small amount and that public transportation is subsidized throughout the nation.

Mayor George asked how much control the City would have over the manner of service within the City's jurisdiction if the City contributes.

Ms. Yanni advised that the County is asking the City to only help with the shortfall of the funding, not for the base money that the County puts in every year. She explained that the shortfall has been \$276,000 a year for at least the last 13 years. She commented that the bus service has increased throughout the years and the costs have increased. She advised the County is asking the City to contribute 10% of the funding shortfall.

Mayor George explained that she was concerned about the people who ride the bus who have no shelter when waiting for the bus during the heat of the summer or rainy days and she would like bus shelters to be in the City for people. She asked if the City contributes, would there be shelters built within the City limits.

Ms. Yanni advised that she could not speak for the County, but that the reason why there are not more shelters is because of the costs of making the shelter ADA accessible.

Mayor George advised that she appreciates Ms. Yanni is a contracting provider and cannot guarantee what the County would do.

Discussion ensued regarding the cost to ride the bus is \$1.00 unless the person is a senior, a student, or a person buys a monthly pass; trying to raise funding by advertising on the buses and increasing the fares for the bus services as well as going to the Florida Department of Transportation to see if they have anything left in their budget at the end of the year; match money is utilized by the Florida Department of Transportation and the Federal Transit Administration; reaching out to the US Department of Housing and Urban Development for more funding; City survey advised that 75% of the City's residents would not use the Sunshine Bus; not wanting to have City residents to put in money on a service they don't use; Sunshine Bus supplies affordable workforce transportation to employees who work in the City; hotel and restaurant owners appreciate having the Sunshine Bus for their workers; having Communications / Event Coordinator to contact businesses to fund the Sunshine Bus directly; the Florida Legislature changed the ordinance to have the Tourist Development Council to use funding for viable uses such as this and the Sunshine Bus Service should contact the Tourist Development Council for funding; having the Sunshine Bus helps stop traffic congestion, which enhances the visitor experience; Council on Aging (COA) manages all the operations of the Sunshine Bus Service; funding comes to St. Johns County and they give the funding to Council on Aging which manages the Sunshine Bus Service and invoices the County for their

expenses; and the Transit Grant Manager at St. Johns County applies for the funding; there was a management response to the COA's study, which can be provided to the City.

Vice Mayor England asked for an ongoing basis to receive management responses to the operations of the Sunshine Bus Service from the County, which would include what funding resources the County has asked for and who is providing the funding and ongoing operational responses on the Sunshine Bus Services.

Ms. Yanni advised that she could provide that information to the City. She advised that the information would provide the future plans of the Sunshine Bus Service, which would be more expanded services, longer hours of operation, operation on Sundays that the community needs for public transportation; however, the funding could hamper those future plans.

Vice Mayor England requested resumes of the management staff and their expertise in managing the Sunshine Bus Service.

Commissioner Kostka asked for the budget summary as well.

Ms. Yanni advised that the information requested would be provided.

Mayor George commented that what this request is asking for is double taxing the City residents because the residents are already County taxpayers. She explained that this is really a County function because it services Countywide.

Commissioner Samora asked how many stops are provided within the City limits and what the frequency time limits are.

Ms. Yanni showed the bus stops and route that the Sunshine Bus Services provided. She explained that the 13% participation is within the City limits. She commented that she would like another bus that would make more stops in the City limits. She explained that she received more funding for the Hastings area through private funding.

Commissioner Samora asked for the results from the Communication and Events Coordinator regarding reaching out to the businesses with a survey and asked for the results.

City Manager Royle advised that he was not aware of the results yet.

Commissioner Rumrell asked if the number of riders has decreased and asked how that relates to the 13% ridership.

Ms. Yanni advised she measured the overall trips within the City limits to get the percentage.

Commissioner Rumrell suggested asking advertisers to pay for the shelters.

Ms. Yanni advised that they do advertise on the bus and have explored advertising on shelters; however, the costs were still prohibitive. She commented that she would ask the new advertising company to see if that would work for shelters as well.

Commissioner Rumrell confirmed the shortfall amount was \$350,000 and the request of the City's contribution request was \$49,000 not what was previously stated.

Ms. Yanni advised that was correct.

Commissioner Kostka asked if the bus stops were the only pickup places.

Ms. Yanni advised that they have designated stops, but they also would stop by people flagging the bus to stop.

George Heston, Sunshine Bus Manager, 180 Marine Street, St. Augustine, FL, explained there are timed stops, but buses always stop at 15 bus stop signs and when someone wants to get on and off.

Commissioner Samora asked Ms. Yanni to clarify whether this amount that the County is asking from the City is a one-time request or every year.

Ms. Yanni advised that it was her understanding that this would be only this year but wasn't sure if the County wants this every year.

Vice Mayor George commented that she believed it would only be for the 2020 budget and that the City would not be obligated to pay for future requests. She remarked that the City is being asked for an estimated amount of \$49,000 and if it was more than that, Ms. Yanni would have to come back to the Commission to discuss a larger amount for the 2020 budget only.

Ms. Yanni asked City Manager Royle to clarify this with the County.

Commissioner Samora asked if this was only for the Sunshine Bus Service or does it include other services.

Ms. Yanni advised that it was only for the Sunshine Bus Service.

Mayor George asked for clarification of the pie chart to include a breakdown of what the rural areas in St. Johns County that the pie chart alludes to because some of the rural areas are higher economic centers than others.

Ms. Yanni advised that the rural areas are within St. Johns County, but are not incorporated in municipalities. She explained that the northeast and northwest part of the Counties, the Sunshine Bus Service does not serve. She commented that she would give the information to the Commission for their review.

Mayor George asked for more information on the projected costs of the shelters and their restrictions so if the City was interested in constructing shelters the City could have the Beautification Committee provide a design, so the City can get pricing so funding raising could be done.

Ms. Yanni advised that the Pondera Vedra area and the northwest part of St. Johns County is not part of the funding and is under Jacksonville Transit Authority's domain.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, commented that COA does not give reliable transportation because Florida Department of Transportation and other transit authorities are using the money on asphalt; COA does not want to answer public records request; wants the Commission to have more control over COA's data and decisions; COA's statistics on rural areas are not accurate; and they don't involve the public before the decisions are made.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, commented that the City does not have the money for this; COA has unqualified people running the Sunshine Bus Service; and they are a bad organization (Exhibits 1-4).

Adam Morley, 1205 East State Road 206, St. Augustine Beach, FL, advised that he used the Sunshine Bus Service for eight months when he didn't have a car and they gave him transportation on time to his job, grocery shopping, and the gym and thanked them for their service.

Alex Farr, 3 7<sup>th</sup> Lane, St. Augustine Beach, FL, St. Augustine Beach, FL, advised that the City is too expensive for a service industry worker to live and so they need to use the Sunshine Bus Service to get to work. She requested that the Commission do everything they can to promote the buses and to add to the coffers for the bus service if necessary.

Mayor George closed the Public Comments section and asked for Commission discussion.

It was the consensus of the Commission to table the matter until the Commission receives more information from Ms. Yanni.

Mayor George moved on to Item VII.C.

C. Proposal to Change Streetlights to LED Lighting (Presenters: Representatives from Florida Power and Light)

Mayor George introduced Item VII.C. and asked if the representatives from Florida Power and Light could please come to the podium.

Jim Bush, Florida Power and Light (FPL), 303 Hastings Road, St. Augustine, FL, introduced Scot Tharp to discuss the overview on LED lighting.

Scot Tharp, Florida Power and Light (FPL), 303 Hastings Road, St. Augustine, FL, gave an overall presentation of the conversion of the street lights to LED lighting program at no costs. He explained that the City has approximately 400 street lights and converting to LED lighting would save the City of \$300 per month. He commented that City Manager Royle and he discussed converting on A1A Beach Boulevard a decorative style light, which would cost the City \$700 - \$800 a month extra from Pope Road to F Street and if the City wanted to continue from F Street to Publix it would be approximately \$1,300 a month. He explained the benefits of LED lights, such as safety. He advised that several cities such as Ormond Beach, Port Orange, and Daytona Beach have LED lighting. He explained different options to the Commission.

Discussion ensued regarding the costs of the decorative LED lighting fixture being lease per month; FPL would repair the lighting if there is damage due to hurricanes or the lights break; decorative lights are not turtle friendly; however, FPL is working with the Federal Wildlife Commission to approve a turtle friendly light fixture solution, but they have not approved it as of yet; FPL turns the lights in the line of sight off during the turtle season; can omit the LED lighting in turtle areas until FPL gets the Federal Wildlife Commission approval; FPL can convert the LED lighting at no costs later after approval; FPL hopes to have the approval by the end of the year; FPL has no timeframe for the City and does not change the contract.

Commissioner Rumrell asked if Mr. Tharp asked Police Chief Hardwick what the safety component would be regarding the conversion.

Mr. Tharp advised no; however, he would be happy to.

Police Chief Hardwick advised that Mr. Tharp and he can meet with him to discuss the issue. He explained that he has concerns for pedestrians on the Boulevard today and is looking for better ways to light up the Boulevard because it is dark, especially during turtle season and with the new hotel pedestrians.

Mayor George mentioned the public's concerns for lighting between A1A Beach Boulevard and Publix.

Mr. Tharp advised that he will be discussing that next week.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, requested that the Commission have more controls on this issue; FPL should talk to Police Chief Hardwick about the lighting; didn't feel Mr. Tharp was prepared and corrected him on the Florida Wildlife Commission instead of Federal Wildlife Commission; and requested reduced light pollution for the turtle season and more information not guesswork.

Mayor George closed the Public Comments section and asked for Commission discussion.

Commissioner Samora requested an option from FPL on converting the lighting that would not affect the turtles, so to omit changing the lighting on A1A Beach Boulevard until FPL has approval from the Florida Wildlife Commission.

Mayor George requested information on how long the life span is on LED fixtures and poles in case the City decides to go with underground utilities in the future.

Commissioner Kostka would like to have Option 1 to save money and doesn't want to spend money on fixtures. She requested that the Commission wait on the Florida Wildlife Commission's approval for the turtle lighting before moving forward with lighting on A1A Beach Boulevard but is not opposed to doing the rest of the City in LED lighting.

Commissioner Samora agreed with Option 1 because he agreed not to spend on the decorative fixtures.

Mayor George agreed unless FPL would change the poles and the fixtures for the same price as the fixtures.

Vice Mayor England advised that the City needs a more custom solution because of the cost savings, public safety and turning the lights off during turtle seasons.

Mayor George requested a visual map of what lights affect the turtle nesting areas, so the Commission would have a good overview of the lighting.

Mayor George moved on to Item VIII.

## VIII. PUBLIC HEARINGS

### 1. Transmittal to the State of Changes to the City's Comprehensive Plan (Presenter: Janis Fleet, Planning Consultant)

Mayor George introduced Item 1 and asked Janis Fleet to the podium.

Janis Fleet, AICP, Fleet & Associates / Planners, Inc., 11557 Hidden Harbor Way, Jacksonville, FL, advised there were two pages that had corrections (Exhibit 5), which she handed out to the Commission. She recapped the Comprehensive Plan process and changes that were made to the Comprehensive Plan in the previous meetings with the Commission and the Comprehensive Planning and Zoning Board. She commented that the Comprehensive Planning and Zoning Board recommended moving forward to transmit but wanted the Commission to see all the comments made. She explained that the remaining process and explained that the proposed Comprehensive Plan would come back to the Commission two more times for review.

Mayor George asked if the comments made between pages 12 through 20 were integrated into the document.



Ms. Fleet advised no. She explained that the Board wanted the Commission to see the comments and make changes as the Commission saw fit. She explained that the comments were her comments and she worked with staff on any changes.

Mayor George asked how Ms. Fleet recommended that the City doesn't have enough staff to do the objectives. She asked why the goals for the Comprehensive Plan could not be for the future, even if the City could not implement them right away. She remarked that she wants the dune preservation to be beefed up and add measures to the Department of Environmental Protection (DEP) regulations.

Ms. Fleet advised that that would be up to the Commission to decide.

Mayor George advised that she would hate to write the Comprehensive Planning and Zoning Board comments out of the Comprehensive Plan because she knows how hard they worked on it. She asked when the Commission should write the changes back in, now or after DEP reviews it.

Ms. Fleet advised to make the changes before she transmits to DEP. She explained that there is no timeframe to submit to the DEP because the City has no Comprehensive Plan amendments waiting to be changed, so the Commission has time to make changes.

Commissioner Samora remarked that there were very important comments made and would result in changes, so he would like time to review the material. He suggested having this on its own meeting.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, applauded the Commission for tabling this and requested to have a new consultant because Ms. Fleet does not appreciate the environment of the City.

Mayor George closed the Public Comments section.

It was the consensus of the Commission to have a Special Commission meeting and table this item until time certain on July 2, 2019 at 5:30 p.m.

Mayor George asked to have staff email a reminder of the meeting to the Commission.

Mayor George moved on to Item 2.

2. Request for Conditional Use Permit to Construct Five Houses in the Commercial Land Use District on North Side of 7<sup>th</sup> Street, Opposite Marriott Hotel (Lots 5, 7, 8, 9 and 10, Block 15, Chautauqua Beach Subdivision) Mr. James Whitehouse, Agent for MSB Hotels of Ormond Beach, Florida (Presenter: Brian Law, Building Official)

Mayor George introduced Item 2 and asked Building Official Law to give his report.

Building Official Law advised that the lots are zoned commercial, but the applicants want to build single-family residences. The Comprehensive Planning and Zoning Board passed this by a five to two vote. He recommended that the lots be treated as medium density properties as far as lot surfaces and impervious surface ratios and not as commercial district lots. He explained that there would not be a need for a commercial buffer if the Commission approves this conditional use permit because they are voluntarily building a residential structure next to a commercial structure. He disclosed that there is a large oak tree on the south side of the

properties and the applicant would have to go in front of the Comprehensive Planning and Zoning Board before cutting it down.

Discussion ensued regarding the applicant could use these single-family units as transient rentals, but they have not disclosed that option; properties were platted as commercial, but the back three lots were platted as residential; other residential homes are in the medium density district; and Building Official Law recommended to follow all the rules of medium density, which would require 35% lot coverage, 50% impervious surface ratio lot coverage, 10% or greater impervious surface, and medium density setbacks.

Vice Mayor England advised that she would like the terms clarified if the Commission agrees to this.

Commissioner Samora asked if any of the alley was vacated.

Building Official Law advised that it appears so, but it would not affect construction. He explained that if the applicant wanted to vacate the alley later, it would go in front of the Commission for approval. He commented that anything 300 feet west of commercial zoning is in his opinion not great because the lots were platted for residential.

Vice Mayor England advised that the Vision Plan consultant in the past said that on the west side the lots were a little deep for commercial and there was discussion to back zone that to residential, but the previous Building Official never did that.

Building Official Law advised that the lots before the Commission would remain commercial, but they would be granted a conditional use permit to be residential.

Mayor George asked Attorney James Whitehouse if he would like to give a report.

Attorney Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine, FL, explained that his client wants a conditional use permit for to construct single-family residential on the five lots in question. He explained that the Comprehensive Planning and Zoning Board recommended approval and discussed some of the questions the Commission is discussing. He showed Exhibits 6 - 8 on surrounding blocks around the properties. He explained that these lots would not be good for commercial buildings because of their visibility and asked to be allowed to do the same as other developments. He explained that the residents in the area do not want commercial but would prefer a residential neighborhood. He explained that the applicant would meet all the codes and regulations for medium density. He commented that if any issues that need to be addressed on how to construct the homes, it would have to come back to the Comprehensive Planning and Zoning Board anyway. He remarked that this is an appropriate use.

Mayor George asked why the plans were not submitted.

Attorney Whitehouse advised that he wanted the Commission's approval first before spending money on plans.

Mayor George asked about the oak tree.

Attorney Whitehouse explained that the applicant has not decided how the homes will be built so that issue would be addressed when the applicant designs the plans. He advised that would be addressed or brought back to the Comprehensive Planning and Zoning Board if there is an issue.

Building Official Law said it would have to come back to the Board if they want to cut the tree down.

Commissioner Samora asked why the applicant doesn't start where there are residential homes already.

Attorney Whitehouse advised that the applicant wants to build on all the lots with a set number of houses and will design the homes to fit the lots provided. He explained that the lots near commercial will be designed differently than the homes next to the residential area.

Vice Mayor England asked if the applicant would apply for a Planned Unit Development (PUD).

Attorney Whitehouse advised that the applicant wants to build on each individual lot and not apply for a PUD.

Commissioner Kostka asked if the intention of these homes would be transient rentals.

Attorney Whitehouse advised that he doesn't know that that is the applicant's intention right now. He explained that may be an option behind the commercial district in the future and advised that he doesn't know what the applicant's plan is.

Commissioner Samora asked City Attorney Wilson if the Commission could put a restriction on the homes to not be transient rentals.

City Attorney Wilson advised that so many uses are allowable in medium density district and commercial zones, imposing restrictions on homes where they are built like single-family homes could be problematic.

Commissioner Samora advised that the Commission has imposed different conditions in the past.

City Attorney Wilson advised that the applicant is requesting single-family homes and whether they are single-family, short- or long-term rentals it is difficult to tell the differences between those homes. He advised that he didn't think it would be appropriate to restrict transient rentals, but the Commission could do it and see if it works.

Commissioner Samora advised that one of the conditions would be to impose the setbacks for medium density residential homes, so couldn't the Commission also say that it would have to comply with all the medium density transient rentals.

City Attorney Wilson advised that the Commission would effectively be rezoning the properties and that might not be the intent of a conditional use permit because conditional use permits are multiuse properties. He remarked that the City would not know how it would be rented unless it is rented as an actual business. He advised he could not tell the Commission what the outcome would be if it went to court because the City's codes are not clear on that. He explained that the applicant is only asking for single-family homes to be built, not transient rentals.

Attorney Whitehouse advised that there is no plan to do transient rentals, but that could be an option in the future. He explained that this area is between two hotels and the homes closest behind the commercial buildings would be considered. He explained that all the lots in the back cannot be transient rentals unless a transient rental permit is available.

Commissioner Samora asked if his client would agree to not building transient units.

Attorney Whitehouse advised that his client would not want to give that option up because the two lots next to the commercial buildings may be designed differently than the others. He remarked that that would restrict the owner. He advised that staff did not oppose that option and the Comprehensive Planning and Zoning Board discussed this, and they didn't have

a problem with that issue because it would only be the five lots in the one area. He requested being able to have that option.

Mayor George advised if the home was to be sold, the new owner could come to the Commission for a modification. She explained that the Commission did not have the minutes to the Comprehensive Planning and Zoning Board on the discussion at the meeting and cannot watch the meeting online to see what was discussed on the website.

Attorney Whitehouse explained that the vote was five to two because of the tree issue. He explained that Mr. Mitherz and Ms. Longstreet voted against it because of the tree issue. He asked why the Commission wants to control this location for transient rentals and no other areas.

Mayor George commented that the applicant wants to make a ten-home neighborhood and five of the homes could become transient rentals, which would be a 50/50 ratio of transient units that the public in the City says they don't want. She suggested making it either residential or commercial. She advised that the applicant could do a PUD and make the homes residential or commercial and explained that the vision is fragmented because there are no plans submitted. She remarked that she would not entertain what is being suggested because there is already a policy in the City to regulate short-term rentals in a medium density district. She advised that she is not in favor of a neighborhood that is a 50/50 ratio of single-family homes and transient units.

Attorney Whitehouse advised that the both to the north and south from the properties, it is already that way and there are a lot of short-term rentals in those areas. He explained to the Commission that he feels it is appropriate to make these lots medium density.

Commissioner Samora advised that this further erodes the commercial district, which the Commission has been trying to stop for over a year and a half. He remarked that he felt this would be a viable commercial use property and would not want to further erode the commercial district left that the City has.

Attorney Whitehouse advised that he has shown that these properties would not be viable commercial use and that is why his client wants the conditional use permit. He remarked that the Commission could discuss what lots may be allowed to have transient units because they are next to the commercial buildings and he could talk with the client.

Commissioner Kostka advised that according to the property record the auto shop was already there when the applicant purchased the properties.

Mayor George opened the Public Comments section. The following addressed the Commission:

Brud Helhoski, 691 A1A Beach Blvd., St. Augustine Beach, FL, advised that now is the time to have a workshop with staff and the owner to see what could be developed in that entire area because the neighborhood might not want certain commercial uses.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to table this item because the Commission does not have all the information such as plans, minutes, etc. and feel this is another intrusion into a residential area. He requested a moratorium on further intrusion into residential areas. Witnesses should be sworn in and he asked to deny the conditional use permit.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, supported this project and asked why the Commission doesn't want Airbnb's for the tourists.

Jim Cochran, 328 S Forest Dune Drive, St. Augustine Beach, FL, advised that the rules have been changed for conditional use permits on commercial properties without any notice and that is a violation of people's property rights. He advised that the City's ordinance is inconsistent with the rules of the town. He explained that commercial use is not viable and would not have enough parking for a business.

Mayor George closed the Public Comments section and asked Attorney Whitehouse to come to the podium.

Attorney Whitehouse pointed out a letter in the Commission's packet from Bob Buckmaster from Coldwell Banker who said these properties were not economically viable for commercial use. He asked for a conditional use permit to construct residential homes and whether the owner wants to do transient rentals was not part of the application. He advised that his client would follow all the codes in a medium density district. He further explained that his client should not be penalized because the minutes of the Comprehensive Planning and Zoning Board was not in the Commission's packets or that the meetings are not televised any more. He advised that the Comprehensive Planning and Zoning Board voted five to two to recommend this be approved. He explained that the owner wants to keep the option of transient rental use but is not asking for that at this time.

Mayor George stated that the motion was to comply with regulations for medium density residential land use districts. She asked how Attorney Whitehouse is extrapolating for that an exemption relating to short-term rentals.

Attorney Whitehouse advised that the Comprehensive Planning and Zoning Board's discussion was to meet the setbacks and lot coverage. He explained that they did not address other uses that would be allowed in a commercial district. Conditional Use Permits only address whether a single-family residential use can be done in a commercial district. He advised that the owner is not developing a PUD or a neighborhood but developing single-family lots just like all the other homes in the area.

Commissioner Kostka advised that the City's residents survey showed the most important things for the residents was a sense of community. She explained that her concern is that the transient renters do not respect the community and explained that she feels that the Commission's task is to protect and preserve that. She asked for more clarity about this issue and wants more information and is not ready to make a decision.

Commissioner Rumrell advised that it would be good to have more revenue for the City and the City already allows transient rentals in commercial areas. He explained that a restriction on the properties may not hold up. He remarked that the residents would appreciate a residential home instead of a Starbucks or Dairy Queen. He said that transition is important but wants to preserve the future of the City.

Vice Mayor George advised that since the owner is preserving the commercial use on the Boulevard, she did not have an objection to residential use. She advised that the City's policy has not been clear deciding what is medium density and what can be commercial use.

Commissioner Samora advised that there is an erosion of the commercial district and the City needs commercial districts where tourists can spend their money. He explained that the commercial districts are disappearing, and the people want more retail shops to go to. He remarked that commercial buildings are being repurposed all the time. He mentioned that the Comprehensive Plan is setting up to restrict the intrusion of commercial zoning in residential areas and once the commercial areas are gone, the Commission's hands are tied.

Mayor George introduced for the record that the reference that there is no economic viable use for this commercial property is not true because her business is off the Boulevard and is the third or fourth lot in, so there are commercial uses west of the Boulevard. She advised that this lot could have parking areas to accommodate commercial use. She advised that only three lots are touching residential uses and the five lots that applicant has are not touching any residential areas other than the westerly lots. She remarked that she was concerned procedurally about that the methodology of the application presents us with five applications, which would entitle the City to five application fees but only appears to have one fee, so the methodology of submitting an application as a cluster of lots without any vision is another issue. Without giving the City its due on the application as a PUD, which would allow for that, to circumvent the fee concerns her. She was concerned on creating a precedent in granting conditional uses without any vision or plans for that use. She explained that previously the City has granted conditional use permits for specific businesses for home occupations or structures and specific owners as opposed to cherry picking elements of medium density or commercial uses for an unknown owner and unknown structures. She explained that she is concerned that there were no minutes from the Comprehensive Planning and Zoning Board, which the Commission needs to make a decision. She remarked that she is very hesitant to erode the City's commercial properties and she was not sure she would support a motion to approve this with all the what ifs.

Commissioner Rumrell asked to table this until the Commission receives all the information from the Comprehensive Planning and Zoning meeting and more information from the applicant to see the whole picture.

Commissioner Samora advised that he would like to know if the applicant would like to have plans made for the Commission to see.

Vice Mayor England remarked because there will be more requests for conditional use permits in commercial districts, she would like to put a moratorium on this until the Commission comes up with a policy on how to treat it with regard to the medium density rules and suggested a workshop or policy on where to allow this in the City. She doesn't want to deny the applicant because then they cannot come back or maybe the applicant would rethink this and come back to the Commission.

City Attorney Wilson advised that they have an application and they are entitled to a decision. He explained that a moratorium would never be effective for this application. He suggested tabling this matter until more information is received that the Commission wants. He advised that the Commission should be specific on what information they want. He explained that even though they want to build on five single-family lots, it's under one ownership so the applicant would not have to submit five applications.

Vice Mayor England advised that she was concerned because some properties are treated as medium density when granting the conditional use permit by some ordinances, but not all.

City Attorney Wilson advised that is the problem with conditional use because some uses are allowable, such as multi-family, and single-family and the applicant is only asking to build houses under medium density for construction. If the applicant asked it in a different way, it would change the conditional use. If they build single-family homes they could not change because they would not meet the criterias for setbacks, parking and retention areas required in a commercial district. He suggested to table this item and tell the applicant what the Commission wants.

Mayor George asked if this was going to be residential use or residential construction.

City Attorney Wilson advised that the applicant can use a single-family home as a short-term rental, long-term rental, or a single-family home.

Mayor George advised that this project could be all commercial in the middle of a couple of residential homes, which is a concern to me and granting the conditional use permit without plans.

City Attorney Wilson advised that this could be considered a concept review phase and have the applicant tell the Commission what the homes will be used for and what it will look like.

Mayor George made a motion.

Mayor George asked for a motion.

**Motion:** to table this item and invite the applicant to provide more information regarding the intended use and anything further that they think would help the Commission in further deliberations. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Attorney Whitehouse asked for clarification. He asked what the Commission would like the applicant to bring to the next meeting for them because if not he wants a vote on the request. He stated that the request is a conditional use permit to allow single-family houses on five lots.

Mayor George asked if any Commissioner wanted to state what they would like the applicant to provide.

Commissioner Rumrell asked for the Comprehensive Planning and Zoning Board minutes and more clarity of the intent of the uses for each lot.

Attorney Whitehouse asked when they can come back to discuss this case.

It was the consensus to have this conditional use permit come back for discussion on July 1, 2019, at 6:00 p.m.

Mayor George moved on to Item 3.

3. Consideration of Request to Vacate Alley on East Side of Boulevard in Block 9, Chautauqua Beach Subdivision, between 2<sup>nd</sup> and 3<sup>rd</sup> Streets (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 3 and asked Attorney Wilson for a report.

Attorney Wilson advised two or three alleyways are owned by property owners and cannot be used for beach access. He explained that the records do not show when the alleyways were received by the owners and might have been before the City was created. He explained that the Commission could recognize them as being owners of the alleyway because they have a claim of titles which has existed for decades, or to continue to maintain an alleyway with no access. He explained that he received documents from the Clerk of the Court and these owners have used this land as their own for years.

Mayor George opened the Public Comments section. Being none, Mayor George asked for a motion.

**Motion:** to approve the vacating of the alley in Block 9, Chautauqua Beach subdivision, based on the evidence the Commission received and the evidence of the opinion of the City Attorney and based on the portion of the alley that has been previously vacated prior to the

incorporation of the City, that there is no current direct beach access in this alley and vacating the alley would not violate current City codes or the Comprehensive Plan. **Moved by** Vice Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor George moved on to Item 4.

4. Ordinance 19-06, Second Public Hearing and Final Reading, to Allow the Setting of Building Permit and Related Fees by Resolution, and Resolution 19-02, to Adopt the Fees (Presenter: Brian Law, Building Official)

Mayor George introduced Item 4 and asked Building Official Law for his report.

Building Official Law advised this is the same ordinance that has been previously discussed to bring the fees out of Land Development Regulations and have the fees done by resolution, so the fees could be changed in a timelier manner. He then explained that Resolution 19-02 with the new proposed fee schedule in Exhibit A. He commented that most of the changes were in the Planning and Zoning fees because they were not changed in 20 years. He explained that transient rental fees are changing from \$40 to \$100 and include reinspection fees if the owner is not done.

Commissioner Kostka asked if the transient rental fees are in medium density only or throughout the City.

Building Official Law advised throughout the City. He explained that condominiums are not regulated by the City but by the State level enforcement.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked why the fees were not adjusted every year; advised that the City Manager is in the developers' pockets and should resign; requested an accountant to give specific data on how the fees should be adjusted; and suggested getting a new City Manager.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, agreed with increasing the fees and feels that City Manager Royle does an excellent job, but blames the past Commissioners for not being prepared.

Mayor George closed the Public Comments section and asked for Commission discussion.

City Attorney Wilson read the title of the Ordinance 19-06.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-06. **Moved by** Vice Mayor England, **Seconded by** Commissioner Samora. Motion passed unanimously.

**Motion:** to approve Resolution 19-02. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George moved on to Item 5.

5. Ordinance 19-07, Public Hearing and Final Reading, Regarding Business Tax Receipts: Updating Classification Titles and Increasing Fees (Presenter: Beverly Raddatz, City Clerk)

Mayor George introduced Item 5 and asked City Clerk Raddatz for her report.



City Clerk Raddatz advised that the only changes from the first reading of the ordinance were the changes requested by the Commission that staff keep the previously deleted categories that were over \$26.25 and added a five percent increase. Staff recommends approval for Ordinance 19-07.

Discussion ensued regarding the increase in fees and fees for taxis and how taxis drivers are regulated.

Mayor George opened the Public Comments section. The following addressed the Commission:

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, advised that he was told at the City of St. Augustine that Uber drivers are not regulated because Uber is regulated by the State of Florida.

Mayor George closed the Public Comments section and asked for Commission discussion.

City Attorney Wilson read the title of the ordinance.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-07. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George moved on to Item 6.

## IX. CONSENT

### 6. Resolution 19-05, to Amend the Format for Commission Meetings in the City's Policies and Procedures Manual

Mayor George introduced Item 6 and asked if any members of the Commission would like to discuss this item.

Vice Mayor England advised that there is a request to speak on this item.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, requested to include in the ordinance that meetings for this City not overlap the City of St. Augustine's meetings and requested that a specific time be done for public comments in the agenda.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, blamed the Commission for changing the order of the agenda which brought the public comments to late this evening.

Mayor George closed the Public Comments section and asked if the Commission has anything to discuss.

Discussion ensued regarding changing the agenda; not putting voting items under Presentations but placing them in Old or New Business sections; and have Public Comments and Commissioner Comments after Item VII, Presentations.

City Clerk Raddatz asked for a motion to extend the meeting.

**Motion:** to extend the meeting until 10:00 p.m. **Moved by** Mayor George, **Seconded by** Commissioner Samora. Motion passed unanimously.

Mayor George made a motion.

**Motion:** to approve Resolution 19-05 with the amended change that Public Comments and Commissioner Comments above Presentations. **Moved by** Mayor George, **Seconded by** Commissioner Samora. Motion passed unanimously.

Mayor George moved on to Item 7.

#### X. PUBLIC COMMENTS

Mayor George opened the Public Comments section. The following addressed the Commission:

Jeff Prickett, 1121 Overdale Road, St. Augustine Beach, FL, he asked that every day the community should thank a Police Officer and tell them to be safe because they could be shot at any time. Give the Officers respect and pay more attention to the Police Department.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, thanked the Commission for keeping the Police Department in St. Augustine Beach. He requested a resolution to be done and put up a rainbow flag up for Gay Pride Month. He requested that the resolution be done at the June 17, 2019 meeting.

Bert Tavery, 15 Sunfish Drive, St. Augustine Beach, FL, advised that he and his wife are opposed to parking rules in the City.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, asked to give an assistant to City Manager Royle, who could also handle communications. He advised that City Manager Royle does a good job and even though he has been critical of him, he wanted to apologize to him for speaking against him in the past.

Mayor George closed the Public Comments section and moved on to Item XI.

#### XI. COMMISSIONER COMMENTS

Mayor George asked Commissioner Rumrell if he had any comments.

Commissioner Rumrell reported that Publix is ordering four times the amount of paper bags now than ever before.

Vice Mayor England advised that she went to the North Florida Transportation Planning Organization (NFTPO) meeting but found out it was cancelled. She spoke with some staff members there and they recommended that in order to get more attention to have the City's Public Works Director go to the meetings, so Mr. Tredik has started attending.

Mayor George advised that she wants the videos back online because so many other cities are doing it even with the risk of litigation because of all the complaints she has been receiving. Wants the videos up ASAP and put it on the next agenda tomorrow.

City Attorney Wilson advised that one of the lawsuits was dismissed. He advised that if the City writes the gentleman that the City is changing their rules and would get this to him as soon as the City can, we should be okay, but it is up to the Commission whether the Commission wants to take a risk. The cases are settling for \$15,000 - \$20,000. He explained that the public is being deprived by not having the videos online.

Mayor George requested this item be placed on the agenda for the continuation meeting on June 11, 2019.

Mayor George closed Commissioner Comments and then moved on to Item 7.

XII. OLD BUSINESS

8. Plastic Bag Ban Ordinance: Requested by Ms. Jane West for the Commission to Consider it Again (Presenter: Max Royle, City Manager)

Mayor George introduced Item 8 and asked City Manager Royle for his report.

City Manager Royle advised that Chair West asked the Commission to make a motion for first reading.

City Manager Wilson then read the titles of the Ordinances 19-08 and 19-09.

Mayor George opened the Public Comments section. The following addressed the Commission:

Brud Helhoski, 691 A1A Beach Blvd., St. Augustine Beach, FL, advised that these ordinances are not creating a solution. He stated it takes more fuel to make biodegradable bags, which does not solve the problem. He explained that the cost is greater for restaurant owners to use these products than the fish could eat anyway.

Mayor George closed the Public Comments section and asked for Commission discussion.

Commissioner Samora advised that he had concerns that the ordinances did not show penalties that would be associated with the ban, enforcement of the ban, and the retail sales of the banned items. He explained that these ordinances were shelved in favor of the resolution, so he was not sure if City Attorney Wilson had any time to work on it.

City Attorney Wilson advised that there were no specific instructions on this; however, he suggested having the Public Hearing and then change the ordinance to amend the ordinance. He explained that the retailers should be notified of the Public Hearing, so they can give their thoughts.

**Motion:** to approve Ordinances 19-04 and 19-04. **Moved by** Mayor George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item XIV.

XV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

**Motion:** to continue the meeting until June 11, 2019 at 6:00 p.m. **Moved by** Commissioner Kostka, **Seconded by** Mayor George. Motion passed unanimously.

Mayor George adjourned the meeting at 10:00 p.m.

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Undine C. George, Mayor

ATTEST:

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City Clerk



## MINUTES

### CONTINUATION OF REGULAR CITY COMMISSION MEETING

MONDAY, JUNE 11, 2019, 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 George called the meeting to order at 6:00 p.m.

#### II. PLEDGE OF ALLEGIANCE

Mayor George led the Pledge of Allegiance.

#### III. ROLL CALL

Present: Mayor George, Vice Mayor England, Commissioner Kostka, Commissioner Rumrell, and Commissioner Samora.

Vice Mayor England arrived 6:02 p.m.

Also present: City Manager Royle, City Attorney Wilson, Police Chief Hardwick, City Clerk Raddatz, Building Official Law, and Public Works Director Tredik.

### CONTINUATION OF ITEMS FROM JUNE 10, 2019 REGULAR COMMISSION MEETING

#### XII. OLD BUSINESS

7. Ordinances Related to Parking: Ordinance 19-08, First Reading, to Establish Resident Only Parking Permit System, and Ordinance 19-09, First Reading, to Change Parking Regulations in Chapter 19 of the City Code and to Prohibit Overnight Parking on Public Property in certain areas (Presenter Jim Wilson, City Attorney)

Mayor George introduced Item 7 and asked City Attorney Wilson to give his report.

City Attorney Wilson explained that he made the changes to both ordinance from the minutes as requested by the Commission at the previous meeting.

Mayor George opened the Public Comments section. The following addressed the Commission:

Brud Helhoski, 691 A1A Beach Blvd., St. Augustine Beach, FL, advised that overnight parking should not penalized someone who decided to take an Uber or taxi because they are intoxicated.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Mr. Helhoski because it is a safety issue. He doesn't agree with the paid parking and the residential ordinance should be tabled forever.

Mayor George closed the Public Comments section and asked City Attorney Wilson whether the City is obligated to hire a Parking Enforcement Specialist.

City Attorney Wilson advised no the City is not obligated, but just giving the designation and establishment of the position.

Mayor George commented that the City could give those duties to a current employee without hiring someone in a new position.

Mayor George asked if the City Manager could have the authority to waive the fee if they took a cab home because they were intoxicated.

Commissioner Kostka suggested establishing a pass from a business to give to the customer the ability to stay in the parking lot.

Commissioner Rumrell advised that public safety is a priority. He suggested if there is a car in the parking lot for multiple nights they could get a ticket. He advised that the discussion started over camping overnight.

Commissioner Kostka suggested changing the wording to no overnight camping.

Vice Mayor England suggested in Ordinance 19-09 deleting under 19-32, (b) instead of complicating the matter.

Mayor George asked City Attorney Wilson if he thinks the ordinance is okay the way it is drafted.

City Attorney Wilson advised it should be okay and could be changed at any time if there are problems.

Police Chief Hardwick advised there is a secondary backup which is a red tag. The Police Department inputs the red tag into their system and if the car is not moved in 72 hours, it will be towed. He commented that he likes the ordinance as it is drafted.

Commissioner Samora asked if overnight parking would be enforced by Pier Park since Embassy Suites guests sometimes park there.

Mayor George advised that Pier Park is public, so it would apply.

Police Chief Hardwick advised that the City has a current Memorandum of Understanding with the County and City of St. Augustine's Police Departments to be able to enforce parking citations. Our Police Officers write citations in the Pier Park parking lot.

Discussion ensued regarding not too many problems with overnight camping; recreational vehicles take up so many parking spaces; parking lot on Pope Road being used by Embassy Suites clients; signs being placed to stop parking on Pope Road; Police Department has all the tools needed to stop overnight camping; and changing the time to 24 hours from 5:00 p.m. to 5:00 a.m.

Discussion ensued regarding deleting in Ordinance 19-09, Section 19.32 (b), to amend the time from 48 hours to 24 hours from 5:00 p.m. to 5:00 a.m., and to amend the language to say upon any street and/or plazas east or west of A1A Beach Boulevard.

Discussion ensued regarding long-haul trucks parking at city hall occasionally.

Mayor George recapped the amendments as in Ordinance 19-09, Section 19.32 (a) to immediately following "upon any street or plazas, east or west on A1A Beach Boulevard in Ocean Hammock Park and any area designated for paid parking."

City Attorney Wilson read the titles of Ordinance 19-09.

**Motion:** to approve Ordinance 19-09 with the modifications previously stated including Section 7, Section 19-32 (a) be amended that after the word upon any street to include the language "or

plazas east or west of A1A Beach Boulevard and Ocean Hammock Park and any areas designated for paid parking” and removing Section 19-32 (b) and changing in Section 19-32 (a) from 48 hours to 24 hours. **Moved by** Mayor George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Ordinance 19-08.

City Attorney Wilson read the title of Ordinance 19-08.

Discussion ensued regarding Sections 19-59 and 19-60 having the same title.

City Attorney Wilson advised that he would change one of the titles.

Commissioner Samora asked if zoning permits would be applicable to transient rentals.

Mayor George advised that that refers to parking zones by street, not lot zones. She advised that her intent was that it would not apply to transient rentals.

Discussion ensued regarding whether the owners have guests; how many permits would be issued to each property owner; what about the fees for the permits; permit system that would only be adopted by the owners on that street on a voluntary basis; Administration needing to manage the permits; not issuing guest permits; No Parking signs are working; creating operating procedures to implement permits; consider one street to test this system first before it goes Citywide; working with the residents door-to-door to see what streets want signs; leaving the effective date on the ordinance, but don't create the zones until the operational procedures are done; putting on the webpage information informing the residents that this ordinance will be in effect if they would like to voluntarily have it for their street; and enforcing the permit system with improper parking.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-08. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item 11.

11. Cigarette Butts and Tobacco-Related Products: Request to Add Them to City's Definition of Litter (Presenter: Nana Royer or Capt. Adam Morley)

Mayor George introduced Item 11 and asked Nana Royer or Captain Adam Morley to the podium.

Captain Adam Morley, 1205 East State Road 206, asked to bring the City in line with the ordinances that the City of St. Augustine and St. Johns County have that include cigarette butts and tobacco-related products in their litter ordinance.

Mayor George asked if there would be any unintended consequences about this request.

City Attorney Wilson advised that it could be included in the City's ordinance with other waste and disregarded materials but does not see a problem if the Commission wants to add cigarette butts and tobacco-related products to the ordinance.

Mayor George opened the Public Comments section. The following addressed the Commission:

Lauren Young, 711 A1A Beach Blvd., St. Augustine Beach, FL, advised that her group exercises and picks up litter on the beach. She explained that she has picked up 250 pounds of litter including cigarette butts and tobacco products.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agrees with this ordinance to control litter because it contaminates the ocean.

Mayor George closed the Public Comments section and asked for Commission discussion.

Commissioner Rumrell advised in Atlantic Beach and Neptune Beach reached out to a group called Beaches Go Green and they just got 65 trash cans for cigarette butts free for the beach that they installed on receptacles or poles at the beach. He spoke with the founder and asked how they received that. He explained that Philip Morris is giving them away and typically you can get up to 65 cans for free. He suggested to have City Manager Royle research it. He also advised that there is a group that takes the cigarette butts called TerraCycle in New Jersey, which will use the cigarette butts and recycle them into furniture and other products. He explained that Atlantic Beach and Neptune Beach have seen a nine percent reduction of cigarette butts on the beach so far and they just implemented it.

Mayor George advised that that would be a great educational component.

It was the consensus to bring an ordinance back for Commission approval.

Mayor George moved on to Item 12.

12. Tree Board/Beautification Advisory Committee: Review of Resolution to Change Name to the Sustainability and Environmental Planning Advisory Committee (Presenters: Members of the Tree Board / BAC)

Mayor George introduced Item 12 and asked for a representative of the Tree Board / BAC to come to the podium.

Alex Farr, 3 7<sup>th</sup> Lane, Beautification Committee Vice Chair, advised that the Committee has been doing more landscaping that is more resilient to sea level rise issues, which all the east coast cities agree with. She explained that on Arbor Day the Committee worked on a study regarding sea level rise. She commented that she wants to make it official and to have the Committee's name change to Sustainability and Environmental Planning Advisory Committee (SEPAC) to be less outdated or old fashioned.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that he supports the change, and this would help stop offshore oil drilling.

Mayor George closed the Public Comments section and asked for Commission discussion. Being none, Mayor George asked for a motion.

**Motion:** to approve Resolution 19-06. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George commented that she admires the energy this Committee has and thanked them for all their efforts.

Mayor George moved on to Item 9.

9. Resolution 19-01, to Amend Section XI.21 of the Personnel Manual Regarding Worker's Compensation (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 9 and asked City Attorney Wilson for his report.



City Attorney Wilson advised that he changed the language of the resolution as requested.

Mayor George opened the Public Comments section. Being none, Mayor George asked for a motion.

**Motion:** to approve Resolution 19-01. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor George moved on to Item 10.

10. Strategic Plan: Review of Suggested Procedures to Update (Presenter: Max Royle, City Manager)

Mayor George introduced Item 10 and asked City Manager Royle for his report.

City Manager Royle advised the current plan was developed four years ago and ask if the Commission would want to update it. He made suggestions to do it in house or do a Request for Proposal. He gave the Commission examples of six goals on page D and asked the Commission how they would like to start the process. He explained different ways that the Commission could discuss this topic.

Vice Mayor England complemented City Manager Royle on his suggested goals. She requested that staff flush the goals out a little more and advised that she was working on a Mission Statement for the City that she would share with the Commission at the August Commission meeting.

Mayor George asked to send the information to the SEPAC and the Comprehensive Planning and Zoning Board to get their insights on the matter.

Commissioner Samora suggested having a joint workshop with SEPAC and the Comprehensive Planning and Zoning Board.

City Manager Royle advised that he would like some guidelines before the meeting because some of the goals the City doesn't have the staff or the money to implement and would like goals that are achievable in the next five years.

Vice Mayor England agreed with City Manager Royle and asked to flush the goals out a little bit more in order to achieve goals within five years. She gave her suggestions regarding what she would like on the Mission Statement for the City.

It was the consensus of the Commission to bring this item back in August and to distribute a draft of the Mission Statement by email, without comment, to the Commission before the August meeting.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to put a resolution regarding LGBT Pride on the June 17, 2019 Commission meeting and to fly the rainbow flag during the month of June. He requested having transition and secession planning as one of the goals.

Mayor George asked Mr. Slavin to send her a draft resolution so she could support it.

Mayor George closed the Public Comments section and asked for Commission discussion. Being none, Mayor George asked for a consensus from the Commission.

### XIII. NEW BUSINESS

#### 13. Florida League of Cities Annual Conference: Selection of City's Voting Delegate (Presenter: Max Royle, City Manager)

Mayor George introduced Item 13 and asked City Manager Royle to give his report.

City Manager Royle advised that Vice Mayor England and he have attended in the past and the Commission has to approve a delegate for the City.

Discussion ensued regarding all the Commissioners attend if they want to and who would be the voting delegate.

Commissioner Kostka wants to go.

It was the consensus of the Commission to have Vice Mayor England to be the voting delegate.

Mayor George moved on to Item 14.

#### 14. TV Broadcasting: (Presenter: Mayor George)

Mayor George advised that she brought this subject up yesterday because she has been so many complaints that the public because the City is not broadcasting the meetings.

Commissioner Kostka suggested contacting Full Sail University for the City's broadcasting and the system had we consulted them.

City Manager Royle advised that staff has gone out for a Request for Proposals for the service for TV broadcasting captioning service and the bids will be opened on June 17, 2019 and then staff will bring to the Commission the recommendation of a company on July 1, 2019 and would possibly be installed by August 5<sup>th</sup> meeting.

Discussion ensued regarding giving the public DVDs of the meeting for free; having to give the public an ADA DVD in a reasonable amount of time; City Clerk sent a letter to the person with the ADA compliance issue and the City was compliant within two days; the City not having closed captioning equipment or service; minutes are ADA compliant on the webpage; ADA case law; requesting the ADA case law and ADA law; needing 95 percent accuracy for closed captioning; a reasonable amount of time to be responsible; and survey shows 60 percent of the residents don't watch the meetings.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked why the Commission were not told immediately about this problem and the public needs to see the meetings.

Mayor George closed the Public Comments section and asked what the Commission's consensus was.

It was the consensus of the Commission to wait until the July 1, 2019 Regular Commission meeting

### XIV. STAFF COMMENTS

Mayor George asked City Manager Royle for his staff comments.

City Manager Royle advised he had nothing more to report.

Building Official Law advised Panama Hatties and the Endless Summer Realty at the Shell Shack are progressing. He answered Commissioner Kostka's question regarding parking at restaurants being one parking space for three seats.

Public Works Director Tredik advised that the Mickler Ditch is progressing, and the clearing is almost done and being careful to remove as little vegetation at the back of the ditch in order to maintain the buffer on Mickler Boulevard. He advised that a portion of the pipes have been delivered and the project should be done by October 1<sup>st</sup>. He commented that Mizell pond is at 50% improvement rate and the consultant is close to getting the permit set to be able to send to the regulatory agencies. He explained that the temporary weir is in good shape. The Urban Forestry Management Plan is moving forward and will present their report on July 11<sup>th</sup> to the SEPAC and a final report in August. He advised that he is working on the lighting in the dark areas of the City with FPL and that the Public Works Department has 50% of the beach sand ready in case of a hurricane. He advised that he didn't want to order all the sand at once.

Police Chief Hardwick advised he had a meeting with the County's Road and Bridge Department and they asked if the City would like additional crosswalks on D Street and 9<sup>th</sup> Street, which they would fund. He explained that FPL is doing well with the lighting. He advised that he would not be here for the June 17<sup>th</sup> Commission meeting but explained that he has worked on the budget right after the last budget was approved. He explained that upgrades this year were computers and that he was getting ready for accreditation for next year.

City Attorney Wilson advised there was a final hearing for Embassy Suites and he did not feel that it was a legally sufficient motion and he didn't think the judge did either. He advised that he would let the Commission know what transpires as he hears about it.

Commissioner Kostka advised that she went to New Orleans for pleasure but did meet with a New Orleans Commissioner who explained that they have similar issues that our City has including transient rentals as many cities do in Florida. She commented that she went to the levee and it was interesting because it is like the City's beach renourishment.

Mayor George advised that she went to DC and found Florida House, which is an embassy for Florida for any tourists going to Washington DC and was across the street from the Supreme Court. It was founded by a Governor and his wife in 1910 and Florida is the only state that has an embassy.

Mayor George moved on to Item XV.

XV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 7:51 p.m.

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Undine C. George, Mayor

*ATTEST:*

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City Clerk

## MEMORANDUM

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 19, 2019

**SUBJECT:** Presentations:

A. Results of the Citizen Survey

Ms. Cindy Walker, the City's Communications and Events Coordinator, will provide a PowerPoint presentation of the recent citizen survey. Because of the survey's length (155 pages), a copy of it hasn't been attached. However, attached as pages 1-2 is a summary of the survey and as page 3-37 copy of the PowerPoint that Ms. Walker will present.

Some topics highlighted by the survey are:

- Communication between the City and citizens, such as learning about Commission meetings, City-run events (e.g., Beach Blast Off), and changes to the trash collection schedule.
- Parking, paid and/or unpaid, need for land for more parking, suggested solutions to parking problems.
- Types of businesses citizens want and don't want.
- Public safety, including street lighting, crosswalks, more police presence.
- Improvements to City's solid waste collection operations.

### ACTION REQUESTED

It is that after Ms. Walker presents her PowerPoint, you consider the next steps, which could be a special meeting later in August to discuss the survey with the public and determine from it either some goals for the strategic plan or other actions that the City should take.

## Memorandum

TO: Mayor George  
 Vice Mayor England  
 Commissioner Kostka  
 Commissioner Samora  
 Commissioner Rumrell

FROM: Cindy Walker, Communications and Events Coordinator

DATE: June 19, 2019

SUBJECT: Resident/ Property Owner Survey Executive Summary

The St. Augustine Beach Commission, City Manager Max Royle, Chief Financial Officer Melissa Burns, and Communications and Events Coordinator Cindy Walker collaborated to create a St. Augustine Beach resident/ property owner survey. The survey was open from April 12 until June 3 and received 785 responses. To inform the public of this survey, it was announced on Facebook, the E-Newsletter, at a Commission Meeting, posters at City Hall, WSOS 103.9 sponsored signs in City limits, a press release, and the radio show. The purpose of this survey is to determine what The City of St Augustine Beach government and boards can do to better communicate and serve the residents and to learn what residents value most about the City.

Survey respondents have expressed that they are satisfied with the quality of life and appearance of the City. With this in mind, they are likely to maintain residence in City limits.

Additionally, respondents conveyed that they value nature, the beaches, environmental protection, and a strong sense of community. Respondents support the development of restaurants and entertainment over other types of development (bars and coffee shops), but do not support establishments that attract tourism, like hotels. Some do not value business development at all. Respondents tend to visit locally owned establishments at least once per week, thus supporting the local economy.

A majority of respondents do not use and do not plan to use the Sunshine Bus.

Most respondents feel safe inside the City limits. The safety issues they noticed are lack of lighting, speeding cars, people not using the crosswalk or the flags, tourism, lack of police presence in neighborhoods, homeless, unleashed dogs, and short-term rentals. They requested lights to be put in at crosswalks, similar to downtown St. Augustine, additional lighting throughout the City, more police patrols, enforcement of leash laws, additional lifeguards, and stricter enforcement of the existing parking laws.

When visiting the beach, a vast majority of respondents get there by walking. They also report that when they have guests visiting their home, they have neither an easy nor difficult time finding parking.

As for paid parking, respondents have mixed feelings. Many agree with paid parking in public places, if residents and employees get to park at a highly discounted rate or free of charge. Some are concerned about visitors looking for free parking in neighborhoods and the beach not being accessible to working class families or

retired people due to the cost. As for parking solutions, respondents suggested parking garages, shuttles, and better maintenance of on-beach parking, so all kinds of vehicles can drive and park on the beach.

Overall, respondents are pleased with garbage/ recycling collection and our public works department. The biggest issue respondents expressed is not receiving notice of changes in the collection schedule. Other concerns include the rough handling of the bins, so they get worn out and break quickly and not knowing what can or cannot be recycled.

Respondents receive City communication mainly through newspapers, Facebook, signage at City Hall, and the e-newsletter. However, during emergencies, like hurricanes, respondents receive their information via TV and Facebook. When asked how they would like to receive communication, a majority selected text messages, with Facebook as a close second.


Most respondents have never attended or remotely watched a commission meeting. Many do not attend because of the time (it is too late at night and too long), their work schedule, feel like their opinion wouldn't be heard, and are frustrated with public comment and disrespectful behavior. A few respondents mentioned that they will attend if there is an issue of concern to them on the agenda.

Many respondents have attended Beach Blast Off and not our other City events (Arbor Day Celebration and Veteran's Day Ceremony.)

The vast majority of respondents own their home and are highly educated. Those who do rent typically pay between \$1,000 - \$1,500 per month. Most respondents who do work, do not work within city limits.

In the "additional comments" section, respondents reported:

- a request for additional in-depth surveys
- their love of the "small town beachy feel"
- not being satisfied with overdevelopment
- Anxiety over too much tourism
- having an issue with the increase in tourism resulting in traffic congestion
- concern over cultural intolerance
- worry of drainage issues
- disdain of Beach Blast Off
- concerns over litter control
- lack of "fenced in" playgrounds for young children
- request for shuttle service between the beaches and downtown
- concern from the City not receiving any revenue from bed tax
- lack of high paying jobs
- no enforcement of the nudity ordinance.



# RESIDENT / PROPERTY OWNER SURVEY

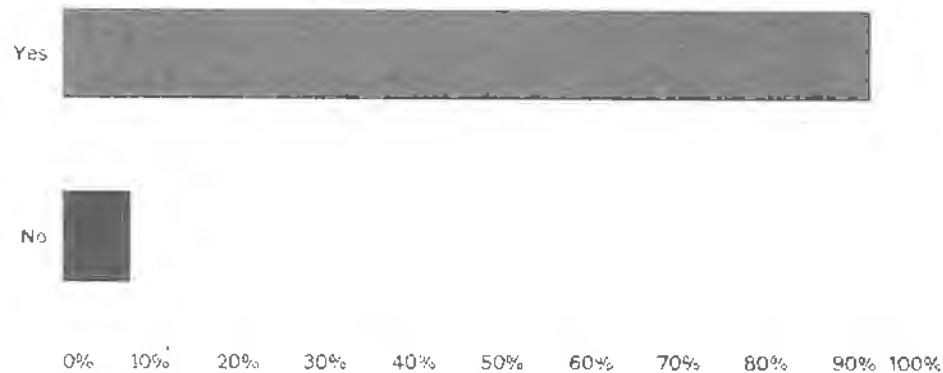
Cindy Walker  
Communications & Events Coordinator





# Overview

- Used Survey Monkey
- Survey Open April 12 – June 3
- 785 Responses
- Announced on Facebook, E-Newsletter, at Commission Meeting, posters at City Hall, WSOS 103.9 sponsored signs, press release (St. Augustine Record, St. Augustine Beach Civic Association, Beach 105.5) and radio show.



**ANSWER CHOICES**

Yes

No

TOTAL

**RESPONSES**

91 97% 722

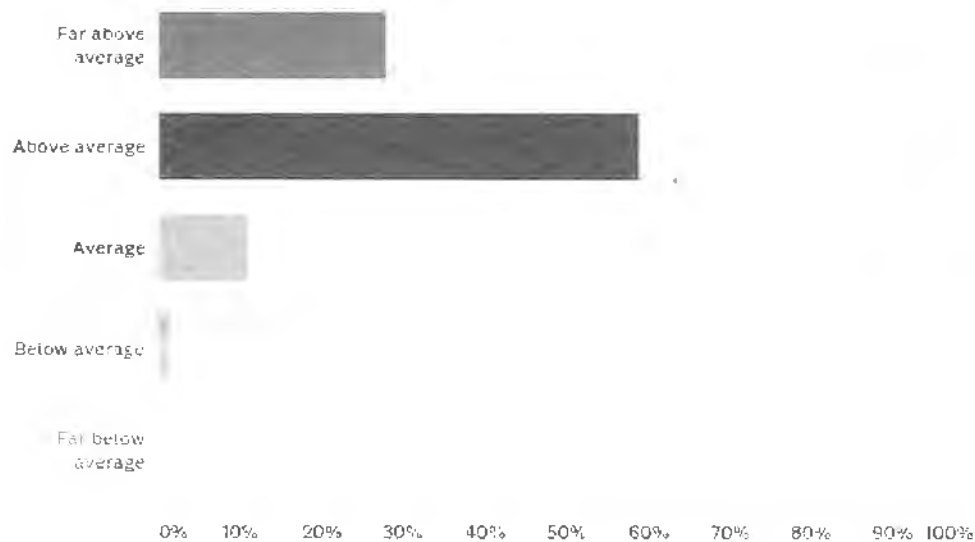
8.03% 63

785

**Q1: DO YOU RESIDE OR OWN PROPERTY IN  
THE CITY OF ST. AUGUSTINE BEACH?**

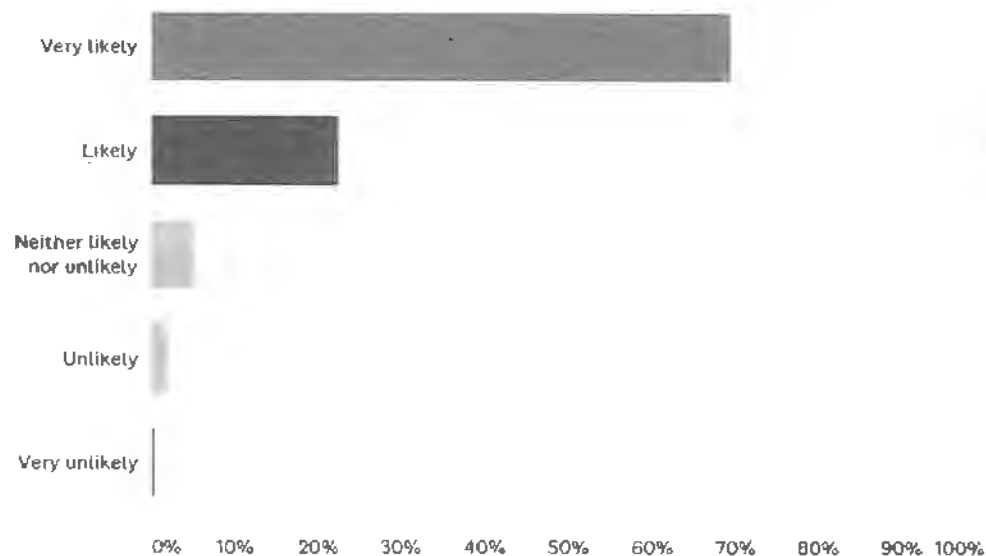
Answered: 785 Skipped: 0

\*NOTE: If responded "no" they were NOT taken to Q2



**Q2: PLEASE RATE YOUR OVERALL QUALITY OF LIFE IN THE CITY OF ST AUGUSTINE BEACH.**

Answered: 645 Skipped: 140



#### ANSWER CHOICES

Very likely

Likely

Neither likely nor unlikely

Unlikely

Very unlikely

TOTAL

#### RESPONSES

69.57%

22.52%

5.28%

2.02%

0.62%

448

145

34

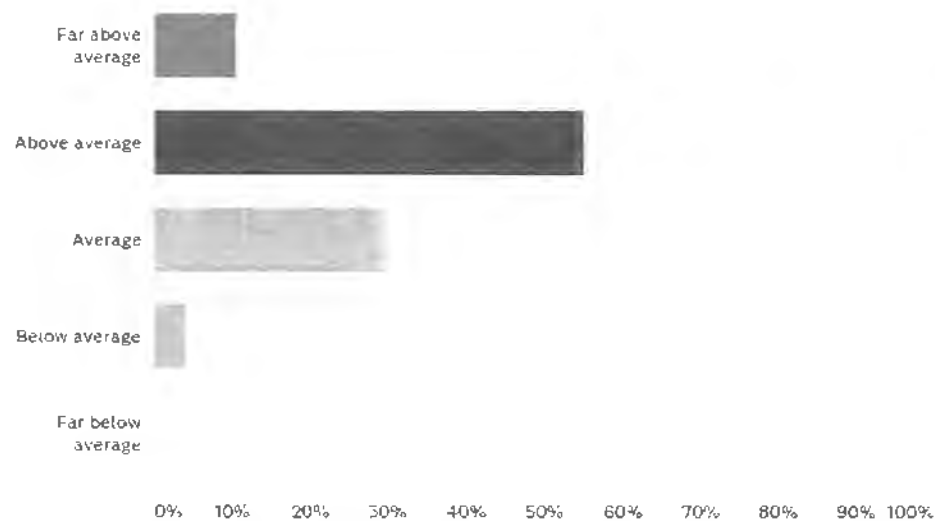
13

4

644

**Q3: HOW LIKELY OR UNLIKELY ARE YOU TO MAINTAIN RESIDENCE  
IN THE CITY OF ST AUGUSTINE BEACH?**

Answered: 644 Skipped: 141



#### ANSWER CHOICES

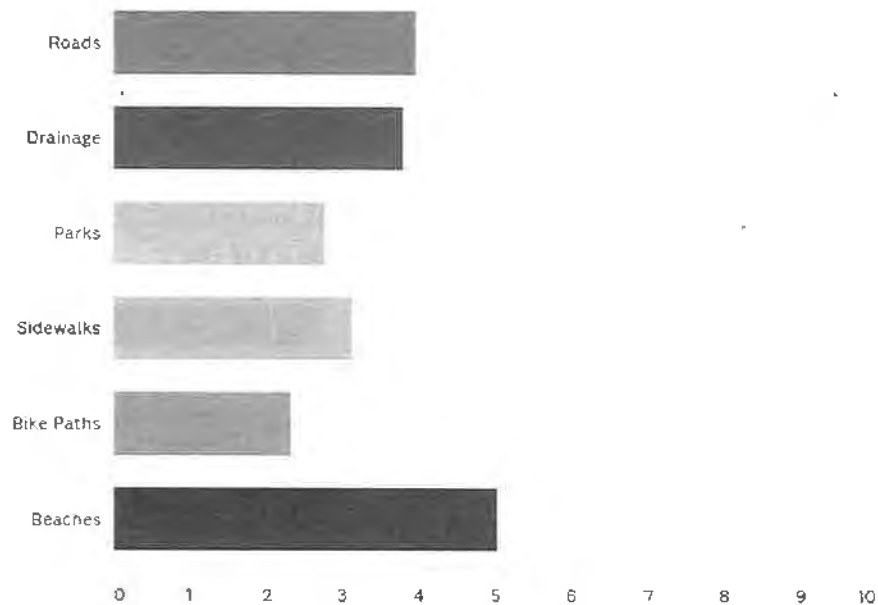
Far above average  
Above average  
Average  
Below average  
Far below average  
TOTAL

#### RESPONSES

|        |     |
|--------|-----|
| 10.68% | 69  |
| 55.26% | 357 |
| 29.57% | 191 |
| 4.18%  | 27  |
| 0.31%  | 2   |
|        | 646 |

**Q4: PLEASE RATE THE OVERALL APPEARANCE OF THE CITY OF ST AUGUSTINE BEACH.**

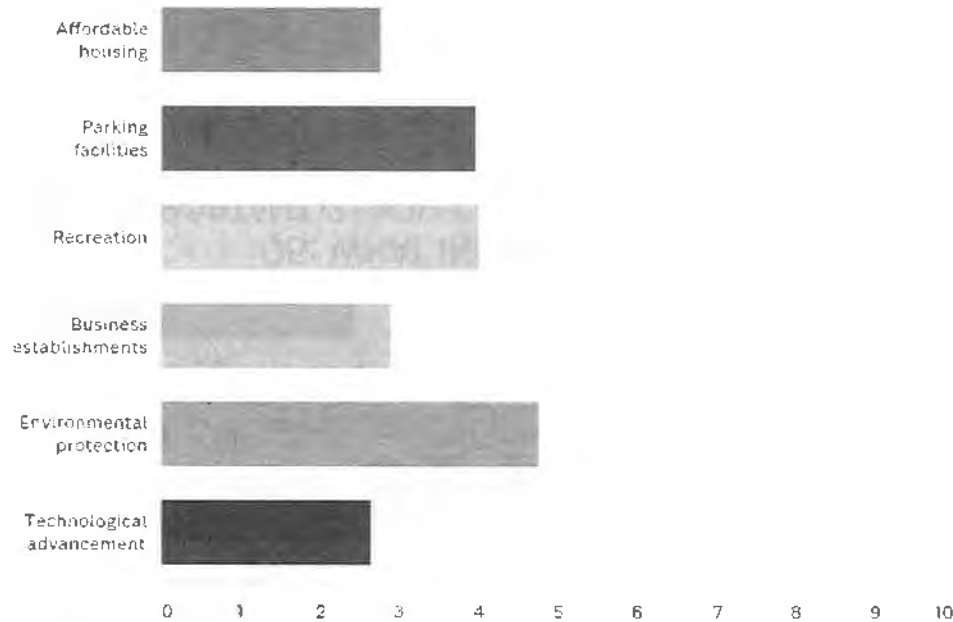
Answered: 646 Skipped: 139



|            | 1             | 2             | 3             | 4             | 5             | 6             | TOTAL | SCORE |
|------------|---------------|---------------|---------------|---------------|---------------|---------------|-------|-------|
| Roads      | 18.79%<br>118 | 25.64%<br>161 | 21.97%<br>138 | 11.94%<br>75  | 10.99%<br>69  | 10.67%<br>67  | 628   | 3.97  |
| Drainage   | 16.83%<br>106 | 24.76%<br>156 | 19.05%<br>120 | 14.44%<br>91  | 11.59%<br>73  | 13.33%<br>84  | 830   | 3.81  |
| Parks      | 2.57%<br>16   | 11.72%<br>73  | 14.13%<br>88  | 25.52%<br>159 | 26.32%<br>164 | 19.74%<br>123 | 623   | 2.79  |
| Sidewalks  | 3.83%<br>24   | 11.32%<br>71  | 20.57%<br>129 | 29.82%<br>187 | 27.27%<br>171 | 7.18%<br>45   | 627   | 3.13  |
| Bike Paths | 3.82%<br>24   | 9.71%<br>61   | 10.19%<br>64  | 13.38%<br>84  | 19.27%<br>121 | 43.63%<br>274 | 628   | 2.35  |
| Beaches    | 55.42%<br>353 | 17.43%<br>111 | 14.44%<br>92  | 5.02%<br>32   | 4.08%<br>26   | 3.61%<br>23   | 637   | 5.04  |

Q5: WHAT INFRASTRUCTURE IS MOST IMPORTANT TO YOU (WITH 1 BEING THE MOST IMPORTANT)?\*YOU CAN CLICK AND DRAG EACH ITEM TO BE IN ORDER OR USE THE DROP DOWN BOX TO THE LEFT OF EACH ITEM.

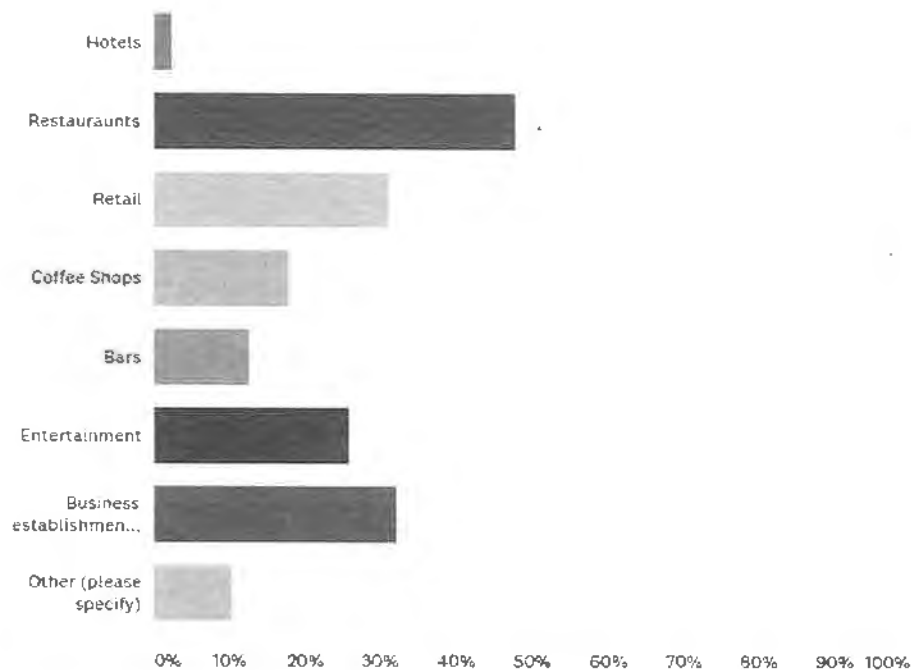
Answered: 643 Skipped: 142



|                           | 1             | 2             | 3             | 4             | 5             | 6             | TOTAL | SCORE |
|---------------------------|---------------|---------------|---------------|---------------|---------------|---------------|-------|-------|
| Affordable housing        | 12.72%<br>78  | 11.26%<br>69  | 10.60%<br>65  | 11.75%<br>72  | 15.01%<br>92  | 38.66%<br>237 | 613   | 2.79  |
| Parking facilities        | 20.90%<br>130 | 23.31%<br>145 | 18.65%<br>116 | 15.59%<br>97  | 13.50%<br>84  | 8.04%<br>50   | 622   | 3.98  |
| Recreation                | 9.97%<br>62   | 29.58%<br>184 | 28.14%<br>175 | 19.77%<br>123 | 9.49%<br>59   | 3.05%<br>19   | 622   | 4.02  |
| Business establishments   | 5.83%<br>36   | 9.56%<br>59   | 18.15%<br>112 | 20.42%<br>126 | 28.69%<br>177 | 17.34%<br>107 | 617   | 2.91  |
| Environmental protection  | 48.26%<br>305 | 18.04%<br>114 | 11.23%<br>71  | 10.28%<br>65  | 8.70%<br>55   | 3.48%<br>22   | 632   | 4.76  |
| Technological advancement | 4.37%<br>27   | 9.39%<br>58   | 13.59%<br>84  | 21.04%<br>130 | 23.62%<br>146 | 27.99%<br>173 | 618   | 2.66  |

**Q6: PLEASE RATE THE TYPES OF DEVELOPMENT MOST NEEDED (WITH 1 BEING THE MOST NEEDED)?\*YOU CAN CLICK AND DRAG EACH ITEM TO BE IN ORDER OR USE THE DROP DOWN BOX TO THE LEFT OF EACH ITEM.**

**Answered: 643    Skipped: 142**



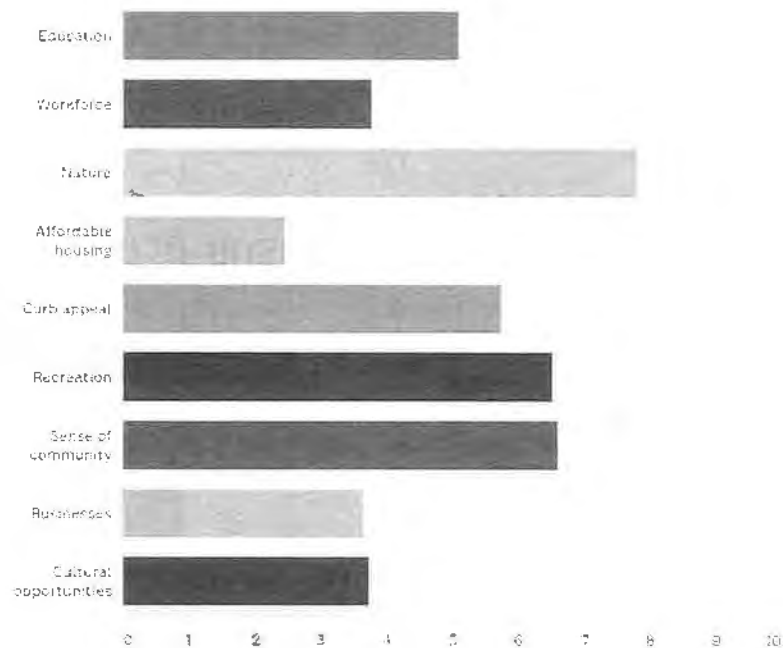
#### ANSWER CHOICES

| ANSWER CHOICES                                       | RESPONSES |     |
|--|-----------|-----|
| Hotels   | 2.52%     | 16  |
| Restaurants  | 47.96%    | 305 |
| Retail   | 31.13%    | 198 |
| Coffee Shops   | 17.92%    | 114 |
| Bars   | 12.74%    | 81  |
| Entertainment  | 25.94%    | 165 |
| Business establishment growth is not important to me | 32.23%    | 205 |
| Other (please specify)                               | 10.53%    | 67  |
| Total Respondents: 636                               |           |     |

Q7: IF BUSINESS ESTABLISHMENTS ARE IMPORTANT TO YOU, WHAT TYPE(S) OF ESTABLISHMENT WOULD YOU LIKE TO SEE GROW IN THE CITY OF ST. AUGUSTINE BEACH?

Answered: 636 Skipped: 149

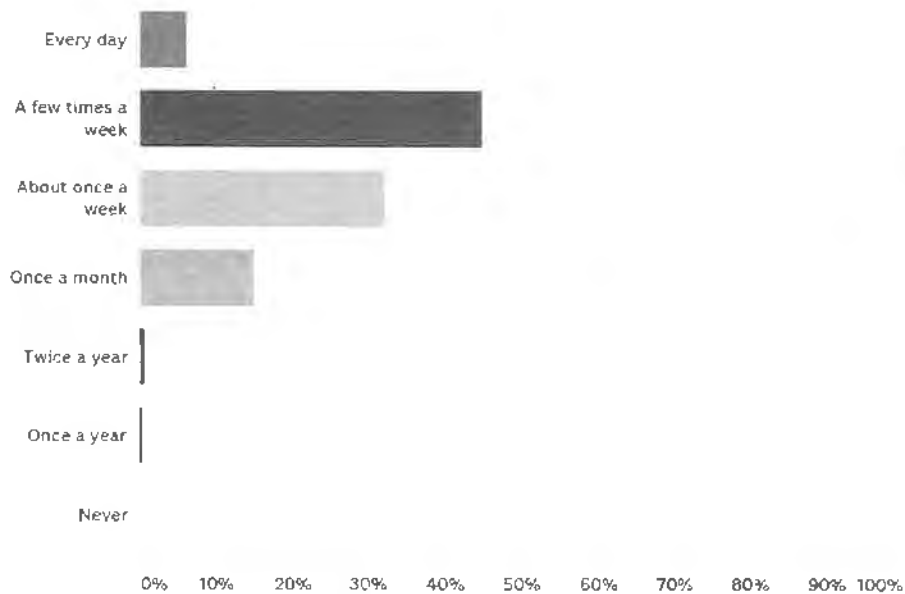




|                        | 1             | 2             | 3             | 4             | 5             | 6             | 7             | 8             | 9             | TOTAL | SCORE |
|------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-------|-------|
| Education              | 9.33%<br>34   | 12.09%<br>70  | 11.40%<br>66  | 11.05%<br>64  | 12.44%<br>72  | 13.99%<br>81  | 12.26%<br>71  | 11.57%<br>67  | 5.87%<br>34   | 579   | 5.11  |
| Workforce              | 1.75%<br>10   | 4.20%<br>24   | 5.08%<br>29   | 8.53%<br>49   | 11.38%<br>65  | 17.34%<br>99  | 21.54%<br>123 | 21.02%<br>120 | 9.11%<br>52   | 571   | 3.78  |
| Nature                 | 49.11%<br>304 | 21.16%<br>131 | 11.95%<br>74  | 8.56%<br>53   | 4.04%<br>25   | 1.78%<br>11   | 2.10%<br>13   | 1.29%<br>3    | 0.00%<br>0    | 619   | 7.83  |
| Affordable housing     | 0.70%<br>4    | 1.23%<br>7    | 3.65%<br>21   | 4.90%<br>28   | 4.20%<br>24   | 9.76%<br>53   | 11.56%<br>66  | 18.56%<br>106 | 46.41%<br>265 | 571   | 2.46  |
| Curb appeal            | 7.54%<br>45   | 11.89%<br>71  | 19.26%<br>115 | 18.09%<br>108 | 19.10%<br>114 | 9.55%<br>57   | 7.71%<br>46   | 5.03%<br>30   | 1.54%<br>11   | 597   | 5.75  |
| Recreation             | 11.44%<br>69  | 27.03%<br>163 | 19.73%<br>119 | 15.42%<br>93  | 9.12%<br>55   | 8.96%<br>54   | 5.80%<br>35   | 1.82%<br>11   | 0.66%<br>4    | 603   | 6.53  |
| Sense of community     | 21.73%<br>133 | 20.10%<br>123 | 17.65%<br>108 | 15.89%<br>95  | 8.82%<br>54   | 6.54%<br>40   | 7.03%<br>43   | 3.59%<br>22   | 0.65%<br>4    | 612   | 6.62  |
| Businesses             | 1.04%<br>6    | 1.73%<br>10   | 5.36%<br>31   | 7.44%<br>43   | 17.13%<br>99  | 17.65%<br>102 | 18.51%<br>107 | 18.69%<br>108 | 12.46%<br>72  | 578   | 3.67  |
| Cultural opportunities | 1.89%<br>11   | 3.77%<br>22   | 7.55%<br>44   | 12.01%<br>70  | 12.52%<br>73  | 12.86%<br>75  | 11.66%<br>68  | 16.47%<br>96  | 21.27%<br>124 | 583   | 3.75  |

**Q8: PLEASE RATE THE CITY OF ST. AUGUSTINE BEACH'S TOP ASSETS (WITH 1 BEING THE BEST.)\*YOU CAN CLICK AND DRAG EACH ITEM TO BE IN ORDER OR USE THE DROP DOWN BOX TO THE LEFT OF EACH ITEM.**

Answered: 637 Skipped: 148



#### ANSWER CHOICES

#### RESPONSES

|                    |        |            |
|--------------------|--------|------------|
| Every day          | 6.25%  | 40         |
| A few times a week | 45.00% | 288        |
| About once a week  | 32.19% | 206        |
| Once a month       | 15.16% | 97         |
| Twice a year       | 0.78%  | 5          |
| Once a year        | 0.47%  | 3          |
| Never              | 0.16%  | 1          |
| <b>TOTAL</b>       |        | <b>640</b> |

Q9: HOW OFTEN DO YOU GO OUT TO EAT OR SHOP AT A "LOCALLY OWNED" ESTABLISHMENT (EX, TACO SHOP, STIR IT UP, SUNSET GRILLE, ETC.) IN THE CITY OF ST AUGUSTINE BEACH LIMITS?

Answered: 640 Skipped: 145

Yes 

No 

**ANSWER CHOICES**

Yes

No

TOTAL

**RESPONSES**

26.55%

73.45%

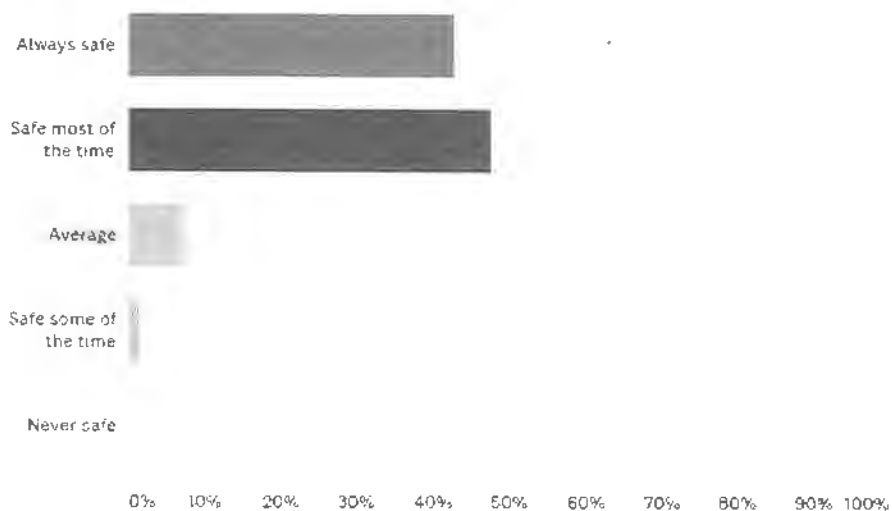
171

473

644

Q10: HAVE YOU EVER OR DO YOU PLAN TO USE THE SUNSHINE  
BUS?

Answered: 644 Skipped: 141



#### ANSWER CHOICES

#### RESPONSES

Always safe

42.97%

275

Safe most of the time

47.66%

305

Average

7.34%

47

Safe some of the time

1.72%

11

Never safe

0.31%

2

TOTAL

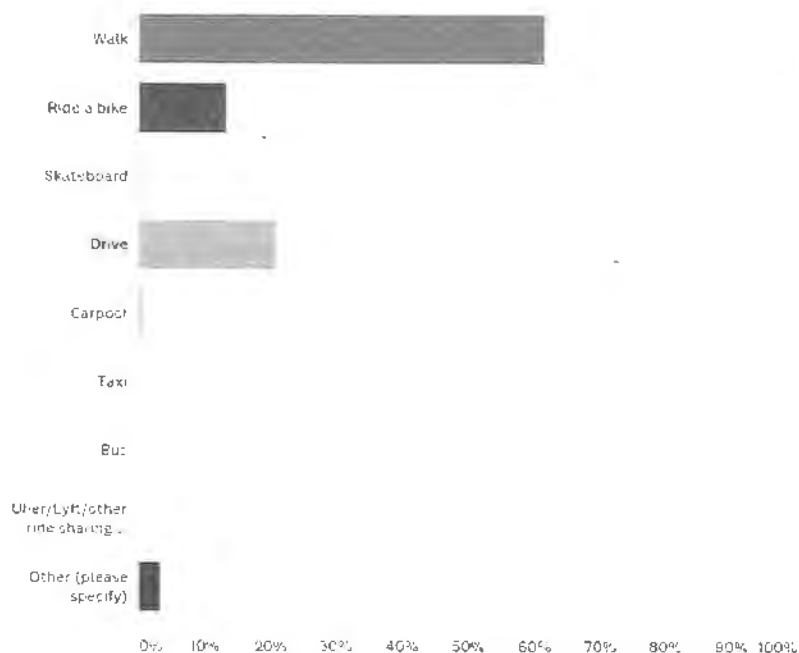
640

**Q11: HOW SAFE OR UNSAFE DO YOU FEEL IN YOUR NEIGHBORHOOD?**

Answered: 640 Skipped: 145

## Q12 What could be done to improve the safety of residents and visitors of the City of St Augustine Beach?

driving Paid parking light crosswalks issues officers police presence neighborhoods feel safe  
 enforce speed around Remove limit pier Monitor flashing lights safe Also cross walks away  
 Improve great road Increase Better lighting traffic laws sure always stop tourists  
 crossing Less areas Nothing A1A speeders enforcement pay Keep  
 s Enforce need crosswalks lifeguards traffic signs lights  
 A1A Beach Blvd police presence Continue patrol think  
 police law enforcement beach police force Better  
 police officers neighborhoods see speed Add street  
 bike paths parking cameras bike night pedestrians vehicles  
 street lights job police patrols walks speed limits Publix cars housing  
 control Keep homeless er force speed limits large know residential areas  
 community bike lanes laws already visibility Beach Blvd people clean sidewalks  
 speed bumps pedestrians crossing enforcement speed safety Lower speed limit N bigger  
 A1A Beach traffic enforcement



#### ANSWER CHOICES

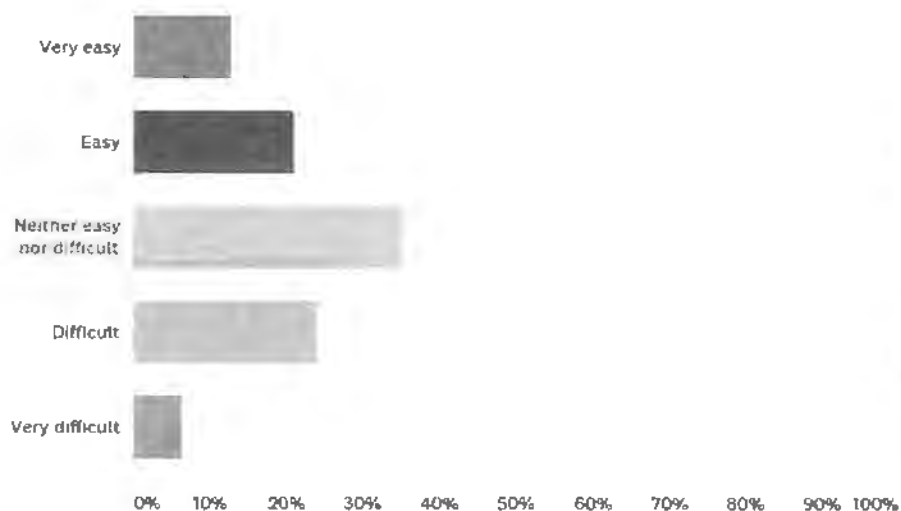
Walk  
Ride a bike  
Skateboard  
Drive  
Carpool  
Taxi  
Bus  
Uber/Lyft/other ride sharing app  
Other (please specify)  
**TOTAL**

#### RESPONSES

61.61% 390  
13.43% 85  
0.32% 2  
20.85% 132  
0.32% 2  
0.00% 0  
0.16% 1  
0.00% 0  
3.32% 21  
**633**

**Q13: WHEN YOU VISIT THE BEACH, HOW DO YOU GET THERE?**

Answered: 633 Skipped: 152



#### ANSWER CHOICES

Very easy

Easy

Neither easy nor difficult

Difficult

Very difficult

TOTAL

#### RESPONSES

|                            |        |     |
|----------------------------|--------|-----|
| Very easy                  | 13.00% | 81  |
| Easy                       | 21.03% | 131 |
| Neither easy nor difficult | 35.31% | 220 |
| Difficult                  | 24.08% | 150 |
| Very difficult             | 6.58%  | 41  |
| TOTAL                      |        | 623 |

**Q14: WHEN YOU HAVE GUESTS VISITING YOUR HOME, PLEASE RATE THEIR OVERALL EASE OR DIFFICULTY TO FIND PARKING (IF THEY ARE NOT ABLE TO PARK IN YOUR DRIVEWAY/ COMPLEX PARKING LOT.)**

Answered: 623 Skipped: 162

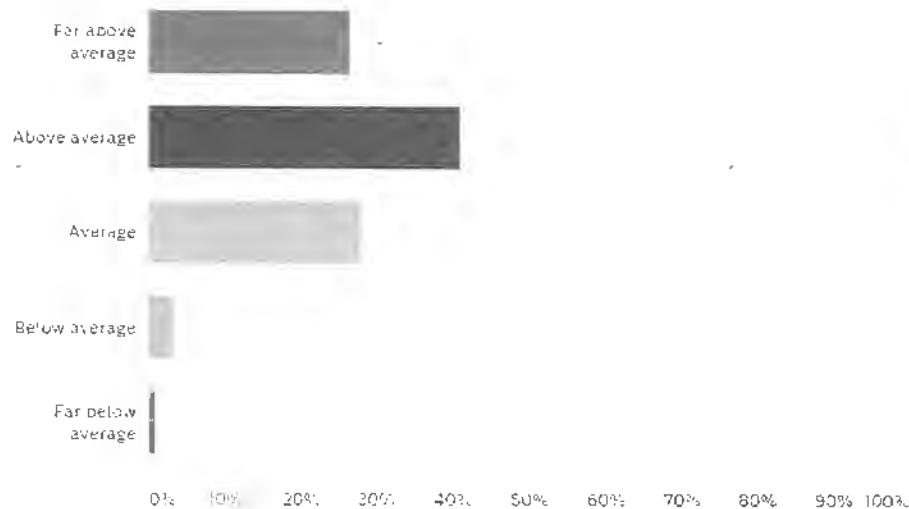
Q15 What is your opinion on The City of St. Augustine Beach implementing a pay-to-park program consistent with St. Johns County? Why do you feel this way?

keep instead SAB add live everyone areas available free spots go discount good idea  
St Johns County want place however come free parking pay taxes park free  
time S residents free community access streets parking lot problem increase  
businesses m charge system tourists maintain favor drive beach  
use cost think build visitors opposed pay St Augustine  
residents many pay park lot parking drive  
beach neighborhoods need residential areas will  
parking neighborhoods city way people St Augustine Beach county  
don  
free residents feel cars locals Yes t plan taxes already pay taxes  
good fine make limited also now ok residents pay parking necessary side streets  
support great implement always money pay-to park idea allow town see pass  
spaces residents pay one revenue okay agree long



Q16 What solution(s) do you have to solve/ alleviate the parking issues in the City of St. Augustine Beach?

property now parking spaces discounts solution start bus meters  
 public  
 transportation create parking take places visitors City Hall Maybe  
 additional parking Stop See tourists high None good need traffic pier  
 Stop building hotels hotels beach access add limit build increase pay  
 town make passes issues permits businesses county  
 people open free s use public parking lots way  
 beach locals parking think paid parking  
 Embassy Suites shuttle Pope road lots shuttle buses  
 residents keep city one parking garage trolley  
 areas parking structure allow employees parking areas enough  
 Charge Stop building shuttle service cars street garage  
 provide land going option build parking garage A1A Beach Blvd  
 Charge  
 problem Require will Buy parking put spaces build parking lots  
 Satellite parking bike fees facilities Also Purchase land public parking available  
 don t purchase



#### ANSWER CHOICES

#### RESPONSES

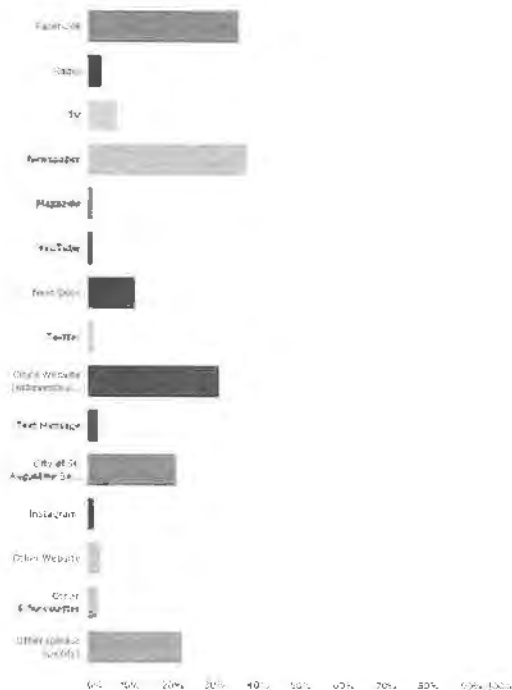
|                   |        |     |
|-------------------|--------|-----|
| Far above average | 26.63% | 167 |
| Above average     | 40.99% | 257 |
| Average           | 28.07% | 176 |
| Below average     | 3.35%  | 21  |
| Far below average | 0.96%  | 6   |
| TOTAL             |        | 627 |

**Q17: PLEASE RATE THE GARBAGE AND RECYCLING COLLECTION  
IN THE CITY OF ST. AUGUSTINE BEACH.**

Answered: 627 Skipped: 158

## Q18 What could be done to improve the garbage and recycling collection?

don  
 right containers Allow awesome t wet NA Keep leave Add much rolling recycle items  
 plastic pleased yard waste issues sure service rolling recycle bins know New love  
 come need problem larger Nothing great S current Provide less  
 recycling containers lived N Implement  
 Larger recycling bins requests bins covered trucks program  
 collection residents garbage stop pick streets  
 Nothing good job recycling areas good changes  
 trash Larger recycling use garbage collection fine Also day broken  
 pickup blue week businesses recycling bins day week city give us  
 think nice garbage recycling collected great really time special  
 twice week communities Ok going beach rolling make encourage wheels m works  
 perfect bigger recycling bins neighborhood lids instead one condo consistent pay actually  
 great job



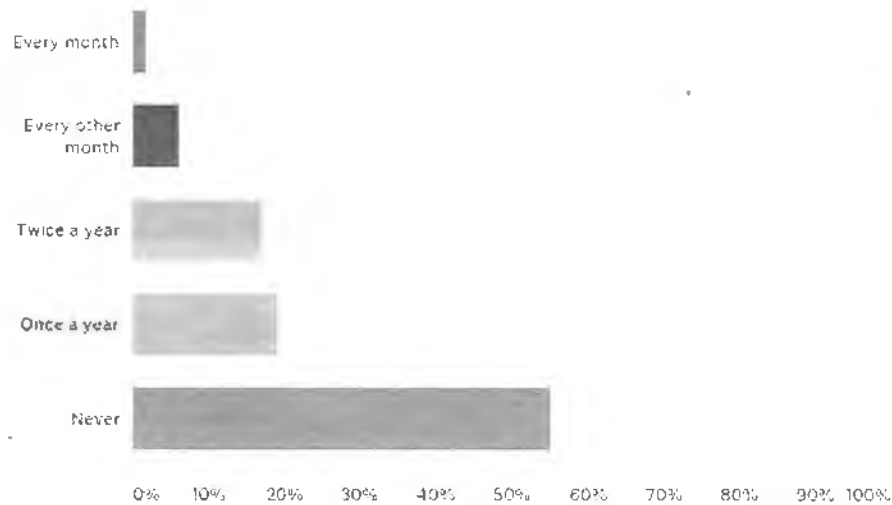
#### ANSWER CHOICES

#### RESPONSES

|  |        |     |
|--|--------|-----|
| Facebook                                       | 35.48% | 215 |
| Radio  | 3.30%  | 20  |
| TV   | 7.10%  | 43  |
| Newspaper                                      | 37.46% | 227 |
| Magazine                                       | 1.32%  | 8   |
| YouTube  | 1.32%  | 8   |
| Next Door                                      | 11.39% | 69  |
| Twitter  | 1.65%  | 10  |
| City's Website (sabevents.com or staugbch.com) | 31.02% | 188 |
| Text Message                                   | 2.48%  | 15  |
| City of St. Augustine Beach E-Newsletter       | 20.96% | 127 |
| Instagram                                      | 1.65%  | 10  |
| Other Website                                  | 3.30%  | 20  |
| Other E-Newsletter                             | 2.81%  | 17  |
| Other (please specify)                         | 22.44% | 136 |
| Total Respondents: 606                         |        |     |

**Q19: HOW DO YOU CURRENTLY FIND OUT ABOUT GOVERNMENT MEETINGS, CHANGES IN GARBAGE COLLECTION, ROAD CLOSURES, ETC.? (CHECK ALL THAT APPLY)**

Answered: 606 Skipped: 179



#### ANSWER CHOICES

Every month

Every other month

Twice a year

Once a year

Never

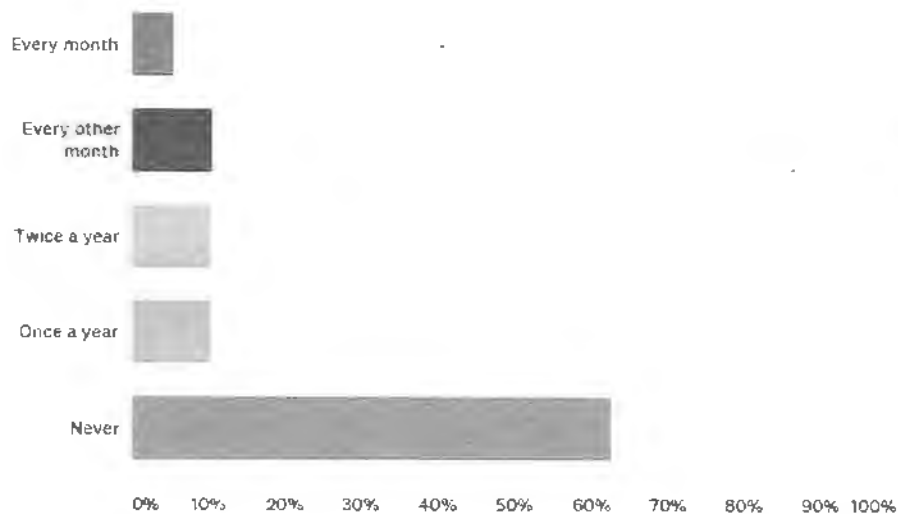
TOTAL

#### RESPONSES

|                   |        |     |
|-------------------|--------|-----|
| Every month       | 1.79%  | 11  |
| Every other month | 6.34%  | 39  |
| Twice a year      | 17.24% | 106 |
| Once a year       | 19.35% | 119 |
| Never             | 55.28% | 340 |
| TOTAL             |        | 615 |

Q20: HOW OFTEN DO YOU ATTEND A COMMISSION MEETING?

Answered: 615 Skipped: 170



#### ANSWER CHOICES

Every month

Every other month

Twice a year

Once a year

Never

TOTAL

#### RESPONSES

5.66% 35

10.68% 66

10.52% 65

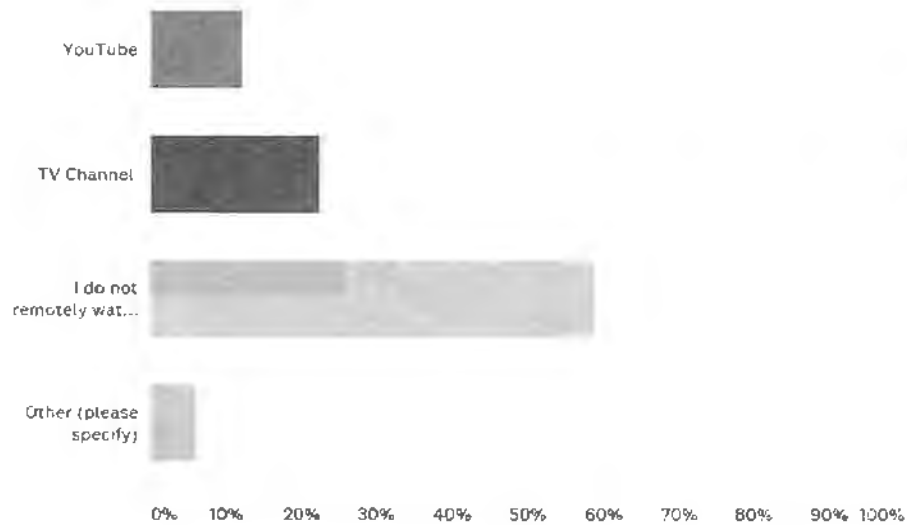
10.36% 64

62.78% 388

618

## Q21: HOW OFTEN DO YOU WATCH A COMMISSION MEETING?

Answered: 618 Skipped: 167



#### ANSWER CHOICES

YouTube

TV Channel

I do not remotely watch commission meetings

Other (please specify)

TOTAL

#### RESPONSES

12.37% 72

22.51% 131

58.93% 343

6.19% 36

582

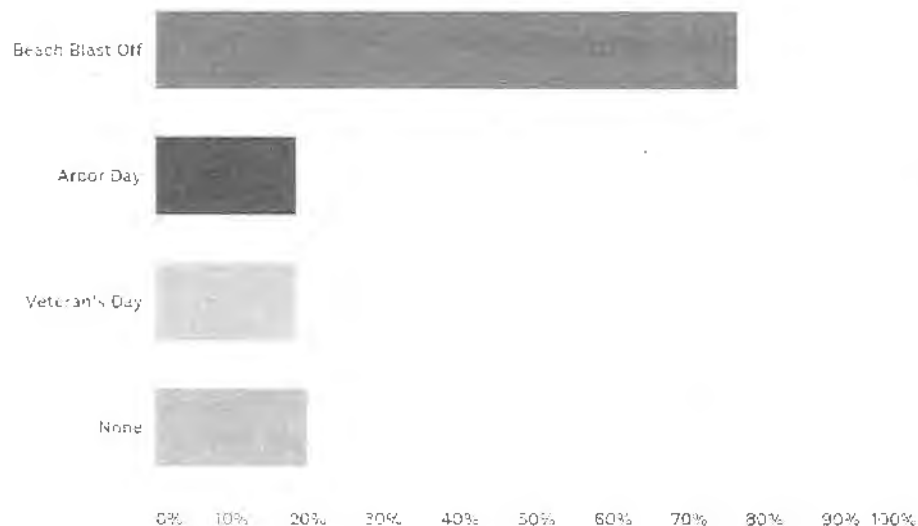
## Q22: HOW DO YOU WATCH COMMISSION MEETINGS?

Answered: 582 Skipped: 203

## Q23 Why do you or do you not attend Commission Meetings?

convenient available beach watch home see best interest come plan attend keep paid parking  
information SAB things boring matter something discussed always never items  
seem moved really new going care heard discussion don t important  
think particular watch end commission don t know  
commissioners kids people yet residents sure busy  
decisions interested commitments issues m attend  
life time live meetings topic work way long many  
make impact feel work schedule will important city start know business  
usually Waste time schedule much concerns take speak listen agenda  
one town input often Never know want painful enough s busy working read  
community say reason jobs need usually busy forget held family stupid find also





#### ANSWER CHOICES

Beach Blast Off

Arbor Day

Veteran's Day

None

Total Respondents: 616

#### RESPONSES

76.62% 472

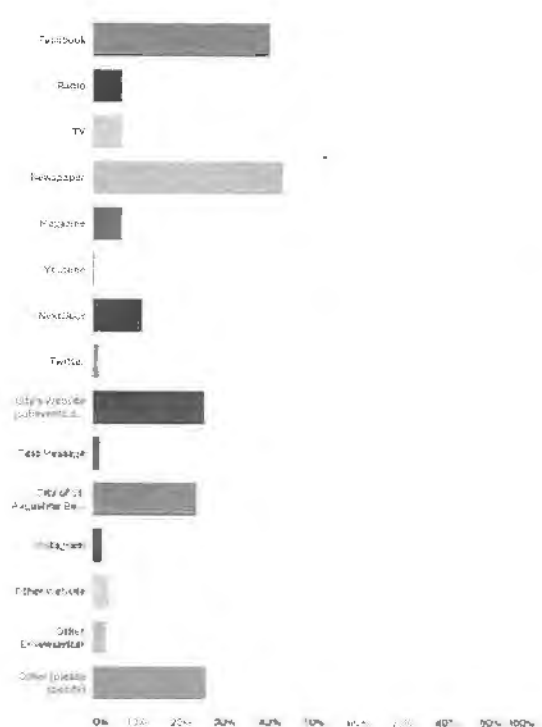
18.67% 115

18.67% 115

20.13% 124

**Q24: WHICH CITY-RUN CULTURAL OPPORTUNITIES AND SPECIAL EVENTS HAVE YOU ATTENDED?**

Answered: 616 Skipped: 169



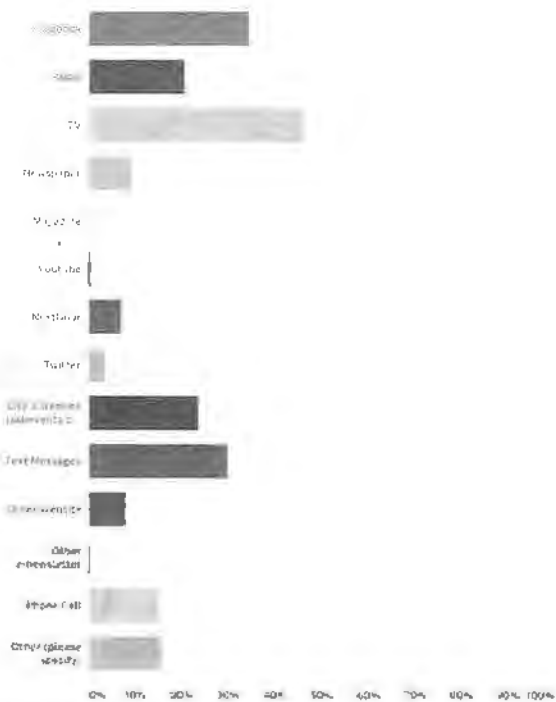
#### ANSWER CHOICES

#### RESPONSES

|  |        |     |
|--|--------|-----|
| Facebook                                       | 40.20% | 244 |
| Radio  | 6.75%  | 41  |
| TV   | 6.75%  | 41  |
| Newspaper                                      | 43.16% | 262 |
| Magazine                                       | 6.75%  | 41  |
| Youtube  | 0.33%  | 2   |
| NextDoor                                       | 11.20% | 69  |
| Twitter  | 1.65%  | 10  |
| City's Website (sabevents.com or staugbch.com) | 25.37% | 154 |
| Text Message                                   | 1.65%  | 10  |
| City of St. Augustine Beach E-Newsletter       | 23.72% | 144 |
| Instagram                                      | 2.31%  | 14  |
| Other Website                                  | 3.95%  | 24  |
| Other E-Newsletter                             | 3.13%  | 19  |
| Other (please specify)                         | 25.70% | 156 |
| Total Respondents: 607                         |        |     |

Q25: HOW DO YOU CURRENTLY FIND OUT ABOUT CITY-RUN CULTURAL OPPORTUNITIES AND SPECIAL EVENTS (ARBOR DAY, BEACH BLAST OFF, VETERAN'S DAY)?

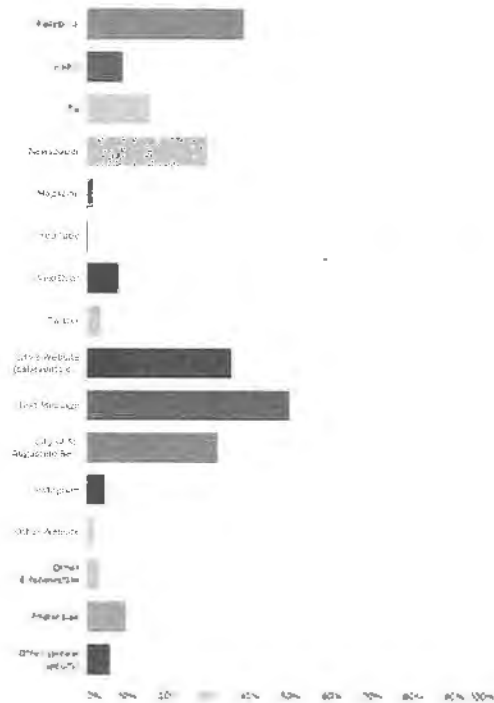
Answered: 607 Skipped: 178



| ANSWER CHOICES                                 | RESPONSES |     |
|--|-----------|-----|
| Facebook                                       | 34.49%    | 208 |
| Radio  | 20.73%    | 125 |
| TV   | 46.27%    | 279 |
| Newspaper                                      | 9.29%     | 56  |
| Magazine                                       | 0.33%     | 2   |
| Youtube  | 0.33%     | 2   |
| NextDoor                                       | 7.13%     | 43  |
| Twitter  | 3.65%     | 22  |
| City's Website (sabevents.com or staugbch.com) | 23.71%    | 143 |
| Text Messages                                  | 29.85%    | 180 |
| Other Website                                  | 8.13%     | 49  |
| Other e-newsletter                             | 0.50%     | 3   |
| Phone Call                                     | 15.26%    | 92  |
| Other (please specify)                         | 15.59%    | 94  |
| Total Respondents: 603                         |           |     |

## Q26: HOW DID YOU RECEIVE EMERGENCY SERVICE ANNOUNCEMENTS DURING HURRICANE IRMA?

Answered: 603 Skipped: 182



#### ANSWER CHOICES

| ANSWER CHOICES                                 | RESPONSES |     |
|--|-----------|-----|
| Facebook                                       | 38.64%    | 233 |
| Radio  | 8.96%     | 54  |
| TV   | 15.59%    | 94  |
| Newspaper                                      | 29.68%    | 179 |
| Magazine                                       | 1.82%     | 11  |
| YouTube  | 0.66%     | 4   |
| NextDoor                                       | 7.96%     | 48  |
| Twitter  | 3.81%     | 23  |
| City's Website (sabevents.com or staugbch.com) | 35.66%    | 215 |
| Text Message                                   | 49.75%    | 300 |
| City of St. Augustine Beach E-Newsletter       | 32.17%    | 194 |
| Instagram                                      | 4.64%     | 28  |
| Other Website                                  | 1.99%     | 12  |
| Other E-Newsletter                             | 3.32%     | 20  |
| Phone Call                                     | 9.78%     | 59  |
| Other (please specify)                         | 5.80%     | 35  |

Total Respondents: 603

**Q27: HOW WOULD YOU LIKE TO FIND OUT INFORMATION ABOUT SPECIAL EVENTS, CHANGES IN GARBAGE COLLECTION SCHEDULES, GOVERNMENT MEETINGS, ROAD CLOSURES, EMERGENCY SERVICES, ETC?)**

Answered: 603 Skipped: 182

[REDACTED]

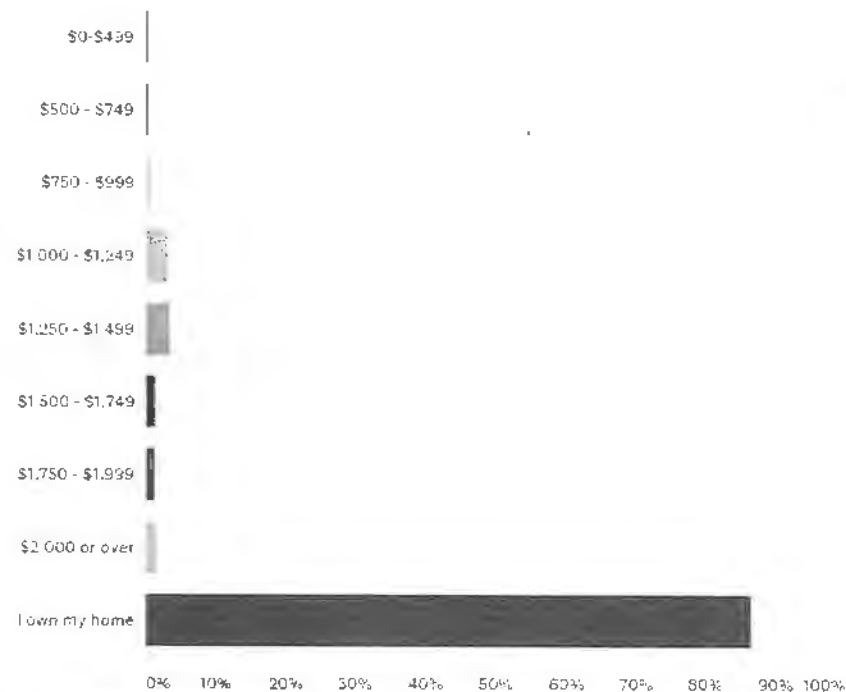
Rent [REDACTED]

**ANSWER CHOICES**  
Own  
Rent  
Total Respondents: 610

**RESPONSES**  
92.62% 565  
7.38% 45

Q30: DO YOU OWN OR RENT YOUR HOME?

Answered: 610   Skipped: 175



## ANSWER CHOICES

\$0 - \$499  
 \$500 - \$749  
 \$750 - \$999  
 \$1,000 - \$1,249  
 \$1,250 - \$1,499  
 \$1,500 - \$1,749  
 \$1,750 - \$1,999  
 \$2,000 or over

I own my home

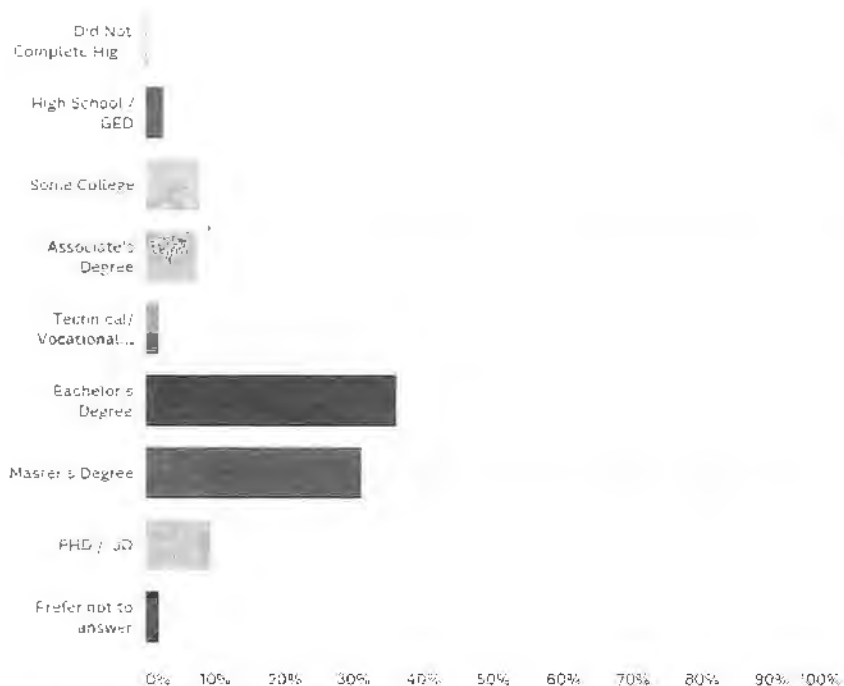
TOTAL

## RESPONSES

|        |     |
|--------|-----|
| 0.51%  | 3   |
| 0.51%  | 3   |
| 0.85%  | 5   |
| 3.40%  | 20  |
| 3.57%  | 21  |
| 1.53%  | 9   |
| 1.36%  | 8   |
| 1.70%  | 10  |
| 86.56% | 509 |
|        | 588 |

# Q31: HOW MUCH IS YOUR RENT PER MONTH?

Answered: 588 Skipped: 197



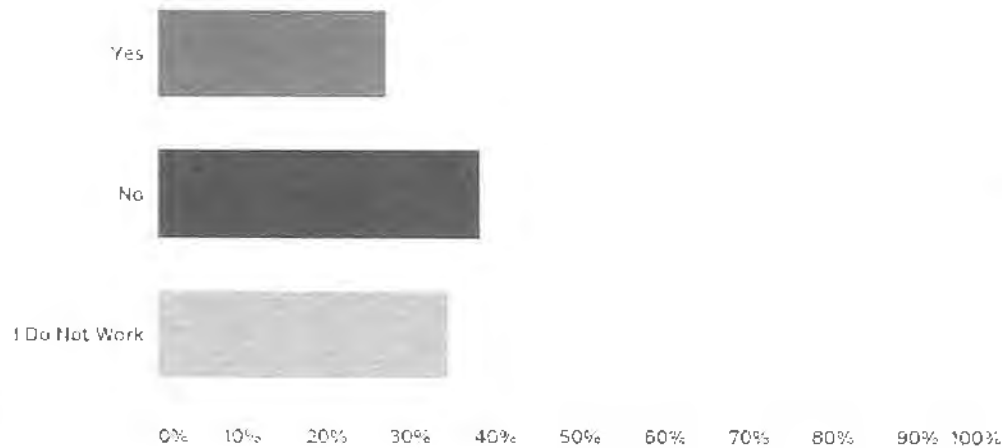
#### ANSWER CHOICES

#### RESPONSES

|                                     |        |            |
|-------------------------------------|--------|------------|
| Did Not Complete High School or GED | 0.49%  | 3          |
| High School / GED                   | 2.80%  | 17         |
| Some College                        | 7.89%  | 48         |
| Associate's Degree                  | 7.57%  | 46         |
| Technical/ Vocational Degree        | 2.14%  | 13         |
| Bachelor's Degree                   | 36.18% | 220        |
| Master's Degree                     | 31.25% | 190        |
| PHD / JD                            | 9.54%  | 58         |
| Prefer not to answer                | 2.14%  | 13         |
| <b>TOTAL</b>                        |        | <b>608</b> |

## Q32: WHAT IS YOUR HIGHEST LEVEL OF EDUCATION?

Answered: 608 Skipped: 177



**ANSWER CHOICES**

Yes

No

I Do Not Work

TOTAL

**RESPONSES**

|        |     |
|--------|-----|
| 27.21% | 166 |
| 38.20% | 233 |
| 34.59% | 211 |
|        | 610 |

**Q33: DO YOU WORK WITHIN THE CITY OF ST AUGUSTINE BEACH LIMITS (WORKING FROM HOME INCLUDED)?**

Answered: 610 Skipped: 175




### Q34 Additional comments

None zoning feel put losing short term rentals changes limits think plan  
commissioners close great City St Augustine road much area go make attract  
love living problem one lot believe increase town street want  
St Aug Beach see county good homes people even  
St Augustine Beach new love look will island many  
work community local residents moved beach  
issues city things need restaurants parking commission  
survey taxes live long Please years building s hotels  
stop paid parking commercial us pier Thank nice keep quality life  
SAB growth allow downtown also enough development police business turn  
traffic quaint visitors continue enjoy money way take time city manager know concerts  
use St John's County beach town tourists

To receive a full report of the survey results, please contact Cindy Walker at [cwalker@cityofsab.org](mailto:cwalker@cityofsab.org) or call 904-471-2122, x 112.

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 17, 2019

**SUBJECT:** Continuation of Review of Request for Conditional Use Permit to Construct Five Houses in the Commercial Land Use District on the North Side of 7<sup>th</sup> Street, Opposite the Marriott Hotel (Lots 5, 7, 8, 9, and 10, Block 15, Chautauqua Beach Subdivision), Mr. James Whitehouse, Attorney for MSB Hotels of Ormond Beach, Florida

**INTRODUCTION**

There are five lots owned by MSB Hotels north of 7<sup>th</sup> Street. All five lots are in the commercial land use district that's 300 feet west of the center line of A1A Beach Boulevard. The owner wants to construct a single-family home on each lot. However, Table 3.02.02 in the City's Land Development regulations allows the construction of residential units in a commercial land use district only if a conditional use permit has been approved by the City Commission.

MSB Hotels submitted an application to the Comprehensive Planning and Zoning Board for a recommendation to you to approve the conditional use permit. The Board reviewed the application at its May 21<sup>st</sup> meeting and recommended by a 5-2 vote that you approve the conditional use permit.

The Board's recommendation is stated in a memo (page 16 attached) from the Building Department's Executive Assistant, Ms. Bonnie Miller.

**ATTACHMENTS**

Attached for your review is the following:

- a. Pages 1-15, the application and related material related that was submitted to the Planning Board.
- b. Page 16, the memo from Ms. Miller with the Board's recommendation to you.
- c. Pages 17-18, the minutes of that part of the Planning Board's May 21<sup>st</sup> meeting when it reviewed the application.

**ACTIONS REQUESTED**

It is that you hold the public hearing and consider whether or not to approve the construction of five houses in the commercial land use district west of A1A Beach Boulevard on Lots 5, 7, 8, 9, and 10, Block 15 of the Chautauqua Beach subdivision, between 7<sup>th</sup> and 8<sup>th</sup> Streets.

PLEASE NOTE: We must point out again that on Lot 7 is that huge tree. There may be string public interest in preserving that tree though we don't see how this is possible unless the City buys the lot.

# City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080

WWW.STAUGBCH.COM

BLDG. & ZONING (904) 471-8758 FAX (904) 471-4470

To: Comprehensive Planning & Zoning Board  
From: Brian Law  
CC: Bonnie Miller  
Date: 04-29-2019  
Re: Conditional Use Permit #2019-03

This conditional use permit application is for lots 5,7,8,9,10 with an address of 104 7<sup>th</sup> street. These lots are north of the Marriot and are zoned commercial. The applicant is seeking permission to construct 5 single family residences in these commercially zoned properties which requires a conditional use permit that must be granted by the City Commission as per table 3.02.02 of the Cities Land Development Regulations. The Building Department has no objection to the construction of single-family residences in these 5 lots however if this conditional use permit is granted by the Commission we recommend the following conditions:

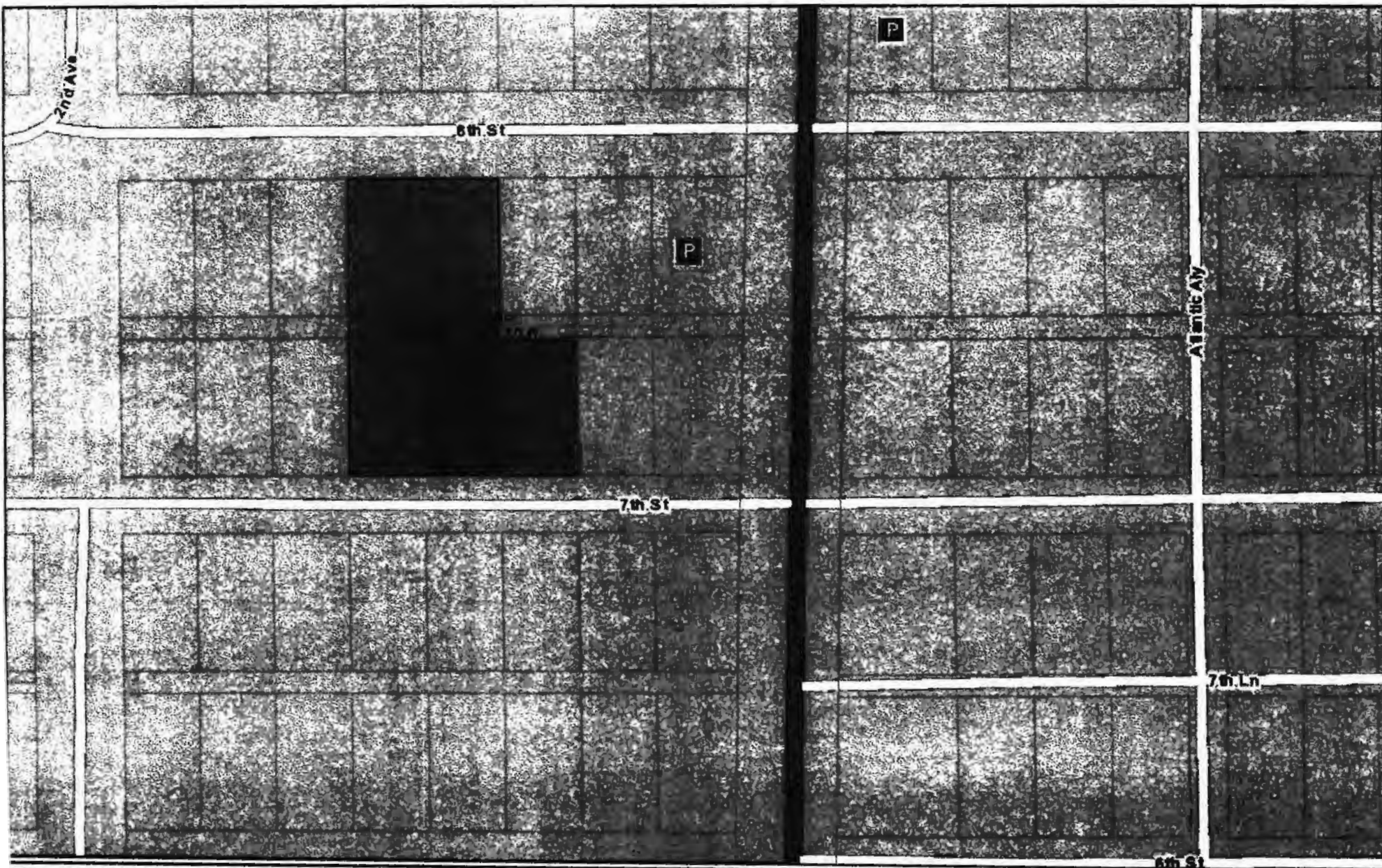
- 1) That the conditional use permit is transferable and run with the land
- 2) That these properties be regulated as medium density regarding setbacks, lot coverage and impervious surface ratio as specified in the City Land Development Regulations.
- 3) That a construction permit is to be issued from the Building Department within one (1) year of the Conditional Use Permit being granted by the Commission.

We ask that the Comprehensive Planning and Zoning Board consider the applicants request for the construction of 5 single family residences in the commercially zoned lots and make recommendations of approval or denial to the City Commission.

Sincerely

*Brian Law*

Brian Law CBO, CFM, MCP  
Director of Building and Zoning



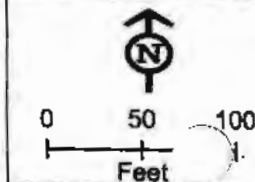
**LOTS 5,7,8,9,10**

Map created with St. Johns County's Map

**DISCLAIMER:**

This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date: 4/28/2018



THE CITY OF ST. AUGUSTINE BEACH  
CONDITIONAL USE PERMIT APPLICATION

THE UNDERSIGNED PARTY REQUESTS A CONDITIONAL USE PERMIT:

1. LEGAL DESCRIPTION OF THE PARCEL OF LAND UPON WHICH THE PERMIT IS SOUGHT:

LOT(S): 5, 7, 9, 10 BLOCK: \_\_\_\_\_ SUBDIVISION: Chautauque Beach  
STREET ADDRESS: 104 7th St. St. Augustine, FL 32080

2. LOCATION: West SIDE OF A1A Beach Blvd  
(North, South, East, or West) (Street Name)

BETWEEN 7th and 8th  
(Street Name) (Street Name)

3. REAL ESTATE PARCEL NUMBER(S): 169170 0000

4. NAME AND ADDRESS OF OWNER(S) AS SHOWN IN ST. JOHNS COUNTY PUBLIC RECORDS: MSB I LLC 45 Seton Tr Ormond Beach, FL 32126

5. DESCRIPTION OF CONDITIONAL USE: To Build Residential in  
~~Commercial~~  
a split Commercial / Medium Residential Area

6. LAND USE CLASSIFICATION: Commercial + Medium Density Residential

7. SECTION OF THE LAND DEVELOPMENT REGULATIONS FROM WHICH THE PERMIT IS BEING SOUGHT: 3.02.02

8. SUPPORTING DATA WHICH SHOULD BE CONSIDERED BY THE BOARDS:

See attached  
Land Use & Aerials showing development patterns.  
maps

9. HAS AN APPLICATION FOR CONDITIONAL USE PERMIT BEEN SUBMITTED DURING THE PAST YEAR? Yes ( ) or No (X)

IF YES, WHAT WAS THE FINAL RESULT? \_\_\_\_\_

10. PLEASE CHECK IF THE FOLLOWING INFORMATION HAS BEEN INCLUDED:

- 2nd process
- (X) LEGAL DESCRIPTION OF PARCEL
  - (X) LIST OF ALL PROPERTY OWNERS WITHIN RADIUS OF 300 FEET OF PROPERTY FOR WHICH CONDITIONAL USE PERMIT IS REQUESTED
  - ( ) STAMPED AND ADDRESSED LEGAL SIZE ENVELOPES OF PROPERTY OWNERS WITHIN 300 FEET OF CONDITIONAL USE PERMIT LOCATION
  - ( ) SURVEY (Not over two years old)
  - (X) OTHER DOCUMENTS OR INFORMATION TO BE CONSIDERED

In filing this application for a Conditional Use Permit, the undersigned understands the application becomes a part of the Official Records of the Comprehensive Planning and Zoning Board and the Board of City Commissioners and does hereby certify that all the information contained herein is true and correct, to the best of his/her knowledge.

  
(Owner or his/her agent)

104 Seabreeze Manor St.  
(Owner/agent address)

904 495 0400  
(Owner/agent phone number)

4/22/19  
(Date)

\_\_\_\_\_  
(Applicant or his/her agent)

\_\_\_\_\_  
(Applicant/agent address)

\_\_\_\_\_  
(Applicant/agent phone number)

\_\_\_\_\_  
(Date)



\*\*\*\*ALL AGENTS MUST HAVE NOTARIZED WRITTEN AUTHORIZATION\*\*\*\*

THE CITY OF ST. AUGUSTINE BEACH  
BUILDING AND ZONING DEPARTMENT

PERMIT NO.: C120903 Check# RECEIPT NO.: 11602 DATE: 4-22-2019  
NAME OF APPLICANT: James G. Whithouse, St. Johns Law Group  
ADDRESS 104 Sea Grove Main Street, St. Augustine Beach  
FOR PERMIT ADVERTISING LOCATED AT: 104 7th Street, Fl. 32080  
St. Augustine Beach, Fl. 32080

CHARGES

PERMIT FEE: \$250.00 (Account #34120)

ZONING SIGN FEE: \$7.50 (Account #50471)

DATE PAID: 4-22-2019

CHECK NO.: 11602

SIGNED BY: BM



## City of St. Augustine Beach

2200 A1A SOUTH  
ST. AUGUSTINE BEACH, FLORIDA 32080  
WWW.STAUGSBCH.COM

CITY MGR. (904) 471-2122  
FAX (904) 471-4108

BLDG. & ZONING (904) 471-8758  
FAX (904) 471-4470

### Owner's Authorization Form

James Whitehouse and Mike Stauffer is hereby authorized TO ACT ON BEHALF OF

MSB LLC, the owner(s) of the property described in the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Augustine Beach, Florida, for an application related to a development, land use, zoning or conditional or special use permit or other action pursuant to an application for:

Residential in a Commercial Zoning

By signing, I affirm that the legal owner(s), as listed on the recorded warranty deed on file with the St. Johns County Clerk of Courts, have been notified of the above application.

I further understand incomplete or false information provided on this form may lead to revocation of permits and/or termination of development activity.

Signature of Owner(s) \_\_\_\_\_

Printed Name(s) \_\_\_\_\_

Address of Owner(s) \_\_\_\_\_

Telephone Number of Owner(s) \_\_\_\_\_

State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_, who is personally known \_\_\_\_\_ or who has produced identification (type of identification produced) \_\_\_\_\_

Signature of Notary Public—State of Florida \_\_\_\_\_

Notary Stamp/Seal/Commission Expiration Date: \_\_\_\_\_

CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT  
OWNER PERMISSION FORM

TO: BUILDING OFFICIAL  
CITY OF ST. AUGUSTINE BEACH  
BUILDING DEPARTMENT

DATE: 4/22/2019

FROM: MSB Hotels I LLC  
Owner Name

386-255-2577  
Phone Number

45 Seton Trail  
Address  
Ormond Beach FL 32176  
City, State, Zip Code

This is to advise you that I hereby give permission to:

James G. Whitcomb, Esq./John Law Group (904) 495-0400  
Contractor/Agent Name Phone Number

104 Sea Grove Main Street  
Address  
St Augustine Beach, FL 32080  
City, State, Zip Code

Who is my contractor/agent, to perform the following on my behalf:

Discussions/Applications/etc. in regards to  
my properties in St. Augustine Beach, FL

[Signature]  
Signature of Owner

STATE OF FLORIDA  
COUNTY OF Volusia

Subscribed and sworn before me this 22 day of April, 2019 by Manoj Bhool

who is/are personally known to me or who has/have produced \_\_\_\_\_ as  
Identification.

[Signature]  
Signature of Notary Public, State of Florida

NOTARY COMMISSION NO./EXPIRATION/STAMP/SEAL:





## St. Johns County, FL

### Tax Bill

[My Tax Bill](#)

### Estimate Taxes

[Tax Estimator](#)

### 2018 TRIM Notice

[2018 TRIM Notice](#)

### 2017 TRIM Notice

[2017 TRIM Notice](#)

### Summary

|                   |   |
|-------------------|---|
| Parcel ID         | 1691700000  |
| Location Address  | 104 7TH ST<br>SAINT AUGUSTINE 32080-0000  |
| Neighborhood      | Chautauqua Beach (COM) (675.02)   |
| Tax Description*  | 2-5 CHAUTAUQUA BEACH LOTS 5 & 7 THRU 15 BLK 15 & VAC ALLEY LYING BETWEEN PER ORD #08-01 IN OR3043/1079 OR2984/497 & 3226/1361<br>*The Description above is not to be used on legal documents. |
| Property Use Code | Vacant Commercial (1000)  |
| Subdivision       | Chautauqua Beach Subdivision of the Anas  |
| Sec/Twp/Rng       | 34-7-30   |
| District          | City of St Augustine Beach (District 551)   |
| Millage Rate      | 17.0863   |
| Acreage           | 1.130   |
| Homestead         | N   |

### Owner Information

|                 |  |
|-----------------|--|
| Owner Name      | Msb Hotels I LLC 100%                      |
| Mailing Address | 45 SETON TR<br>ORMOND BEACH, FL 32176-0000 |

### Map



## Valuation Information

2019

|                               |           |
|-------------------------------|-----------|
| Building Value                | \$0       |
| Extra Features Value          | \$0       |
| Total Land Value              | \$650,797 |
| Agricultural (Assessed) Value | \$0       |
| Agricultural (Market) Value   | \$0       |
| Just (Market) Value           | \$650,797 |
| Total Deferred                | \$0       |
| Assessed Value                | \$650,797 |
| Total Exemptions              | \$0       |
| Taxable Value                 | \$650,797 |

Values listed are from our working tax roll and are subject to change.

## Historical Assessment Information

| Year | Building Value | Extra Feature Value | Total Land Value | Ag (Market) Value | Ag (Assessed) Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value |
|------|----------------|---------------------|------------------|-------------------|---------------------|---------------------|----------------|--------------|---------------|
| 2018 | \$0            | \$0                 | \$650,797        | \$0               | \$0                 | \$650,797           | \$650,797      | \$0          | \$650,797     |
| 2017 | \$0            | \$0                 | \$650,797        | \$0               | \$0                 | \$650,797           | \$650,797      | \$0          | \$650,797     |
| 2016 | \$0            | \$0                 | \$650,797        | \$0               | \$0                 | \$650,797           | \$650,797      | \$0          | \$650,797     |
| 2015 | \$0            | \$0                 | \$650,797        | \$0               | \$0                 | \$650,797           | \$650,797      | \$0          | \$650,797     |
| 2014 | \$0            | \$0                 | \$650,797        | \$0               | \$0                 | \$650,797           | \$650,797      | \$0          | \$650,797     |
| 2013 | \$0            | \$0                 | \$650,797        | \$0               | \$0                 | \$650,797           | \$650,797      | \$0          | \$650,797     |
| 2012 | \$0            | \$0                 | \$650,797        | \$0               | \$0                 | \$650,797           | \$650,797      | \$0          | \$650,797     |
| 2011 | \$0            | \$0                 | \$720,882        | \$0               | \$0                 | \$720,882           | \$720,882      | \$0          | \$720,882     |
| 2010 | \$0            | \$0                 | \$800,980        | \$0               | \$0                 | \$800,980           | \$800,980      | \$0          | \$800,980     |

## Land Information

| Use Description   | Front | Depth | Total Land Units | Unit Type | Land Value |
|-------------------|-------|-------|------------------|-----------|------------|
| Vacant Commercial | 500   | 100   | 30782            | SF        | \$500,208  |
| Vacant Commercial | 0     | 0     | 18534            | SF        | \$150,589  |

## Sale Information

| Recording Date | Sale Date | Sale Price     | Instrument Type | Book | Page | Qualification | Vacant/Improved | Grantor                  | Grantee                  |
|----------------|-----------|----------------|-----------------|------|------|---------------|-----------------|--------------------------|--------------------------|
|                | 2/4/2008  | \$0.00         | OI              | 3043 | 1079 | U             | V               | CITY OF ST AUG BEACH     | MSB HOTELS I LLC         |
| 8/6/2009       | 9/18/2007 | \$0.00         | WD              | 3226 | 1361 | U             | V               | PALM ROW DEVELOPMENT LLC | MSB HOTELS I LLC         |
|                | 9/18/2007 | \$6,600,000.00 | WD              | 2984 | 497  | Q             | V               | PALM ROW DEVELOPMENT LLC | MSB HOTELS I LLC         |
|                | 7/21/2005 | \$3,782,000.00 | WD              | 2495 | 35   | Q             | V               | BISHAI SAMY F            | PALM ROW DEVELOPMENT LLC |

## Area Sales Report

Recent Sales in Area

No data available for the following modules: Exemption Information, Building Information, Extra Feature Information, Sketch Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Last Data Upload: 5/27/2019, 10:59:31 PM

Version 2.2.20

Developed by  




Overview



Legend

- Parcels
- Cities

|                 |                            |                  |                            |                     |           |              |           |        |      |
|-----------------|----------------------------|------------------|----------------------------|---------------------|-----------|--------------|-----------|--------|------|
| Parcel ID       | 1691700000                 | Physical Address | 104 7TH ST                 | Building Value      | N/A       | Last 2 Sales |           |        |      |
| Property Class  | 1000 - Vacant Commercial   | Mailing Address  | SAINT AUGUSTINE            | Extra Feature Value | N/A       | Date         | Price     | Reason | Qual |
| Taxing District | City of St Augustine Beach | Address          | MSB HOTELS I LLC           | Value               |           | 9/18/2007    | \$6600000 | 01     | Q    |
| Acres           | 1.13                       |                  | 45 SETON TR                | Total Land Value    | \$650,797 | 7/21/2005    | \$3782000 | 05     | Q    |
|                 |                            |                  | ORMOND BEACH FL 32176-0000 | Just Value          | \$650,797 |              |           |        |      |
|                 |                            |                  |                            | Total Deferred      | N/A       |              |           |        |      |
|                 |                            |                  |                            | Assessed Value      | \$650,797 |              |           |        |      |
|                 |                            |                  |                            | Total               | N/A       |              |           |        |      |
|                 |                            |                  |                            | Exemptions          |           |              |           |        |      |
|                 |                            |                  |                            | Taxable Value       | \$650,797 |              |           |        |      |

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 5/26/2019

Last Data Uploaded: 5/27/2019 10:59:31 PM

Developed by  Schneider  
GEOSPATIAL



## Summary

|                   |  |
|-------------------|--|
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| Sec/Twp/Rng       | 34-7-30  |
| District          | City of St Augustine Beach (District 551)  |
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| Acreage           | 1.130  |
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## Owner Information

|                 |  |
|-----------------|--|
| Owner Name      | Msb Hotels I LLC 100%                      |
| Mailing Address | 45 SETON TR<br>ORMOND BEACH, FL 32176-0000 |

## Map











May 13, 2019

Bob Buckmaster, CCIM  
Managing Director  
Coldwell Banker Commercial Premier Properties  
1750 Tree Blvd., Suite 7  
St. Augustine, FL 32084  
[bob@thepremierproperties.com](mailto:bob@thepremierproperties.com)

City of St. Augustine Beach  
2200 A1A South  
St. Augustine Beach, FL 32080

RE: Conditional Use Permit for Lots 5, 7, 8, 9 & 10 between Seventh and Eighth Street

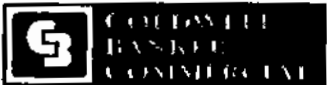
To Whom It May Concern:

My name is Bob Buckmaster, and I am a State of Florida licensed real estate broker and realtor. I have been licensed for thirty-eight (38) years and I have worked in this area in real estate sales and as a broker for eighteen (18) years. I am the Managing Director for Coldwell Banker Commercial Premier Properties in St. Augustine and my qualifications are as follows:

Certified Commercial Investment Member (CCIM)

I have had the opportunity to review the parcels in question as well as the immediate surrounding area and the beaches area in general, particularly along the boulevard, and based upon my experience in the field and my extensive knowledge of the St. Augustine area, it is my expert opinion that these parcels located off of the commercial boulevard, are extremely limited in their viability for commercial uses. In fact, unless these types of parcels are used in connection with the parcels that front on the boulevard for a single type use, such as for the hotel use to the south, their viability for commercial use would be very limited. It would be very difficult to find a retail for that location and you'd be limited to possible office, multifamily or possible Bed and Breakfast use. Generally, office users require either visibility or grouping in an office park. This fact is not only my opinion, but it is evident as witnessed all along the boulevard and other commercial corridors, thus further limiting commercial use.

I have personally or my business has evaluated and sought to market a number of properties that are similarly located off of the main boulevards and their commercial viability in the market were slim. In most cases the problem is similar to these parcels, that is they are located behind other commercial businesses and the visibility and location for access are not desirable for commercial endeavors.



**PREMIER PROPERTIES**

1750 TREE BLVD, SUITE 7  
ST. AUGUSTINE, FL 32084  
OFFICE (904) 827-1717  
FAX (904) 827-0227  
CBCPremierProperties.com

Moreover, I have had an opportunity to view these parcels in particular and their location tucked behind the automotive commercial business parcels on the boulevard causes their marketability as well as their future use for commercial uses to be a very challenging. Again, in my professional opinion, due to the size / configuration of the properties in question, for which the residential use is sought, a commercial use is not economically viable on these parcels. As the board will note, this fact is borne out up and down the boulevard, particularly on the western side, where the parcels up on the boulevard are in fact commercially viable, and we need to continue to promote them as such, but the parcels located behind and off the boulevard, due to their size and configuration and location, are not economically viable for commercial uses. There are in fact very limited commercial uses on these types/size/location parcels on any of the streets.

In summary, in my professional opinion, based upon my experience in the field and knowledge of the area, the parcels located between Seventh and Eighth Street, Lots 5, 7, 8, 9 & 10, are not economically viable for a commercial use and the sought residential uses are the most appropriate for these parcels given their size, location and configuration as platted by the city.

Sincerely,

Bob Buckmaster

Bob Buckmaster, CCIM  
Managing Director, Coldwell Banker Commercial Premier Properties  
1750 Tree Blvd., Suite 7  
St. Augustine, FL 32084  
[bob@thepremierproperties.com](mailto:bob@thepremierproperties.com)

# MEMO

**To:** Max Royle, City Manager  
**From:** Bonnie Miller, Executive Assistant  
**Subject:** Conditional Use File No. CU 2019-03  
**Date:** Wednesday, May 22, 2019

Please be advised that at its regular monthly meeting held Tuesday, May 21, 2019, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted to recommend the City Commission approve a conditional use application submitted for proposed new construction of five single-family residences on five lots in a commercial land use district at 104 7<sup>th</sup> Street, St. Augustine Beach, Florida, 32080.

The application was filed by James G. Whitehouse, Esquire for St. Johns Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for MSB Hotels I LLC, 45 Seton Trail, Ormond Beach, Florida, 32176, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO CHAUTAUQUA BEACH SUBDIVISION, LOTS 5, 7, 8, 9, AND 10, REAL ESTATE PARCEL NUMBER 169170-0000, AKA 104 7<sup>TH</sup> STREET, SECTION 34, TOWNSHIP 7, RANGE 30, AS RECORDED IN MAP BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Ms. Sloan made the motion to recommend the City Commission approve this conditional use application for new construction of five single-family residences on the five lots described above in a commercial land use district, subject to the condition that construction of said single-family homes comply with the regulations for medium density residential land use districts per the City's Land Development Regulations regarding setbacks, lot coverage and impervious surface ratio coverage. Ms. Sloan's motion was seconded by Ms. Odom and passed 5-2 by the Board by roll-call vote, with Ms. West, Ms. Sloan, Mr. Pranis, Mr. King, and Ms. Odom assenting, and Ms. Longstreet and Mr. Mitherz dissenting.

FROM MINUTES OF THE COMPREHENSIVE PLANNING AND ZONING BOARD MEETING, MAY 21, 2019

- D. Conditional Use File No. CU 2019-03, for a conditional use permit for proposed new construction of 5 (five) single-family residences on Lots 5, 7, 8, 9, and 10, Block 15, Chautauqua Beach Subdivision, in a commercial land use district at 104 7<sup>th</sup> Street, James G. Whitehouse, Esquire, St. Johns Law Group, Agent for MSB Hotels I LLC, Applicant

Mr. Law said this is a conditional use application to construct five residence on commercial lots. The Board is required to review this application and make a recommendation to the City Commission to grant or deny the conditional use with any terms the Board would like to impose.

Ms. West said for the record, Mr. Holleran excused himself from the meeting and Mr. King, as a Board alternate, is filling in for Mr. Holleran for the rest of the meeting.

James Whitehouse, St. John's Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for applicant, said he's here to ask for a conditional use permit for the middle five lots on this block on 7<sup>th</sup> Street. The front lots running west off A1A Beach Boulevard, Lots 1, 3, 4 and 6, are owned by A1A Auto Center and are north of the Courtyard by Marriott. Lots 11, 12, 13 and 15 are zoned medium density residential, which allows single-family residences. He knows there is an intent to preserve commercial zoning along the Boulevard, but these lots are west of the Boulevard, don't have a lot of visibility, and lack access because they're located behind commercial endeavors that are already developed. As can be seen on the aerial map, there is commercial development along the Boulevard but behind that are residential structures two blocks to the north and this continues the next few blocks to the south. This has been the trend of development along the Boulevard, so he's asking on behalf of the applicant to continue with this trend. The application includes a letter from the managing director of Coldwell Banker Premier Properties who states how these lots are very constrained as far as commercial uses.

Ms. West disclosed ex parte communication with Mr. Whitehouse on this application.

Mr. Mitherz said asked why the applicant doesn't apply to change the zoning of these lots to medium density residential, which would allow construction of single-family homes on them.

Mr. Whitehouse said under the Land Development Regulations and Comprehensive Plan, a conditional use is an allowed use for residential construction in commercial zoning, and this is an easier application process, as a hardship doesn't have to be shown demonstrating that commercial use on this property isn't viable.

Ms. Longstreet said there is a large cedar tree on this parcel and asked what will happen to it.

Mr. Whitehouse said they are just here to apply for the conditional use and if any other variances or applications are required to save or remove this tree or for anything else, they'll have to come back before the Board. However, this is not part of this conditional use permit application.

Mr. King asked what the buffer requirements would be between the auto repair shop and residential structures, if this conditional use application is granted to allow them to be built.

Mr. Law said if this is approved by the Commission, there will be no buffer requirements because the lots will still be zoned commercial. They get no protection because they chose to build residential in a commercial land use zone.

Mr. Whitehouse said they intend to put buffers between the commercial uses and the residences, as they want to sell these houses, but they just don't know the configuration of the buffers yet.

Ms. Sloan said several years ago someone came before this Board asking to develop a small hotel on commercial lots along the Boulevard, but the consensus of the community was against that. If this Board and the Commission are not going to allow a small hotel on commercial lots, then they need to let the property owners develop them for something else.

Mr. Mitherz asked if these houses will be used as transient rentals.

Mr. Whitehouse said it's his understanding the applicant wants to build single-family homes on these lots.

Brian Gundersdorf, 110 8<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, said his house is the only house that will have a view of this construction. He's concerned about the tree and not sure how construction can be done on these lots with the tree. He agrees something needs to be built on this parcel because the property is not being cared for and it has become overgrown.


Ms. West asked if the applicant intends to build residential structures in a planned area or lot by lot and then sell them off.

Mr. Whitehouse said he wishes he had those answers but at this time he doesn't. He thinks proposed single-family homes are a better use and more appropriate than what's there now.

**Motion:** to recommend to the City Commission approval of a conditional use permit to allow construction of five single-family residences on five lots in a commercial land use district as requested by the applicant. **Moved** by Ms. Sloan, **seconded** by Ms. Odom, **passed 5-2** by roll-call vote, with Ms. West, Ms. Sloan, Mr. Pranis, Mr. King, and Ms. Odom assenting, and Ms. Longstreet and Mr. Mitherz dissenting.

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 20, 2019

**SUBJECT:** Request for Modification to Final Development Order for Anastasia Dunes Subdivision to Allow a Maximum of 45 Percent Total Lot Coverage and a Maximum of 55 Percent Total Impervious Surface Ratio Coverage, Mr., James Whitehouse, St. Johns Law Group, Agent for the Anastasia Dunes Association

**THE REQUEST**

Anastasia Dunes is a single-family residential subdivision located on the west side of A1A Beach Boulevard. Its entrance is opposite the Giv Harvey Resort.

The Association's request is summarized by the Building official, Mr. Brian Law, on page 1 of the attached: that the Anastasia Dunes Association seeks to modify the existing final development order. The modification is to increase the 35% lot coverage requirements to 45%, and to increase the impervious surface ratio from 40% to 55%.

Mr. Law at your July 1<sup>st</sup> public hearing will provide the background and reasons for this request. The Association's agent, James Whitehouse, will also explain the request.

**ATTACHMENTS**

Attached for your review is the following:

- a. Pages 1-68, the application and information that the Comprehensive Planning and Zoning Board reviewed at its June 18th meeting. At that meeting, the Board by a 5-2 vote recommended to you that the subdivision be allowed.  
  
"...an increase in impervious surface ratio coverage to 50 (fifty) percent, with the stipulation that the current allowable lot coverage of 35 percent be maintained and not increased, and contingent upon the 20-plus acres currently designated as conservation land in this subdivision remain intact, and if at any time any portion of this conservation acreage is modified to include impervious surface coverage, the modification to allow 50 (fifty) percent impervious surface ratio coverage shall be rendered null and void."
- b. Page 69, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she states the Board's motion and vote quoted above.

- c. Pages 70-74, the rough draft of the minutes of the Board's June 18th meeting. The minutes will be approved by the Board at its July 16<sup>th</sup> meeting.
- d. Pages 75-77, the proposed final development order to allow the modification, if approved by the City Commission.

#### ACTION REQUESTED

It is that you consider following this procedure:

- Mr. Law explains the Anastasia Dunes Association's request
- Mr. White provides addition information concerning the request.
- Public comment.
- City Attorney, Mr. Jim Wilson, advises you of your next steps.
- You then vote whether to approve the request and the final development order.



# City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080

WWW.STAUGBCH.COM

BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

To: Comprehensive Planning & Zoning Board  
From: Brian Law  
CC: Bonnie Miller  
Date: 6-10-2019  
Re: Anastasia Dunes FD 2019-01

Final Development Order 2019-01 is for a modification of the existing final development orders regulating development in Anastasia Dunes. The applicant is asking to increase total lot coverage to 45% and impervious surface ratio to 55%. Anastasia Dunes is a low-density residential subdivision and currently is limited to 35% lot coverage and 40% impervious surface ratio. The current development orders address flexible setbacks to preserve the natural topography of the property with emphasis on preserving trees and the rolling dune lines.

I am including section 12.01.04 for the Boards convenience.

## **Sec. 12.01.04. - Post-permit changes.**

After a permit has been issued, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of the permit without first obtaining a modification of the permit. A modification may be applied for in the same manner as the original permit. A written record of the modification shall be entered upon the original permit and maintained in the files of the department.

(Ord. No. 91-7, § 2)

The Building and Zoning Department has no objection to this request based upon existing conditions as demonstrated by the matrix provided by the applicant. We ask that the Comprehensive Planning and Zoning Board consider the applicants request and make a recommendation to the City Commission for the July meeting.

Sincerely

*Brian Law*

Brian Law CBO, CFM, MCP  
Director of Building and Zoning

THE CITY OF ST. AUGUSTINE BEACH  
APPLICATION FOR MAJOR DEVELOPMENT

— MODIFICATION —

The undersigned hereby applies for a permit for construction, repairs, and/or installation work under the Building Codes of the City of St. Augustine Beach, Florida. This permit does not apply to Electrical, Plumbing, Mechanical or Land Clearing/Excavation.

Estimated Cost: \$ \_\_\_\_\_

To be located on Lot(s): SEE ATTACHED Block(s): \_\_\_\_\_

Subdivision: ANASTASIA DUNES Real Estate Parcel Number: 1124910001-1124910003-1124910005

Owner(s): ANASTASIA DUNES ASSOCIATION, INC.

Address(es): \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

~~Attorney~~ James G. Whitehouse, Esq. / St. Johns Law Group Phone: \_\_\_\_\_

Address: 104 Sea Grove Main Street Phone: 904 495-0400

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Contractor's City Certification: \_\_\_\_\_

Contractor's State Certification: \_\_\_\_\_

Flood Insurance Zone: \_\_\_\_\_ Land Use Density Classification: Low Density

Sewage (Check One): Central Sewer Hook-Up ☒ Septic ☐

Legal Description of Parcel according to Survey and Warranty Deed (both must be submitted): \_\_\_\_\_

— SEE ATTACHED —

- b. Refuse to issue a final development order based on it being impossible for the proposed development, even with reasonable modifications, to meet the requirements of this Code.
- 6. On the earliest available date that allows the giving of required notice, the comprehensive planning and zoning board shall conduct an administrative hearing on the final development plan to determine whether the plan satisfies the requirements of this Code.
- 7. The comprehensive planning and zoning board shall:
  - a. Issue a final development order complying with section 12.02.11 below; or
  - b. Refuse to issue a final development order based on it being impossible for the proposed development, even with reasonable modifications, to meet the requirements of this Code.

*B. Amendment to final development plans.* If a major development has received a final development order or other approval, the amendment, modification or extension of such a final development order or approval shall only be by the same process as the order or approval was originally obtained (except that the concept review process does not have to be repeated) and the review fee shall also be the same. For Planned Unit Developments, strikethrough and underlined sections of the proposed changes shall be submitted. Expired final development orders are not eligible for renewal.

(Ord. No. 91-7, § 2; Ord. No. 15-01, § 2, 2-2-15)

**Sec. 12.02.11. Required contents of final development orders.**

*A. Required contents.* A final development order shall contain the following:

- 1. An approved final development plan (may be subject to conditions and modifications) with findings and conclusions.
- 2. A listing of conditions that must be met, and modifications to the final development plan that must be made, in order for

a final development order to be issued. The modifications shall be described in sufficient detail and exactness to permit a developer to amend the proposal accordingly and time for submitting modifications. Anything in these land development regulations to the contrary notwithstanding the comprehensive planning and zoning board may direct the reduction of mandatory parking requirements, except handicap requirements, in order to preserve protected trees and required planting area, or direct the mitigation of the loss of such protected trees by replacement with trees of such number, species, and size as will, in the opinion of the comprehensive planning and zoning board, be the substantial equivalent in their benefit to the environment as the protected trees proposed for removal. It is the intent of this subsection that the comprehensive planning and zoning board will balance the value to the overall quality of life within the City of St. Augustine Beach of the protected trees, enhanced vegetation, and compliance with the parking requirements of the proposed development.

- 3. A listing of federal, state, and regional permits that must be obtained in order for the final development order to be effective.
- 4. The determination of concurrency and the time period for which the final development order is valid.
- 5. A specific time period during which the development order is valid and during which time development shall commence.
- 6. A schedule of construction phasing consistent with availability of capacity of one or more services and facilities.
- 7. A schedule of services or facilities to be provided or contracted for construction by the applicant prior to the issuance of any certificate of occupancy.

## SPECIFICATIONS

Is the parcel or any part of the parcel seaward of the Coastal Construction Control Line?

Yes \_\_\_\_\_ No ✓

If yes, give the legal description of the portion of land seaward of the line.

Total Acreage of Parcel

Units/Acre in Low Density Classification (Max. 4/acre)

Units/Acre in Medium Density Classification (Max. 7/acre)

Units/Acre in High Density Classification (Max. 12/acre)

72 +/- Acres  
138 Approved

### Dimensions:

Street frontage for Duplex must be a minimum of 75'; Triplex - minimum of 100'; Quadraplex - minimum of 122.5'.

Total Lot Area for Single Family and for a Duplex must be 7500' minimum; Triplex - minimum 10,000'.

Lot Coverage must be .35 at a minimum (Divide Total Structure Area Coverage by Lot Area).

Lot Depth must be at a minimum 100' if platted after adoption of Code, 93' if platted prior to adoption of Code.

Impervious Surface Ratio may be at a maximum .40 for Low Density, .50 for Medium, and .70 for High. Calculate this ratio by dividing the total of the impervious surface within each density classification by the total land area within the same density classification.

### Lot Setbacks:

- Front yard setbacks must be a minimum 25'.
- Rear yard setbacks must be a minimum 25'.
- Side yard setbacks must be a minimum 10'.
- Street setbacks (for lot on a corner) must be 15'.

The number of Access Points to Road is limited to a maximum of one for every 50' of street frontage.

Total Floor Area excluding porches, attached garages, carports and breezeways:

Low density: Must be a minimum 1400 sq. ft. if platted after adoption of Code, 1000 sq. ft. if platted prior. Minimum for first story of two-story is 1000 sq. ft.

Medium density: 800 sq. ft. minimum for first floor of two story.

I hereby certify that the above information is true and agree to perform said work in accordance with plans specifications and the above details, which are considered a part of this agreement and to comply with building codes and land use ordinances of the City of St. Augustine Beach, Florida.

Any deviations or alterations from plans and specifications must be reported and permission must be obtained in writing.

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.

Signature (s) of Owner (s) or Agent (s)

  
\_\_\_\_\_  
Owner/Agent\*

5/20/2019  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner/Agent\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner/Agent\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner/Agent\*

\_\_\_\_\_  
Date

\*AGENTS MUST HAVE A WRITTEN AUTHORIZATION OR PERMISSION LETTER

(Attached)



# City of St. Augustine Beach

2200 A1A SOUTH  
ST. AUGUSTINE BEACH, FLORIDA 32080  
WWW.STAUGSBCH.COM

CITY MGR. (904) 471-2122  
FAX (904) 471-4108

BLDG. & ZONING (904) 471-8758  
FAX (904) 471-4470

## Owner's Authorization Form

JAMES G. WHITEHOUSE / ST. JOHNS LAW GROUP is hereby authorized TO ACT ON BEHALF OF

ANASTASIA DUNES ASSOC, INC., the owners(s) of the property described in the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Augustine Beach, Florida, for an application related to a development, land use, zoning or conditional or special use permit or other action pursuant to an application for:

Modification to Anastasia Dunes Final Development Orders

By signing, I affirm that the legal owner(s), as listed on the recorded warranty deed on file with the St. Johns County Clerk of Courts, have been notified of the above application.

I further understand incomplete or false information provided on this form may lead to revocation of permits and/or termination of development activity.

Signature of Owner(s) [Signature]

Printed Name(s) Robert C. Dobson

Address of Owner(s) 357 Ocean Forest Dr, St. Augustine, FL 32080

Telephone Number of Owner(s) 904 342 2005

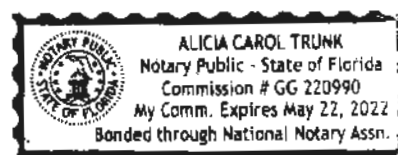
State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me this 10 day of May, 2019.

by Robert C. Dobson, who is personally known        or who has produced identification (type of identification produced) FL Drivers license.

Signature of Notary Public—State of Florida Alicia Carol Trunk

Notary Stamp/Seal/Commission Expiration Date:





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Not For Profit Corporation

ANASTASIA DUNES ASSOCIATION, INC.

### Filing Information

**Document Number** N01000005118  
**FEI/EIN Number** 59-3743795  
**Date Filed** 07/19/2001  
**State** FL  
**Status** ACTIVE

### Principal Address

5455 A1A SOUTH  
ST. AUGUSTINE, FL 32080

Changed: 02/26/2019

### Mailing Address

5455 A1A SOUTH  
ST. AUGUSTINE, FL 32080

Changed: 10/23/2017

### Registered Agent Name & Address

MAY MANAGEMENT SERVICES, INC  
5455 A1A SOUTH  
ST. AUGUSTINE, FL 32080

Name Changed: 10/23/2017

Address Changed: 02/26/2019

### Officer/Director Detail

#### **Name & Address**

Title Director

TORRES, ERNESTO  
1104 LAUGHING GULL LANE  
SAINT AUGUSTINE, FL 32080

Title Director

LANG, DAN S

453 OCEAN FOREST DRIVE  
ST AUGUSTINE, FL 32080

Title Director

CAIN, RANDALL S  
378 OCEAN FOREST DRIVE  
ST. AUGUSTINE, FL 32080

Title Director

CAIN, RANDALL S  
378 OCEAN FOREST DRIVE  
SAINT AUGUSTINE, FL 32080

Title VP

DUBOIS, LISA  
709 OCEAN FOREST DRIVE  
ST AUGUSTINE, FL 32080

Title Director

MASSICOTTE, THOMAS  
1100 LAUGHING GULL LANE  
SST. AUGUSTINE, FL 32080

Title Treasurer

NOLAND, RICK  
325 OCEAN FOREST DRIVE  
ST. AUGUSTINE, FL 32080

Title President

Dobson, Robert  
357 OCEAN FOREST DRIVE  
ST AUGUSTINE, FL 32080

#### Annual Reports

| Report Year | Filed Date |
|-------------|------------|
| 2017        | 01/24/2017 |
| 2018        | 03/16/2018 |
| 2019        | 02/26/2019 |

#### Document Images

|   |  |
|---|--|
| <a href="#">02/26/2019 -- ANNUAL REPORT</a>     | <a href="#">View image in PDF format</a> |
| <a href="#">03/16/2018 -- ANNUAL REPORT</a>     | <a href="#">View image in PDF format</a> |
| <a href="#">10/23/2017 -- Reg. Agent Change</a> | <a href="#">View Image in PDF format</a> |
| <a href="#">01/24/2017 -- ANNUAL REPORT</a>     | <a href="#">View image in PDF format</a> |
| <a href="#">01/26/2016 -- ANNUAL REPORT</a>     | <a href="#">View image in PDF format</a> |
| <a href="#">01/15/2015 -- ANNUAL REPORT</a>     |  |



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|---|--|
|   | <a href="#">View image in PDF format</a> |
| <a href="#">01/28/2014 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">02/20/2013 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">03/21/2012 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">02/22/2011 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">01/09/2010 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">01/29/2009 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">02/01/2008 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">01/22/2007 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">02/13/2006 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">05/18/2005 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">04/12/2004 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">03/25/2003 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">05/01/2002 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">07/19/2001 -- Domestic Non-Profit</a> | <a href="#">View image in PDF format</a> |

Florida Department of State, Division of Corporation



## St. Johns County, FL

### Tax Bill

My Tax Bill

### Estimate Taxes

Tax Estimator

### Summary

Parcel ID 1724910001  
Location Address SAINT AUGUSTINE 32080-0000  
Neighborhood Anastasia Dunes (2314.02)  
Tax Description\* 40/80-88 ANASTASIA DUNES UNIT 1 RDS & TRACTS A B C D E F G H I J K L & M OR 1695/200 (Q/C) TO HOMEOWNERS ASSOC; ASSESSED TO INDIV LOTS PER FS193.023(5)  
\*The Description above is not to be used on legal documents  
Property Use Residential Common Elements (0900)  
Code  
Subdivision Anastasia Dunes Unit One  
Sec/Twp/Rng 3-8-30  
District City of St Augustine Beach (District 551)  
Millage Rate 17.0863  
Homestead R

### Owner Information

Owner Name Anastasia Dunes Assoc Inc 100%  
Mailing Address 2453 3RD ST S  
JACKSONVILLE BEACH, FL 32250-4066

### Map



### Valuation Information

|                               | 2019 |
|-------------------------------|------|
| Building Value                | \$0  |
| Extra Features Value          | \$0  |
| Total Land Value              | \$0  |
| Agricultural (Assessed) Value | \$0  |
| Agricultural (Market) Value   | \$0  |
| Just (Market) Value           | \$0  |
| Total Deferred                | \$0  |
| Assessed Value                | \$0  |
| Total Exemptions              | \$0  |
| Taxable Value                 | \$0  |

Values listed are from our working tax roll and are subject to change.

### Historical Assessment Information

| Year | Building Value | Extra Feature Value | Total Land Value | Ag (Market) Value | Ag (Assessed) Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value |
|------|----------------|---------------------|------------------|-------------------|---------------------|---------------------|----------------|--------------|---------------|
| 2018 | \$0            | \$0                 | \$1,061,500      | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2017 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2016 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2015 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2014 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2013 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2012 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2011 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2010 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |

### Building Information

|                   |                            |
|-------------------|----------------------------|
| Building          | 1                          |
| Actual Area       | 1831                       |
| Conditioned Area  | 1302                       |
| Actual Year Built | 2003                       |
| Use               | Organizational Club Houses |
| Style             | 04                         |
| Class             | N                          |
| Exterior Wall     | Concrete Stucco            |

|                   |              |
|-------------------|--------------|
| Roof Structure    | Gable Hip    |
| Roof Cover        | Clay Tile    |
| Interior Flooring | Ceramic Tile |
| Interior Wall     | Drywall      |
| Heating Type      | Air Duct     |
| Heating Fuel      |              |
| Air Conditioning  | Central      |
| Baths             |              |

| Category          | Type                       | Pct  |
|-------------------|----------------------------|------|
| Foundation        | Concrete Perimeter Footing | 100% |
| Floor System      | Concrete Slab              | 100% |
| Frame             | Masonry                    | 100% |
| Exterior Wall     | Concrete Stucco            | 100% |
| Roofing Structure | Gable Hip                  | 100% |
| Roofing Cover     | Clay Tile                  | 100% |
| Interior Flooring | Ceramic Tile               | 100% |
| Interior Walls    | Drywall                    | 100% |
| Insulation        | 4" Fiberglass              | 100% |
| Electrical        | Very Good                  | 100% |
| Plumbing          | 7 Fixtures                 | 100% |
| Heating Type      | Air Duct                   | 100% |
| Air Conditioning  | Central                    | 100% |
| Condition         | Very Good                  | 100% |

| Description                | Conditioned Area | Actual Area |
|----------------------------|------------------|-------------|
| BASE AREA - FORCED         | 1302             | 1302        |
| CANOPY COMMERCIAL - FORCED | 0                | 481         |
| CANOPY COMMERCIAL - FORCED | 0                | 48          |
| Total SqFt                 | 1302             | 1831        |

### Extra Feature Information

| Code Description                 | BLD | Length | Width | Height | Units |
|----------------------------------|-----|--------|-------|--------|-------|
| Commercial Community Center Pool | 0   | 0      | 0     | 0      | 1844  |
| Kool Deck (Commercial)           | 0   | 0      | 0     | 0      | 5745  |
| Spa / Hot Tub (Commercial)       | 0   | 0      | 0     | 0      | 1     |
| Commercial Metal Fence 4'        | 0   | 0      | 0     | 0      | 378   |
| Canopy (Commercial)              | 0   | 0      | 0     | 0      | 293   |
| Asphalt Paving (Commercial)      | 0   | 0      | 0     | 0      | 8638  |
| Curb                             | 0   | 0      | 0     | 0      | 387   |
| Pole Light                       | 0   | 0      | 0     | 0      | 36    |
| Concrete Paving                  | 0   | 0      | 0     | 0      | 1564  |
| Commercial Miscellaneous Item    | 0   | 0      | 0     | 0      | 1     |
| Gate (Commercial)                | 0   | 0      | 0     | 0      | 40    |

### Land Information

| Use Description                  | Front | Depth | Total Land Units | Unit Type | Land Value  |
|----------------------------------|-------|-------|------------------|-----------|-------------|
| Outdoor Recreational & Parklands | 0     | 0     | 21.23            | AC        | \$1,061,500 |

### Sale Information

| Recording Date | Sale Date | Sale Price | Instrument Type | Book | Page | Qualification | Vacant/Improved | Grantor                 | Grantee                   |
|----------------|-----------|------------|-----------------|------|------|---------------|-----------------|-------------------------|---------------------------|
|                | 4/6/2010  | \$0.00     | 01              | 3305 | 845  | U             | V               | 2ND AMD TO DECL OF ASSN | ANASTASIA DUNES ASSOC INC |

### Area Sales Report

Recent Sales In Area

|  |           |      |
|--|-----------|------|
|  | Room Type | Area |
|  | CNF       | 0    |
|  | BAF       | 0    |

No data available for the following modules: 2018 TRIM Notice, 2017 TRIM Notice, Exemption information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein. Its use or interpretation.

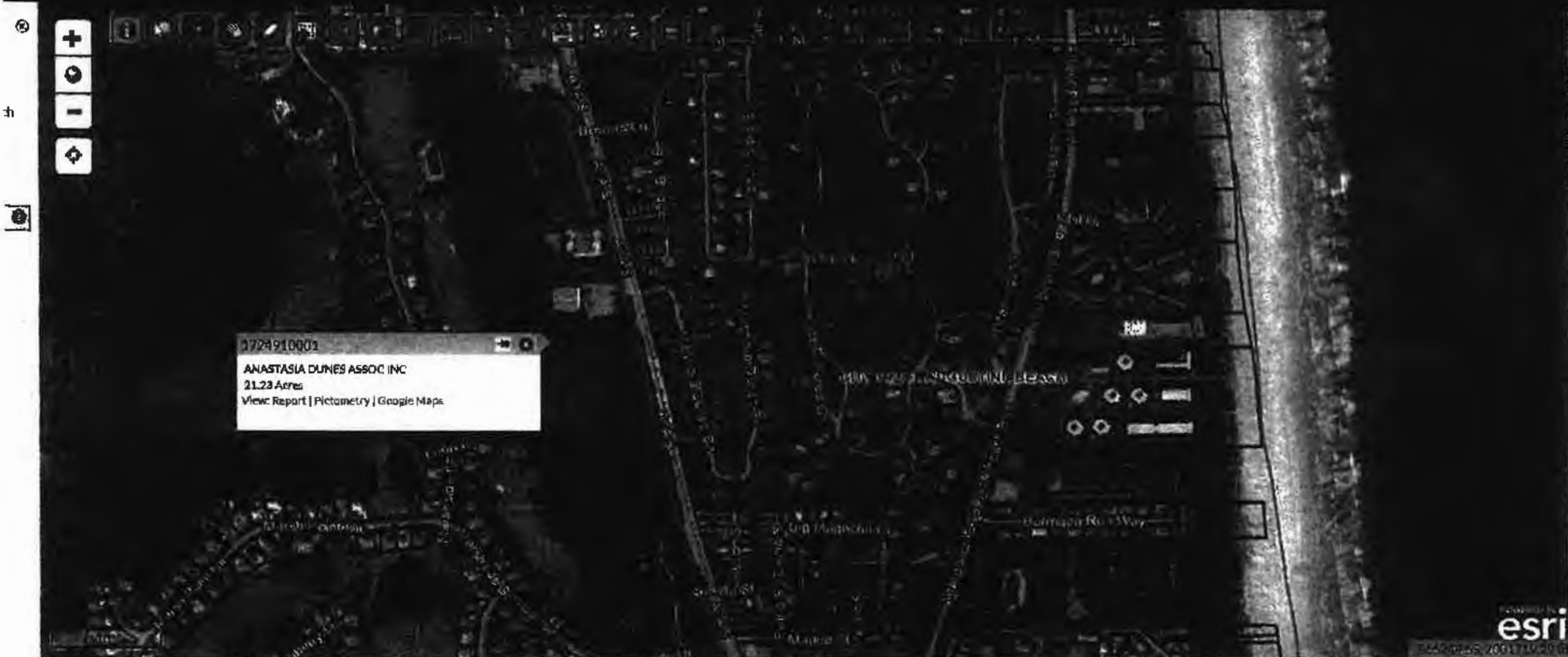
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Real Property Search Results Report Sales Search Sales List Property Type Search Tangible Property Search Sales Results Property Type Results More



Results:

Parcel ID - 1724910001  
Owner - ANASTASIA D  
ASSOC INC  
Acres - 21.23  
View Report | Pictometry |  
Maps

Parcel ID 1724910001  
Property Class 0900  
Taxing District City of St Augustine Beach  
Acres 21.23

Physical Address SAINT AUGUSTINE  
Mailing Address ANASTASIA DUNES ASSOC INC  
2453 3RD ST S  
JACKSONVILLE BEACH FL 32250-4066

Building Value N/A  
Extra Feature Value N/A  
Total Land Value N/A  
Just Value N/A  
Total Deferred N/A  
Assessed Value N/A  
Total Exemptions N/A  
Taxable Value N/A

Last 2 Sales  
Date Price Reason Qual  
n/a 0 n/a n/a  
n/a 0 n/a n/a



## St. Johns County, FL

### Tax Bill

My Tax Bill

### Estimate Taxes

Tax Estimator

### Summary

Parcel ID 1724910003  
Location Address SAINT AUGUSTINE 32080-0000  
Neighborhood Anastasia Dunes (231402)  
Tax Description\* 42/14-18 ANASTASIA DUNES UT2 RDS & TRACTS A-2 B-2 & C-2 OR 1695/198 TO HOMEOWNERS ASSOC ASSESSED TO INDIV LOTS PER FS193.023(5)  
\*The Description above is not to be used on legal documents.  
Property Use Code Residential Common Elements (0900)  
Subdivision Anastasia Dunes Unit Two  
Sec/Twp/Rng 3-8-30  
District City of St Augustine Beach (District 551)  
Millage Rate 17.0863  
Homestead N

### Owner Information

Owner Name Anastasia Dunes Assoc Inc 100%  
Mailing Address 2453 3RD ST S  
JACKSONVILLE, FL 32250-4066

### Map



### Valuation Information

|                               | 2019 |
|-------------------------------|------|
| Building Value                | \$0  |
| Extra Features Value          | \$0  |
| Total Land Value              | \$0  |
| Agricultural (Assessed) Value | \$0  |
| Agricultural (Market) Value   | \$0  |
| Just (Market) Value           | \$0  |
| Total Deferred                | \$0  |
| Assessed Value                | \$0  |
| Total Exemptions              | \$0  |
| Taxable Value                 | \$0  |

Values listed are from our working tax roll and are subject to change.

### Historical Assessment Information

| Year | Building Value | Extra Feature Value | Total Land Value | Ag (Market) Value | Ag (Assessed) Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value |
|------|----------------|---------------------|------------------|-------------------|---------------------|---------------------|----------------|--------------|---------------|
| 2018 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2017 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2016 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2015 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2014 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2013 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2012 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2011 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2010 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |

### Land Information

| Use Description    | Front | Depth | Total Land Units | Unit Type | Land Value |
|--------------------|-------|-------|------------------|-----------|------------|
| Vacant Residential | 0     | 0     | 6.64             | AC        | \$0        |

### Area Sales Report

Recent Sales in Area

No data available for the following modules: 2018 TRIM Notice, 2017 TRIM Notice, Exemption Information, Building Information, Extra Feature Information, Sale Information, Sketch Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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# St. Johns County, FL

Log in Search

Real Property Search Results Report Sales Search Sales List Property Type Search Tangible Property Search Sales History Property Type Results Maps



**Results:**  
 Parcel ID - 1724910003  
 Owner - ANASTASIA DU  
 ASSOC INC  
 Acres - 6.64  
[View Report](#) | [Pictometry](#) | [Google Maps](#)

Parcel ID 1724910003  
 Property Class 0900  
 Taxing District City of St Augustine Beach  
 Acres 6.64

**Physical Address**  
 SAINT AUGUSTINE  
**Mailing Address**  
 ANASTASIA DUNES ASSOC INC  
 2453 3RD ST S  
 JACKSONVILLE FL 32250-4056

Building Value N/A  
 Extra Feature Value N/A  
 Total Land Value N/A  
 Just Value N/A  
 Total Deferred N/A  
 Assessed Value N/A  
 Total Exemptions N/A  
 Taxable Value N/A

**Last 2 Sales**  

| Date | Price | Reason | Qual |
|------|-------|--------|------|
| n/a  | 0     | n/a    | n/a  |
| n/a  | 0     | n/a    | n/a  |





## St. Johns County, FL

### Tax Bill

My Tax Bill

### Estimate Taxes

Tax Estimator

### Summary

Parcel ID 1724910005  
Location Address SAINT AUGUSTINE 32080-0000  
Neighborhood Anastasia Dunes (2314.02)  
Tax Description\* 46/28-32 ANASTASIA DUNES UNIT 3 ROADS & TRACTS A-3 B-3 & E-3 ASSESSED TO INDIVIDUAL PARCEL OWNERS AS COMMON ELEMENTS PURSUANT TO F.S. 193.0235 OR 2113/1423(Q/C) TO HOMEOWNERS  
\*The Description above is not to be used on legal documents  
Property Use Residential Common Elements (0900)  
Code  
Subdivision Anastasia Dunes Unit Three  
Sec/Twp/Rng 3-B-30  
District City of St Augustine Beach (District 551)  
Milling Reference 67-0863  
Homestead N

### Owner Information

Owner Name Anastasia Dunes Assoc Inc 100%  
Mailing Address 432 OSCEOLA AVE  
JACKSONVILLE, FL 32250-4077

### Map



### Valuation Information

|                               | 2019 |
|-------------------------------|------|
| Building Value                | \$0  |
| Extra Features Value          | \$0  |
| Total Land Value              | \$0  |
| Agricultural (Assessed) Value | \$0  |
| Agricultural (Market) Value   | \$0  |
| Just (Market) Value           | \$0  |
| Total Deferred                | \$0  |
| Assessed Value                | \$0  |
| Total Exemptions              | \$0  |
| Taxable Value                 | \$0  |

Values listed are from our working tax roll and are subject to change.

### Historical Assessment Information

| Year | Building Value | Extra Feature Value | Total Land Value | Ag (Market) Value | Ag (Assessed) Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value |
|------|----------------|---------------------|------------------|-------------------|---------------------|---------------------|----------------|--------------|---------------|
| 2018 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2017 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2016 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2015 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2014 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2013 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2012 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2011 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |
| 2010 | \$0            | \$0                 | \$0              | \$0               | \$0                 | \$0                 | \$0            | \$0          | \$0           |

### Land Information

| Use Description    | Front | Depth | Total Land Units | Unit Type | Land Value |
|--------------------|-------|-------|------------------|-----------|------------|
| Vacant Residential | 0     | 0     | 4.83             | AC        | \$0        |

### Area Sales Report

Recent Sales in Area

No data available for the following modules: 2018 TRIM Notice, 2017 TRIM Notice, Exemption Information, Building Information, Extra Feature Information, Sale Information, Sketch Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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# St. Johns County, FL

Login



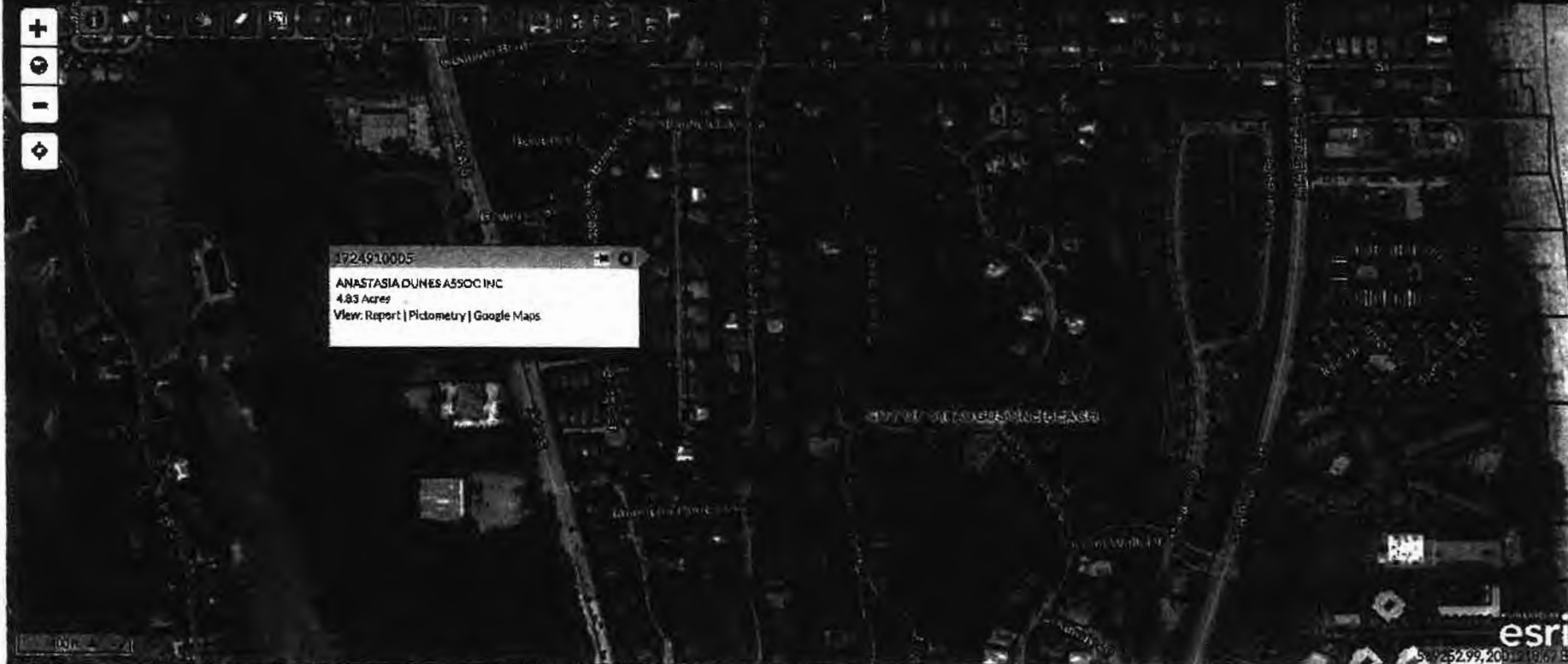
search...

Real Property Search Results Report Sales Search Sales List Property Type Search Land Use Property Search Sales Results Property Type Results More

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## Results:

Parcel ID - 1724910005  
Owner - ANASTASIA D  
ASSOC INC  
Acres - 4.83  
View: Report | Pictometry |  
Maps

Parcel ID 1724910005  
Property Class 0900  
Taxing District City of St Augustine Beach  
Acres 4.83

Physical Address SAINT AUGUSTINE  
Mailing Address ANASTASIA DUNES ASSOC INC  
432 OSCEOLA AVE  
JACKSONVILLE FL 32250-4077

Building Value N/A  
Extra Feature Value N/A  
Total Land Value N/A  
Just Value N/A  
Total Deferred N/A  
Assessed Value N/A  
Total Exemptions N/A  
Taxable Value N/A

Last 2 Sales  
Date Price Reason Qual  
n/a 0 n/a n/a  
n/a 0 n/a n/a

**APPLICATION FOR MODIFICATION TO**  
**FINAL DEVELOPMENT ORDER**  
**FILE NO. FD 1999-08 & FILE NO. FD 2001-05**  
**FOR ANASTASIA DUNES SUBDIVISION**

Applicant hereby makes application for a modification to their community's final development orders, File No. 1999-08, approved on October 19, 1999 and modified on September 25, 2000, and File No. 2001-05, approved on June 25, 2001. This application seeks merely to allow for ratification and acknowledgement of the current characteristics of this development and the way that the lots therein have been allowed to be developed given the large areas of conservation and buffer areas as outlined on the approved plat for 138 lots on over 72 acres of land in a low density land use area of the City of St. Augustine Beach, Florida.

The low density residential land use category allows for up to 35% lot coverage and 40% impermeable surface ration (ISR). The majority of residential homes within this category in the city are not within self-contained, gated communities. Instead, they stand alone and are required to develop as such to ensure that open space is maintained with our city as a means of promoting the goals, objectives and policies of our comprehensive plan. There are a few communities / developments within our city that have been developed as planned, gated subdivisions, which have clearly sought to provide large amounts of conservation areas and open space to meet and promote the goals, objectives and policies of our comprehensive plan. Anastasia Dunes is one of these communities.

Anastasia Dunes, as reflected in the attached development orders, is a 72 +/- acre parcel, developed in a manner to preserve the dune structures and large oak tree hammocks therein. The development has over 20 acres of preserved, conservation land and buffers. The private lots, 138 approved and platted therein, allot for only about 39 acres of that land. Further, the lots are only allowed to be development under the strict guidelines of the community's design code, which calls for certain types of architecture, size, setbacks, open space, tree preservation, etc. (Design Code attached). These lots have been developing for almost 20 years now, and they have been allowed to develop in a manner where the 35% lot coverage and 40% impermeable surface ratio for low density was allowed to be exceeded, due primarily to the vast amounts of open space and conservation areas that exist beside and behind many of these lots. Almost forty percent (40%) of the lots currently developed exceed the 35%<sub>28</sub> strictly allowable lot coverage and 40%

allowable ISR in low density. In fact, thirty- one (31) of the lots as currently developed exceed 45% ISR, and ten (10) exceed 50% ISR. As afore-stated, based upon discussions with the former planning director, it is understood that such development was allowed because the land was developed as a whole with a concise land development plan that included vast amounts of conservation areas, and this allowance was interpreted to be in complete conformance with the spirit and intent of the goals, objectives and police of the city's comprehensive plan.

Moreover, the applicant hereby asks the City Commission to find that the requested modification to the formerly approved Final Development Orders, which seeks acknowledgment and ratification of the allowance for additional lot coverage and ISR for the lots formerly approved and existing within this self-contained, gated subdivision, is appropriate. This acknowledgment and ratification is based upon the development's abundant conservation areas and buffer conditions. This is clearly reflected in the fact that low density zones allow for up to 4 units per acre, yet this development limited itself to only 138 units on over 70 acres of land, with over 20 acres reserved for conservation and open space. (Per the code, 70 acres of land would be allowed up to 280 units maximum). Further, since their design code fully regulates the size of structures and setbacks on different size lots and since the subdivision has been allowed to develop in a manner that took these open spaces and conservation areas into consideration in allowing increased lot coverage and between 45% and 55% ISR coverage for the majority of the lots therein, the spirit and intent of the code and comprehensive plan are addressed. In sum, in order to preserve the current subdivision's characteristics and promote the equitable maintenance of the single family residences therein, many of which have been there for over ten years, it appears appropriate to recognize the development's commitment to open space, to acknowledge the appropriate and reasonable use of the entire 72+/- acres, and to allow for the increased lot coverage up to 45% and the increased ISR up to 55% to continue to be maintained and employed upon the 138 lots within Anastasia Dunes.

Respectfully submitted,

James G. Whitehouse, Esq.  
St. Johns Law Group

Attorneys for Applicant, Anastasia Dunes Association, Inc.

17 OCT DEC 1999

BEFORE THE  
COMPREHENSIVE PLANNING AND ZONING BOARD  
OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA

FILE NO. FD 99-08

Public Records of  
St. Johns County, FL  
Clerk# 99049880  
O.R. 1449 PG 875  
04:48PM 10/20/1999  
REC \$17.00 SUR \$2.50

RE: Application for Final Development Approval  
by D. Glynn Taylor and Scott Cole for  
Makarios Subdivision

FINAL DEVELOPMENT ORDER

THE ABOVE APPLICATION for a Final Development Order and Master Plan Approval for the Makarios Subdivision, PERTAINING TO A PARCEL OF LAND, REAL ESTATE PARCEL NUMBER 172490-0000, CONSISTING OF APPROXIMATELY 89.04 ACRES MORE OR LESS, ALL THAT PART OF GOVERNMENT LOTS 4 AND 5, SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST, LYING WEST OF A LINE RUNNING PARALLEL WITH AND 50 FEET WEST OF THE CENTERLINE OF COUNTY ROAD A1A BEACH BOULEVARD AS NOW LOCATED, AS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, came before the City of St. Augustine Beach Comprehensive Planning and Zoning Board (the Board) on the 19th day of October, 1999. The Board considered the application, the report of the Building Department Staff, the testimony, statements, and evidence presented before it by the applicants and other persons speaking at the hearing and the Board finding that it has jurisdiction over this proceeding and that the required notices have been provided and were afforded to all parties, it is determined as follows:

Findings of Fact

The Board finds that the Final Development and Master Plan for the Makarios Subdivision conforms with all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and, except as may be required to be cured herein, conforms with all applicable Land Development Regulations of the City of St. Augustine Beach.

The application and accompanying documents submitted demonstrate the Final Development and Master Plan do not degrade the prescribed levels of service of the City of St. Augustine Beach and/or any interlocal agreement with St. Johns County concerning services or capacities which affect consistency and concurrency determinations.

Subject to the conditions hereinafter set forth, it is determined that this Final Development Order File No. FD 99-08, submitted for Makarios Subdivision by D. Glynn Taylor, Taylor & White Inc., 5300-1 Emerson Street, Jacksonville, Florida, 32207, and Scott Cole, North Florida Corporation, 5366 5th Street, St. Augustine Beach, Florida, 32084, unless modified by a subsequent final development order, is approved for the above-described parcel of land, and shall not be effective

except upon ratification of each and every one of the following conditions.

**ORDERED** as follows:

1. Subdivision must conform with all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and all applicable Land Development Regulations.

2. Production of evidence satisfactory to the Building Official of receipt by applicants of permits allowing development in accordance with the Final Development Master Plan and accompanying drawings from the Army Corps of Engineers, the Florida Department of Environmental Protection, St. Johns River Water Management District, and St. Johns County Utility Department. These permits must be issued and in effect prior to plat approval.

3. The applicants will undertake measures to protect trees and environmentally sensitive areas by providing protective barriers prior to, and during, all development activity.

4. Applicants will construct and maintain a twenty-five (25)-foot-wide fully vegetative buffer along the entire length of County Road A1A Beach Boulevard.

5. Applicants must provide at least one footpath leading from the subdivision to F Street.

6. Applicants will maintain and preserve dune preserves on the west side of the property parcel.

7. The front setback for single-family residences in this cluster-type development will be no less than twenty (20) feet.

8. The applicants must submit restrictive covenants dedicating the roads and water management system to maintenance by the Homeowner's Association, which will be recorded prior to or concurrently with the Final Development Plan.

9. Essential services such as electricity, telephone and street lighting must be in place prior to the issuance of any building certificate of occupancy. Water and sewer connections must be paid for and in place prior to issuance of a building permit. All utilities must be installed underground. Fire hydrants will be in place before issuance of building permits for any structures.

10. Prior to the issuance of roadway and infrastructure permits an adequate bond or letter of credit, with good and sufficient surety, ensuring the completion of all infrastructure contemplated by this final development plan and accompanying documents, must be submitted.

11. No building permits may be issued for construction in the project except upon the posting of aforementioned bond, conforming to City Ordinances, ensuring the completion of all infrastructure contemplated by this Final Development Order.

12. Nothing contained herein shall be deemed to waive the requirement that the applicants plat the subdivision described in the Final Development Master Plan nor comply with other provisions of all applicable agencies, Building Codes, Land Development Regulations and Comprehensive Plan of St. Augustine Beach, Florida.

13. This Final Development Order shall be valid for a period of one (1) year from its effective date for Phase IA and IB, and for a period of five (5) years for Phases II, III, IV and V of the Master Plan, at which time the applicants/developers shall have made substantial commencement of the development activities on site by completing thirty (30) percent of the required infrastructure.

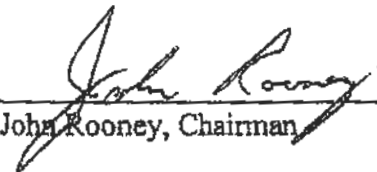
14. Construction of this subdivision/development will be completed in phases, however, the Master Plan as approved does not constitute a determination of conformity of the development with requirements of the Comprehensive Plan or Land Development Regulations.

15. Prior to acceptance of the preliminary plat which is to be placed on the agenda for review by the City of St. Augustine Beach City Commission, production of a warranty deed or deeds which are consistent with the legal description on the plat are required. Also, applicants must have completed and received approval for the multi-family conditional use permit and/or land use change in order to apply for preliminary plat approval.

16. Successors and assigns of the applicants/owners will be bound by the terms and conditions of this Final Development Order.

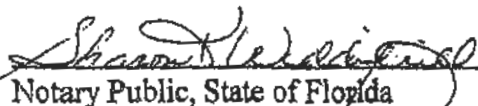
**ORDERED** and executed at the City of St. Augustine Beach, Florida, this 19th day of October, A.D., 1999.


ST. AUGUSTINE BEACH COMPREHENSIVE  
PLANNING AND ZONING BOARD

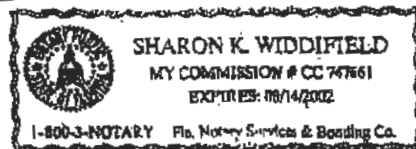
  
John Rooney, Chairman

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

THE FOREGOING INSTRUMENT was acknowledged before me this 20 day of  
October, A.D., 1999, by JOHN ROONEY, who is personally known to me.

  
Notary Public, State of Florida

  
Printed Name





THIS ORDER IS SUBJECT TO APPEAL PER THE PROVISIONS OF SECTION 12.06.02 OF THE ST. AUGUSTINE BEACH LAND DEVELOPMENT REGULATIONS.

SECTION 12.06.02: *"A developer, an adversely affected party, or any person who appeared orally or in writing before the Comprehensive Planning and Zoning Board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance, conditional use permit for a home occupation, or an appeal under Section 12.06.01 reached at the conclusion of an administrative hearing to the City Commission by filing a notice of appeal with the Department within thirty (30) days of the date of the decision."*

11 OCTOBER 1111  
Amended  
25 September 2000

BEFORE THE  
COMPREHENSIVE PLANNING AND ZONING BOARD  
OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA

**FILE NO. FD 2000-04 (MODIFICATION TO FILE NO. FD 99-08),  
FILE NO. PPA 2000-04**

RE: Application for Modification to Final  
Development Order for Anastasia Dunes  
and Preliminary Plat Approval for Anastasia  
Dunes Unit One, by JNM Makarios Development  
Venture Ltd., James N. McGarvey Jr., President

**MODIFICATION TO FINAL DEVELOPMENT ORDER FILE NO. FD 99-08**

THE ABOVE APPLICATION for a Modification to Final Development Order File No. FD 99-08, for Anastasia Dunes Subdivision, formerly called Makarios Subdivision, 865 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, PERTAINING TO A PARCEL OF LAND, PART OF REAL ESTATE PARCEL NUMBER 172490-0000, CONSISTING OF APPROXIMATELY 72.69 ACRES, MORE OR LESS, A PORTION OF GOVERNMENT LOTS 4 AND 5, SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST, LYING WEST OF RIGHT-OF-WAY OF COUNTY ROAD A1A BEACH BOULEVARD, AND A REPLAT OF A PORTION OF MAKARIOS SUBDIVISION UNIT ONE, AS RECORDED IN MAP BOOK 39, PAGES 26-31, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, came before the City of St. Augustine Beach Comprehensive Planning and Zoning Board (the Board) on the 19th day of September, 2000. The Board considered the application, the report of the Building Department Staff, the testimony, statements, and evidence presented before it by the applicant and other persons speaking at the hearing and the Board finding that it has jurisdiction over this proceeding and that the required notices have been provided and were afforded to all parties, it is determined as follows:

**Findings of Fact**

The Board finds that the Modification to Final Development Order File No. FD 99-08, for Anastasia Dunes Subdivision, and Preliminary Plat Approval for the proposed Anastasia Dunes Unit One, consisting of 68 (sixty-eight) single-family lots in a low density residential land use district, conform with all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and except as may be required to be cured herein, with all applicable Land Development Regulations of the City of St. Augustine Beach.

The application and accompanying documents submitted demonstrate Final Development File No. FD 2000-04, a modification to Final Development Order File No. 99-08, and Preliminary Plat Approval File No. PPA 2000-04 for Anastasia Dunes Unit One, do not degrade the prescribed

levels of service of the City of St. Augustine Beach and/or any interlocal agreement with St. Johns County concerning services or capacities which affect consistency and concurrency determinations.

Subject to the conditions hereinafter set forth, it is determined that this Final Development Order File No. FD 2000-04, a modification to Final Development Order File No. FD 99-08, and Preliminary Plat Approval File No. PPA 2000-04, submitted for Anastasia Dunes Unit One, by JNM Makarios Development Venture Ltd., James N. McGarvey Jr., President, 2453 South Third Street, Jacksonville Beach, Florida, 32224, unless modified by a subsequent final development order, are approved for the above-described parcel of land, and shall not be effective except upon ratification of each and every one of the following conditions.

**ORDERED** as follows:

1. This development must conform with all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and all applicable City of St. Augustine Beach Land Development Regulations.

2. Applicant must produce evidence satisfactory to the Building Official of receipt of permits, if deemed necessary, allowing development in accordance with the Final Development Plan and Preliminary Plat and accompanying drawings, from the Army Corps of Engineers, the Florida Department of Transportation, the Florida Department of Environmental Protection, St. Johns River Water Management District, and St. Johns County Utility Department. These permits must be issued and in effect prior to final plat approval.

3. Applicant will undertake measures to protect trees and environmentally sensitive areas by providing protective barriers prior to, and during, all development activity, immediately adjacent to the right-of-way or utility easement prior to the issuance of any infrastructure or clearing permits. Clearing and/or tree removal permits will not be issued on the platted lots prior to the acceptance of a substantially complete application for a building permit.

For the 68 (sixty-eight) single family lots proposed and approved for Anastasia Dunes Unit One, as shown on the plat map accompanying this application, applicant shall be allowed a blanket variance for a 5 (five) foot reduction in side setbacks, when approved by the Building Official, for preservation of trees and/or topography only. Applicant shall also be allowed a blanket variance to reduce rear setbacks 5 (five) feet, from 25 (twenty-five) feet to 20 (twenty) feet, when approved by the Building Official for preservation of trees and/or topography only, and a blanket variance to reduce front setbacks 5 (five) feet, from the previously approved 20 (twenty) feet to 15 (fifteen) feet, also only when approved by the Building Official, for preservation of trees and/or topography only. These blanket variances are approved by the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach and are valid only subject to the conditions listed above along with the following conditions:

~~For the 133 (one hundred and thirty-three) single family lots previously approved in the subdivision's final development order, Final Development Order File No. FD 99-08, the number of single family lots to be constructed shall be 133 single family lots previously approved in Final Development Order File No. FD 99-08. The front and rear setbacks for each single family lot in this subdivision must total a minimum of 46 (forty-six) feet when added together.~~

5. Applicant will construct and maintain a 25 (twenty-five)-foot-wide fully vegetative buffer along the entire length of County Road A1A Beach Boulevard.

6. Applicant must provide at least one footpath leading from the subdivision to F Street.

7. Applicant will maintain and preserve dune preserves on the west side of the property parcel.

8. Applicant must submit restrictive covenants dedicating the roads and water management system to maintenance by the Homeowners' Association, which will be recorded prior to or concurrently with the Final Development Plan, recognizing the Homeowners' Association as the entity responsible for maintaining the water management and drainage system per the City's Level of Service 25 Year/24 Hour consistency and concurrency requirements.

9. Essential services such as electricity, telephone, cable and other communication lines, and street lighting must be in place prior to the issuance of any building certificate of occupancy. Water and sewer connections must be paid for and in place prior to issuance of a building permit. All utilities must be installed underground. Screening of any utility apparatus placed above ground shall be required. All streets shall have illumination provided by the developer. A system of fire hydrants shall be installed and operable prior to the issuance of any building permits for any structures which the system will serve.

10. Prior to the issuance of roadway and infrastructure permits an adequate bond or letter of credit, with good and sufficient surety, ensuring the completion of all infrastructure contemplated by this final development plan and accompanying documents, must be submitted.

11. No building permits may be issued for construction in the project except upon the posting of aforementioned bond, conforming to City Ordinances, ensuring the completion of all infrastructure contemplated by this Final Development Plan, and upon approval of the plat by the City Commission.

12. Nothing contained herein shall be deemed to waive the requirement that the applicants plat the development described in the Final Development Plan nor comply with other provisions of all applicable agencies, Building Codes, Land Development Regulations and Comprehensive Plan of the City of St. Augustine Beach, Florida.

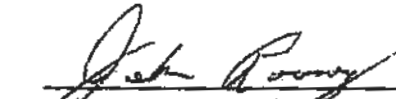
13. Prior to acceptance of the plat which is to be place on the agenda for review by the City of St. Augustine Beach City Commission, production of a warranty deed or deeds which are consistent with the legal description on the plat are required. Also, a contract acceptable to the City which is consistent with Ordinance No. 98-16 requiring a second review of the plat must be submitted and signed by a professional surveyor and mapper.

14. This Final Development Order shall be valid for a period of 5 (five) years from its effective date. Exactly one year from the effective date of this Final Development Order, applicant/developer shall have made substantial commencement of the development activities on site by completing at least 30 (thirty) percent of the required roads and infrastructure.

15. Successors and assigns of the applicant/owner will be bound by the terms and conditions of this Final Development Order. However, persons acquiring property do so with notice that although under appropriate circumstances owners of property have vested development rights, changes in the Land Development Regulations affecting use would not be acquired under the transfer of ownership.

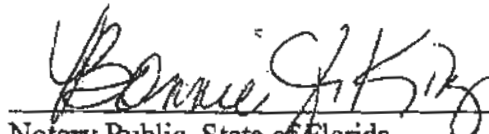
**ORDERED** and executed at the City of St. Augustine Beach, Florida, this 19th day of September, A.D., 2000.

ST. AUGUSTINE BEACH COMPREHENSIVE  
PLANNING AND ZONING BOARD

  
John Rooney, Chairman

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

THE FOREGOING INSTRUMENT was acknowledged before me this 25th day  
of September, A.D., 2000, by JOHN ROONEY, who is personally known to me.

  
Notary Public, State of Florida

Bonnie J. King  
Printed Name



THIS ORDER IS SUBJECT TO APPEAL PER THE PROVISIONS OF SECTION 12.06.02 OF THE ST. AUGUSTINE BEACH LAND DEVELOPMENT REGULATIONS.

SECTION 12.06.02: "A developer, an adversely affected party, or any person who appeared orally or in writing before the Comprehensive Planning and Zoning Board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance, conditional use permit for a home occupation, or an appeal under Section 12.06.01 reached at the conclusion of an administrative hearing to the City Commission by filing a notice of appeal with the Department within thirty (30) days of the date of the decision."

25 JUNE 2001

BEFORE THE  
COMPREHENSIVE PLANNING AND ZONING BOARD  
OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA

FINAL DEVELOPMENT FILE NO. FD 2001-05,  
PRELIMINARY PLAT APPROVAL FILE NO. PPA 2001-04

RE: Application for Final Development and  
Preliminary Plat Approval for Anastasia  
Dunes Phase IIA, for JNM Makarios  
Development Venture Ltd., JNM  
Makarios Inc., General Partner,  
James N. McGarvey Jr., President

Public Records of  
St. Johns County, FL  
~~Clerk# 01-036120~~  
O.R. 1627 PG 1330  
12:50PM 07/17/2001  
REC \$17.00 SUR \$2.50

**FINAL DEVELOPMENT ORDER**

THE ABOVE APPLICATION for a Final Development Order for Anastasia Dunes Phase IIA, PERTAINING TO A PORTION OF GOVERNMENT LOTS 4 AND 5, SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST, IN ANASTASIA DUNES SUBDIVISION, REAL ESTATE PARCEL NUMBER 172490-0000, AS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, came before the City of St. Augustine Beach Comprehensive Planning and Zoning Board (the Board) on the 19th day of June, 2001, for final development and preliminary plat approval, per Sections 12.02.05-12.02.15 of the Land Development Regulations of the City of St. Augustine Beach, for construction of 70 single-family residential units on 30.68 acres in a low density residential land use district in Anastasia Dunes Subdivision, 865 County Road A1A Beach Boulevard, St. Augustine Beach, Florida, 32080. The Board considered the application, the report of the Building and Zoning Department Staff, the testimony, statements, and evidence presented before it by the applicant and other persons speaking at the hearing and the Board finding that it has jurisdiction over this proceeding and that the required notices have been provided and were afforded to all parties, it is determined as follows:

**Findings of Fact**

The Board finds that the Final Development Plan for the proposed single-family residential development of Anastasia Dunes Phase IIA, consisting of 70 single-family residential units on 30.68 acres in a low density residential land use district, conforms with all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and, except as may be required to be cured herein, with all applicable Land Development Regulations of the City of St. Augustine Beach.

The application and accompanying documents submitted demonstrate the Final Development Plan for the above-described property does not degrade the prescribed levels of service of the City of St. Augustine Beach and/or any interlocal agreement with St. Johns County concerning services or capacities which affect consistency and concurrency determinations.

Subject to the conditions hereinafter set forth, it is determined that this Final Development Order File No. FD 2001-05, prepared for the final development and preliminary plat approval application submitted by JNM Makarios Development Venture Ltd., JNM Makarios Inc., General Partner, James N. McGarvey Jr., President, 2453 South Third Street, Jacksonville Beach, Florida, 32250, unless modified by a subsequent final development order, is approved for the above-described parcel of land, and shall not be effective except upon ratification of each and every one of the following conditions.

**ORDERED** as follows:

1. This development must conform with all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and all applicable Land Development Regulations.
2. Production of evidence satisfactory to the Building Official of receipt by applicant of permits allowing development in accordance with the Final Development Plan and accompanying drawings, if required, from the Army Corps of Engineers, the Florida Department of Environmental Protection, St. Johns River Water Management District, and St. Johns County Utility Department. These permits must be issued and in effect prior to the issuance of any permits for the Anastasia Dunes Phase IIA residential development.
3. Essential services such as electricity, telephone, cable and other communication lines, and street lighting, must be in place prior to the issuance of any building certificate of occupancy. Water and sewer connections must be paid for and in place prior to issuance of a building permit. All utilities must be installed underground. Screening of any utility apparatus placed above ground shall be required. Fire hydrants will be in place prior to issuance of building permits for any structures.
4. Applicant will undertake measures to protect trees and environmentally sensitive areas by providing protective barriers prior to, and during, all development activity, immediately adjacent to the right-of-way or utility easement prior to the issuance of any infrastructure or clearing permit. Clearing and/or tree removal permits will not be issued on the platted lots prior to the acceptance of a substantially complete application for a building permit.
5. ~~The roadways for Anastasia Dunes Phase IIA may be modified to suit trees and applicant shall be allowed a blanket variance to reduce front setbacks when approved by the Building Official for preservation of trees and on topography only. Applicant shall also be allowed a blanket variance to reduce front setbacks from 25 (twenty-five) feet to 20 (twenty) feet, and a blanket variance to reduce front setbacks 5 (five) feet from the previously approved 20 (twenty) feet to 15 (fifteen) feet, when approved by the Building Official for preservation of trees and on topography only. Those blanket variances are approved by the Comprehensive Planning and Zoning Board of the City of St. Augustine, Florida, subject to the conditions listed above and with the condition that the front and rear setbacks of each single family lot in Anastasia Dunes Subdivision must total a minimum of 45 (forty-five) feet when aggregated.~~
6. Applicant must submit restrictive covenants dedicating the roads and water management system to maintenance by the Anastasia Dunes Homeowners Association, which will be recorded prior to or concurrently with the Final Development Plan for Anastasia Dunes Phase IIA.

7. Prior to the issuance of roadway and infrastructure permits, an adequate bond or letter of credit, with good and sufficient surety, ensuring the completion of all infrastructure contemplated by this final development plan and accompanying documents, must be submitted.

8. No building permits may be issued for construction in the project except upon the posting of aforementioned bond, conforming to City Ordinances, ensuring the completion of all infrastructure contemplated by the Final Development Order.

9. Nothing contained herein shall be deemed to waive the requirement that the applicant plat the subdivision described in the Final Development Plan for Anastasia Dunes Phase IIA, nor comply with other provisions of all applicable agencies, Building Codes, Land Development Regulations and Comprehensive Plan of the City of St. Augustine Beach, Florida, or the provisions of all other applicable agencies.

10. This Final Development Order shall be valid for a period of one (1) year from its effective date, at which time the applicant/developer shall have made substantial commencement of the development activities on site by completing at least 30 (thirty) percent of the required infrastructure.

11. Prior to acceptance of final plat approval of Anastasia Dunes Phase IIA, which is to be placed on the agenda for review by the City of St. Augustine Beach City Commission, production of a warranty deed or deeds which are consistent with the legal description on the plat are required.

12. Successors and assigns of the applicant/owner will be bound by the terms and conditions of this Final Development Order. However, persons acquiring property do so with notice that although under appropriate circumstances owners of property have vested development rights, changes in the Land Development Regulations affecting use would not be acquired under the transfer of ownership.

**ORDERED** and executed at the City of St. Augustine Beach, Florida, this 19th day of June, A.D., 2001.

ST. AUGUSTINE BEACH COMPREHENSIVE  
PLANNING AND ZONING BOARD

  
Walter Davis, Chairman

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

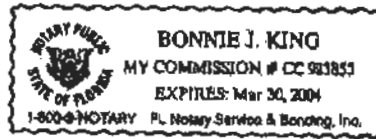
THE FOREGOING INSTRUMENT was acknowledged before me this 25th day of

June, A.D., 2001, by WALTER DAVIS, who is personally known to me.



*Bonnie J. King*  
 Notary Public, State of Florida

Bonnie J. King  
 Printed Name



THIS ORDER IS SUBJECT TO APPEAL PER THE PROVISIONS OF SECTION 12.06.02 OF THE ST. AUGUSTINE BEACH LAND DEVELOPMENT REGULATIONS.

SECTION 12.06.02: *"A developer, an adversely affected party, or any person who appeared orally or in writing before the Comprehensive Planning and Zoning Board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance, conditional use permit for a home occupation, or an appeal under Section 12. 06.01 reached at the conclusion of an administrative hearing to the City Commission by filing a notice of appeal with the Department within thirty (30) days of the date of the decision."*



## Anastasia Dunes

Anastasia Dunes is a one of a kind neighborhood located just steps away from the Atlantic Ocean in St. Augustine Beach. The natural topography of rolling dunes and large oak canopies has created a unique combination to offer residents the benefits of shade and sea breezes along with the preservation of the natural beauty of the land. The original intent and design for the community was to create an environmentally sensitive neighborhood.

Streets in Anastasia Dunes meander over the dunes and between the trees so as to preserve these features. The platting of the neighborhood carefully laid out the lots to take advantage of the existing natural buffers as well as creating privacy for each homeowner. As a resident of Anastasia Dunes you experience the natural amenities of cooling sea breezes and the sound of the surf, pathways for pleasant walks in the shade of old oaks and lakes with wading birds. Anastasia Dunes is a gated community and also features one of the nicest pool and clubhouse designs in our area. The open air design of the clubhouse offers residents and guests the opportunity to entertain with family and friends in a shaded environment adjacent to the magnificent swimming pool. Additionally there is a fenced kid's pool for the toddlers to enjoy so that the whole family can get in on the fun.

| Status   | Property Address        | Lot # | Lot S.F. | HVAC<br>Grade<br>level | Garage | Porches | Paved | Pool /<br>Spa | Impervious<br>Surface<br>Ratio | Lot<br>Coverage |
|----------|-------------------------|-------|----------|------------------------|--------|---------|-------|---------------|--------------------------------|-----------------|
|          | 1000 Island Way         | 48    | 13068    | 2848                   |        | 297     | 1744  |               | 0.37                           | 0.24            |
| Vacant   | 1004 Island Way         | 47    | 12197    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 1007 Island Way         | 42    | 18553    | 2422                   | 624    | 608     | 2938  | 1781          | 0.51                           | 0.22            |
| Vacant   | 1008 Island Way         | 46    | 11761    |                        |        |         |       |               | 0.00                           | 0.00            |
| Building | 1012 Island Way         | 45    | 19602    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 1018 Island Way         | 44    | 22643    | 2952                   | 1090   | 601     | 1957  | 1073          | 0.34                           | 0.21            |
|          | 1017 Island Way         | 43    | 15681    | 559                    | 711    | 454     |       |               | 0.11                           | 0.11            |
|          | 1100 Laughing Gull Lane | 125   | 12632    | 2156                   | 984    | 809     | 2518  |               | 0.61                           | 0.31            |
| Vacant   | 1101 Laughing Gull Lane | 121   | 9583     |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 1104 Laughing Gull Lane | 124   | 13788    | 2270                   | 580    | 600     | 1480  | 1265          | 0.45                           | 0.25            |
| Vacant   | 1105 Laughing Gull Lane | 122   | 13939    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 1108 Laughing Gull Lane | 123   | 18730    | 1929                   | 747    | 1937    | 2270  | 1256          | 0.43                           | 0.25            |
|          | 300 Ocean Forest Drive  | 1     | 11761    | 2357.8                 | 655.8  | 833.9   | 1325  |               | 0.44                           | 0.33            |
|          | 304 Ocean Forest Drive  | 2     | 10454    | 1733                   | 278    | 641     | 1896  |               | 0.44                           | 0.25            |
|          | 305 Ocean Forest Drive  | 30    | 10454    | 2838                   |        | 467     | 740   |               | 0.39                           | 0.32            |
|          | 308 Ocean Forest Drive  | 3     | 11326    | 897                    | 568    | 482     | 834.4 | 1587          | 0.39                           | 0.17            |
|          | 309 Ocean Forest Drive  | 29    | 11326    | 2293                   | 637    | 761     | 1929  |               | 0.50                           | 0.33            |
|          | 312 Ocean Forest Drive  | 4     | 10890    | 2317                   |        | 686     | 1612  |               | 0.42                           | 0.28            |
|          | 313 Ocean Forest Drive  | 28    | 13267    | 2795                   | 568    | 733     | 1577  |               | 0.43                           | 0.31            |
|          | 320 Ocean Forest Drive  | 5     | 13068    | 1766                   | 441    | 369     | 969   |               | 0.27                           | 0.20            |
|          | 321 Ocean Forest Drive  | 22    | 11689    | 1973                   | 538    | 759     | 788   |               | 0.35                           | 0.28            |
|          | 324 Ocean Forest Drive  | 6     | 12197    | 2626                   | 731    | 347     | 1133  |               | 0.40                           | 0.30            |
|          | 325 Ocean Forest Drive  | 21    | 12898    | 2451                   | 597    | 765     | 1176  |               | 0.39                           | 0.30            |
|          | 328 Ocean Forest Drive  | 7     | 12632    | 1587                   | 602    | 458     | 377   |               | 0.24                           | 0.21            |
|          | 329 Ocean Forest Drive  | 20    | 13939    | 2237                   | 728    | 1037    | 1320  |               | 0.38                           | 0.29            |
|          | 332 Ocean Forest Drive  | 8     | 14810    | 2516                   | 683    | 559     | 1287  |               | 0.34                           | 0.25            |
|          | 333 Ocean Forest Drive  | 19    | 12632    | 2681                   |        | 461     | 490   | 329.6         | 0.31                           | 0.25            |
| Vacant   | 336 Ocean Forest Drive  | 9     | 12632    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 337 Ocean Forest Drive  | 18    | 10890    | 2217                   | 596    | 566     | 1306  | 1000          | 0.52                           | 0.31            |
|          | 340 Ocean Forest Drive  | 10    | 14810    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 341 Ocean Forest Drive  | 17    | 12632    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 344 Ocean Forest Drive  | 15    | 13504    | 2405                   | 760    | 471     | 966   |               | 0.34                           | 0.27            |
|          | 345 Ocean Forest Drive  | 16    | 12197    | 1687.2                 | 520    | 394.3   | 2013  |               | 0.38                           | 0.21            |
|          | 349 Ocean Forest Drive  | 69    | 12632    | 2705                   | 462    | 651     | 1016  | 1010          | 0.46                           | 0.30            |
|          | 350 Ocean Forest Drive  | 128   | 15773    | 3139                   |        | 950     | 1557  |               | 0.36                           | 0.26            |
|          | 353 Ocean Forest Drive  | 70    | 16144    | 2402                   | 697    | 1078    | 1280  |               | 0.34                           | 0.26            |
|          | 354 Ocean Forest Drive  | 127   | 13068    | 1828                   | 602    | 566     | 1322  |               | 0.33                           | 0.23            |
|          | 357 Ocean Forest Drive  | 71    | 16117    | 3026                   | 940    | 778     | 1077  | 1125          | 0.43                           | 0.29            |
| Vacant   | 358 Ocean Forest Drive  | 126   | 11761    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 363 Ocean Forest Drive  | 72    | 13939    | 1660.16                | 876.01 | 813.69  | 1298  | 751           | 0.39                           | 0.24            |
| Vacant   | 368 Ocean Forest Drive  | 120   | 9583     |                        |        |         |       |               | 0.00                           | 0.00            |
| Vacant   | 370 Ocean Forest Drive  | 119   | 9148     |                        |        |         |       |               | 0.00                           | 0.00            |
| Vacant   | 371 Ocean Forest Drive  | 73    | 12197    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 374 Ocean Forest Drive  | 118   | 9583     | 2039                   | 556    | 720     | 971   |               | 0.45                           | 0.35            |
|          | 375 Ocean Forest Drive  | 74    | 12538    | 3404                   |        |         | 1268  | 917           | 0.45                           | 0.27            |
|          | 378 Ocean Forest Drive  | 117   | 11326    | 3270                   |        | 615     | 1032  |               | 0.43                           | 0.34            |
| Vacant   | 379 Ocean Forest Drive  | 75    | 10019    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 382 Ocean Forest Drive  | 116   | 10340    | 1859                   | 827    | 449     | 1194  |               | 0.42                           | 0.30            |
| Vacant   | 383 Ocean Forest Drive  | 76    | 9583     |                        |        |         |       |               | 0.00                           | 0.00            |
| Vacant   | 386 Ocean Forest Drive  | 115   | 10454    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 387 Ocean Forest Drive  | 77    | 9583     | 1265                   | 685    | 840     | 1014  | 345           | 0.43                           | 0.29            |
|          | 390 Ocean Forest Drive  | 114   | 10454    | 2120                   | 657    | 872     | 1318  |               | 0.48                           | 0.35            |
|          | 391 Ocean Forest Drive  | 78    | 9148     | 1611                   | 553    | 696     | 832   |               | 0.40                           | 0.31            |
| Vacant   | 394 Ocean Forest Drive  | 113   | 13939    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 395 Ocean Forest Drive  | 79    | 9148     | 1097                   | 878    | 561     | 1328  | 600           | 0.49                           | 0.28            |
|          | 398 Ocean Forest Drive  | 112   | 10691    | 916                    | 800    | 1517    | 1146  |               | 0.41                           | 0.30            |
| Vacant   | 399 Ocean Forest Drive  | 80    | 12197    |                        |        |         |       |               | 0.00                           | 0.00            |

| Status   | Property Address       | Lot # | Lot S.F. | HVAC<br>Grade<br>level | Garage | Porches | Paved | Pool /<br>Spa | Impervious<br>Surface<br>Ratio | Lot<br>Coverage |
|----------|------------------------|-------|----------|------------------------|--------|---------|-------|---------------|--------------------------------|-----------------|
|          | 402 Ocean Forest Drive | 111   | 10691    | 916                    | 800    | 1517    | 1146  |               | 0.41                           | 0.30            |
|          | 406 Ocean Forest Drive | 110   |          |                        |        |         |       |               | #DIV/0!                        | #DIV/0!         |
|          | 403 Ocean Forest Drive | 81    | 11761.2  | 1460                   | 475.2  | 509     | 3312  |               | 0.43                           | 0.21            |
| Building | 409 Ocean Forest Drive | 82    | 11628    | 1986                   | 471    | 380     | 900   |               | 0.32                           | 0.24            |
|          | 410 Ocean Forest Drive | 109   | 11104    | 3075                   |        | 617     | 819   |               | 0.39                           | 0.33            |
| Building | 414 Ocean Forest Drive | 108   | 10890    | 2328                   | 539    | 387     | 644   | 560           | 0.41                           | 0.30            |
|          | 415 Ocean Forest Drive | 85    | 14327    | 1841                   | 619    | 876     | 778   |               | 0.29                           | 0.23            |
|          | 418 Ocean Forest Drive | 107   | 10549    | 2328                   |        | 655     | 1305  |               | 0.40                           | 0.27            |
|          | 421 Ocean Forest Drive | 86    | 11151    | 1841                   | 568    | 569     | 1465  | 132           | 0.41                           | 0.27            |
|          | 422 Ocean Forest Drive | 106   | 11326    | 2299                   | 493    | 424     | 1044  |               | 0.38                           | 0.28            |
| Vacant   | 425 Ocean Forest Drive | 87    | 11761    |                        |        |         |       |               | 0.00                           | 0.00            |
| Vacant   | 426 Ocean Forest Drive | 105   | 10454    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 429 Ocean Forest Drive | 88    | 10240    | 2208                   | 735    | 792     | 1010  |               | 0.46                           | 0.36            |
|          | 430 Ocean Forest Drive | 104   |          |                        |        |         |       |               | #DIV/0!                        | #DIV/0!         |
|          | 434 Ocean Forest Drive | 103   | 10640    | 2792                   |        |         | 803   | 5871          | 0.69                           | 0.26            |
| Vacant   | 433 Ocean Forest Drive | 89    | 12632    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 437 Ocean Forest Drive | 90    | 15682    | 2985                   | 1725   | 686     | 2243  | 900           | 0.54                           | 0.34            |
| Vacant   | 438 Ocean Forest Drive | 102   | 10890    |                        |        |         |       |               | 0.00                           | 0.00            |
| Vacant   | 441 Ocean Forest Drive | 91    | 11761    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 442 Ocean Forest Drive | 101   | 11326    | 1171                   | 1045   | 901     | 900   |               | 0.35                           | 0.28            |
|          | 445 Ocean Forest Drive | 92    | 10856    | 2332                   | 874    | 448     | 2450  |               | 0.56                           | 0.34            |
| Building | 446 Ocean Forest Drive | 100   | 12357    | 2154                   | 749    | 806     | 1956  |               | 0.46                           | 0.30            |
|          | 449 Ocean Forest Drive | 93    | 10019    | 1755                   | 521    | 600     | 822   | 656           | 0.43                           | 0.29            |
|          | 450 Ocean Forest Drive | 99    | 13503    | 2531                   |        | 172     | 2047  |               | 0.35                           | 0.20            |
|          | 453 Ocean Forest Drive | 94    | 10272    | 1584                   |        | 817     | 1242  | 1290          | 0.46                           | 0.23            |
| Vacant   | 454 Ocean Forest Drive | 96    | 11761    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 457 Ocean Forest Drive | 95    | 14374    | 2115.2                 | 619.8  | 697.5   | 1590  |               | 0.35                           | 0.24            |
| Vacant   | 458 Ocean Forest Drive | 97    | 13068    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 462 Ocean Forest Drive | 96    | 13504    | 2155                   | 726    | 816     | 1401  | 320           | 0.40                           | 0.27            |
|          | 466 Ocean Forest Drive | 41    | 14810    | 2807                   | 649    | 707     | 815   | 1288          | 0.42                           | 0.28            |
|          | 469 Ocean Forest Drive | 40    | 16553    | 2762                   | 981    | 697     | 2088  | 1000          | 0.45                           | 0.27            |
|          | 470 Ocean Forest Drive | 49    | 9633     | 1894                   | 487    | 375     | 489   |               | 0.34                           | 0.29            |
| Building | 473 Ocean Forest Drive | 39    | 14375    | 2683                   | 712    | 656     | 1551  | 1480          | 0.49                           | 0.28            |
|          | 474 Ocean Forest Drive | 50    | 9148     | 1549                   | 573    | 502     | 759   | 1000          | 0.48                           | 0.29            |
|          | 476 Ocean Forest Drive | 51    | 13939    | 1816                   | 639    | 444     | 920   |               | 0.27                           | 0.21            |
|          | 481 Ocean Forest Drive | 38    | 14375    | 1160                   |        | 1084    | 816   |               | 0.21                           | 0.16            |
| Vacant   | 484 Ocean Forest Drive | 60    | 11761    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 485 Ocean Forest Drive | 37    | 11237    | 2945                   | 565    | 380     | 1401  |               | 0.47                           | 0.35            |
|          | 488 Ocean Forest Drive | 61    | 14189    | 2009                   | 565    | 759     | 962   | 1224          | 0.39                           | 0.23            |
|          | 489 Ocean Forest Drive | 36    | 10454    | 2285                   |        | 721     | 950   |               | 0.38                           | 0.29            |
|          | 492 Ocean Forest Drive | 62    | 13092    | 1020                   | 1344   | 202     | 804   |               | 0.26                           | 0.20            |
| Vacant   | 493 Ocean Forest Drive | 35    | 10019    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 497 Ocean Forest Drive | 34    | 10019    | 1931.1                 | 802.7  | 508.4   | 2120  |               | 0.54                           | 0.32            |
|          | 501 Ocean Forest Drive | 33    | 11326    | 1870                   | 628    | 580     | 1464  |               | 0.40                           | 0.27            |
|          | 505 Ocean Forest Drive | 32    | 10454    | 850                    | 1750   | 280     | 1314  |               | 0.40                           | 0.28            |
|          | 508 Ocean Forest Drive | 67    | 10454    | 2003                   | 641    | 375     | 1020  |               | 0.39                           | 0.29            |
|          | 509 Ocean Forest Drive | 31    | 10454    | 2211                   | 575    | 992     | 1043  |               | 0.46                           | 0.36            |
| Building | 512 Ocean Forest Drive | 68    | 10018    | 2104                   | 581    | 1019    | 617   |               | 0.43                           | 0.37            |
| Building | 701 Ocean Gate Lane    | 27    | 15246    | 3007                   | 849    | 636     | 2720  |               | 0.47                           | 0.29            |
|          | 704 Ocean Gate Lane    | 23    | 10585    | 2227                   | 502    | 760     | 914   |               | 0.42                           | 0.33            |
|          | 705 Ocean Gate Lane    | 26    | 10454    | 1260                   | 577    | 419     | 2181  |               | 0.42                           | 0.22            |
| Vacant   | 706 Ocean Gate Lane    | 24    | 11326    |                        |        |         |       |               | 0.00                           | 0.00            |
|          | 709 Ocean Gate Lane    | 25    | 10270    | 1852                   | 591    | 544     | 1040  |               | 0.39                           | 0.29            |
|          | 712 Ocean Gate Lane    | 83    | 12465    | 2719                   | 850    | 995     | 1103  |               | 0.45                           | 0.37            |
|          | 713 Ocean Gate Lane    | 84    | 13506    | 1094                   | 407    | 370     | 848   |               | 0.20                           | 0.14            |

verify

| Status   | Property Address       | Lot # | Lot S.F. | HVAC<br>Grade<br>level | Garage  | Porches | Paved  | Pool /<br>Spa | Impervious<br>Surface<br>Ratio | Lot<br>Coverage |
|----------|------------------------|-------|----------|------------------------|---------|---------|--------|---------------|--------------------------------|-----------------|
|          | 900 Sandy Beach Circle | 59    | 19602    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 904 Sandy Beach Circle | 58    | 12632    | 1405                   | 518     | 759     | 1900   |               | 0.36                           | 0.21            |
|          | 905 Sandy Beach Circle | 52    | 10890    | 1402                   | 1282    | 877     | 1050   | 980           | 0.51                           | 0.33            |
|          | 908 Sandy Beach Circle | 57    | 12197    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 909 Sandy Beach Circle | 53    | 15157    | 3305                   | 713     | 490     | 1989   |               | 0.42                           | 0.30            |
|          | 912 Sandy Beach Circle | 56    | 14810    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 913 Sandy Beach Circle | 54    | 8712     | 1446                   | 476     | 447     | 794    |               | 0.36                           | 0.27            |
|          | 917 Sandy Beach Circle | 55    | 13503    | 1532                   | 625     | 762     | 1744   |               | 0.35                           | 0.22            |
|          | 1000 Sea Forest Lane   | 129   | 14375    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 1004 Sea Forest Lane   | 130   | 11200    | 1622                   | 682     | 625     | 2438   |               | 0.48                           | 0.26            |
|          | 1005 Sea Forest Lane   | 138   | 12632    | 2107                   | 528     | 808     | 1644   |               | 0.40                           | 0.27            |
|          | 1008 Sea Forest Lane   | 131   | 14324    | 2686                   | 540     | 578     | 1296   | 2463          | 0.53                           | 0.27            |
|          | 1009 Sea Forest Lane   | 137   | 11325    | 2050                   | 528     | 866     | 1763   |               | 0.46                           | 0.30            |
|          | 1012 Sea Forest Lane   | 132   | 9148     |                        |         |         |        |               | 0.00                           | 0.00            |
| Vacant   | 1013 Sea Forest Lane   | 136   | 11326    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 1016 Sea Forest Lane   | 133   | 18259    | 2726                   |         | 486     | 1922   |               | 0.28                           | 0.18            |
| Building | 1017 Sea Forest Lane   | 135   | 19166    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 1020 Sea Forest Lane   | 134   | 16988    | 1893                   | 716     | 779     | 1633   | 901           | 0.35                           | 0.20            |
|          | 801 Seagrape Circle    | 14    | 10890    | 2004                   | 657     | 383     |        | 1568          | 0.42                           | 0.28            |
|          | 804 Seagrape Circle    | 11    | 10890    | 2079                   | 611     | 691     | 574    |               | 0.36                           | 0.31            |
| Vacant   | 805 Seagrape Circle    | 13    | 15246    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 808 Seagrape Circle    | 12    | 25700    | 2361                   |         | 2387    | 2370   |               | 0.28                           | 0.18            |
|          | 800 Tuckaway Lane      | 66    | 11761    | 2174                   | 1118    | 1217    | 1176   |               | 0.48                           | 0.38            |
|          | 805 Tuckaway Lane      | 63    | 15982    |                        |         |         |        |               | 0.00                           | 0.00            |
|          | 809 Tuckaway Lane      | 64    | 13068    | 2527                   | 895     | 1269    | 1548   |               | 0.48                           | 0.36            |
|          | 813 Tuckaway Lane      | 65    | 19360    | 2407                   |         | 676     | 2031   | 945           | 0.31                           | 0.16            |
| TOTALS   |                        |       | 1717182  | 210494                 | 58269.5 | 67877.8 | 133846 | 35617.6       | 0.29                           | 0.20            |

|                   |     |
|-------------------|-----|
| Total Lots        | 138 |
| Vacant Lots       | 26  |
| Actively Building | 8   |
| Lots without info | 12  |
| Lots .40+         | 56  |
| Lots .39-         | 43  |

**BEFORE THE CITY COMMISSION OF THE  
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

In re:

**APPLICATION OF JAMES G. WHITEHOUSE, ESQ.,  
ST. JOHNS LAW GROUP, AGENT FOR ANASTASIA  
DUNES ASSOCIATION INC., FOR MODIFICATION TO  
FINAL DEVELOPMENT FILE NOS. FD 99-08, FD 2000-  
04, AND FD 2001-05, PERTAINING TO ANASTASIA  
DUNES SUBDIVISION, ST. AUGUSTINE BEACH,  
FLORIDA 32080**

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**FINAL DEVELOPMENT ORDER FILE NO. FD 2019-01, APPROVING  
MODIFICATION TO FINAL DEVELOPMENT FILE NOS. FD 99-08, FD 2000-04, AND  
FD 2001-05**

This CAUSE came for public hearing before the City Commission of the City of St. Augustine Beach, Florida, on the 1<sup>st</sup> day of July, 2019, upon application of Final Development File No. FD 2019-01, by James G. Whitehouse, Esquire, St. Johns Law Group, agent for Anastasia Dunes Association Inc., Robert Dobson, Title President, 357 Ocean Forest Drive, St. Augustine Beach, Florida, 32080, for modification to Final Development File Nos. FD 99-08, FD 2000-04, and FD 2001-05, per Section 12.02.10.B of the City of St. Augustine Beach Land Development Regulations, to allow a maximum of 45 (forty-five) percent total lot coverage and a maximum of 55 (fifty-five) percent total impervious surface ratio coverage, pertaining to Anastasia Dunes Subdivision, consisting of 138 single-family residential lots on approximately 72 acres in a low density residential land use district. The City Commission having reviewed and considered the application, the report of the Building and Zoning Department, the recommendation of the Comprehensive Planning and Zoning Board of St. Augustine Beach, which reviewed and considered the application on the 18<sup>th</sup> day of June 2019, the testimony, statements, and evidence presented before the Comprehensive Planning and Zoning Board and the City Commission by the applicant and other persons speaking at the public hearing, including public comments, and the City Commission finding it has jurisdiction over this proceeding and that the required notices have been provided and were afforded to all parties, upon motion duly made, seconded and passed, the application was approved based upon the following findings of fact:

**FINDINGS OF FACT**

The City Commission finds that the final development modification of the final development orders described above for Anastasia Dunes Subdivision conforms to all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and, except as may be required to be cured herein, with all applicable City of St. Augustine Beach Land Development Regulations.

The application and accompanying documents submitted demonstrate the final development plan for the above-referenced property does not degrade the prescribed Levels of Service for the City of St. Augustine Beach and/or any interlocal agreement with St. Johns County concerning services or capacities which affect consistency and concurrency determinations.

Subject to the conditions hereinafter set forth, it is determined that this Final Development Order File No. FD 2019-01, prepared for the final development application submitted by James G. Whitehouse, Esquire, St. Johns Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for Anastasia Dunes Association Inc., Robert Dobson, Title President, 357 Ocean Forest Drive, St. Augustine Beach, Florida, 32080, unless modified by a subsequent final development order, is approved for Anastasia Dunes Subdivision, St. Augustine Beach, Florida, 32080, and shall not be effective except upon ratification of each and every one of the following conditions.

**ORDERED** as follows:

1. Nothing contained herein shall be deemed to waive the requirement that the proposed development comply with the State of Florida Building Codes and conform to all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, City of St. Augustine Beach Land Development Regulations, except as may be required to be cured herein.
2. The modification to the orders granted for Anastasis Dunes Subdivision per Final Development File Nos. FD 99-08, FD 2000-04, and FD 2001-05, is hereby granted by the St. Augustine Beach City Commission to allow all 138 single-family residential lots platted in Anastasia Dunes Subdivision to exceed the 35 (thirty-five) percent maximum total lot coverage to allow 45 (forty-five) percent maximum total lot coverage and exceed the 40 (forty) percent maximum total impervious surface ratio coverage to allow 55 (fifty-five) percent maximum impervious surface ratio coverage, as defined and stipulated in the City of St. Augustine Beach Land Development Regulations for low density residential land use districts.
3. Successors and assigns of the applicant/owner shall be bound by the terms and conditions of this Final Development Order. However, persons acquiring property do so with notice that although under appropriate circumstances, owners of property have vested rights, changes in the City of St. Augustine Beach Land Development Regulations affecting use would not be acquired under the transfer of ownership.
4. Any appeal of this decision may be made by filing an appropriate action with a court of competent jurisdiction within thirty (30) days of the date of this Order.

**DONE AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019, at St. Augustine Beach, St. Johns County, Florida.

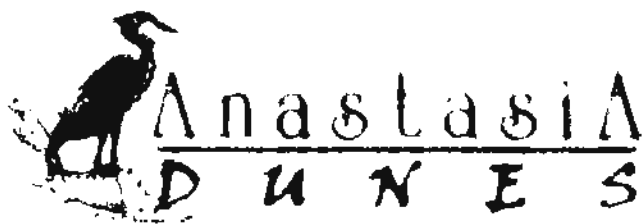


**CITY COMMISSION OF THE CITY OF  
ST. AUGUSTINE BEACH, FLORIDA**

**Attest:** \_\_\_\_\_ **By:** \_\_\_\_\_  
**Max Royle, City Manager** **Undine C. George, Mayor**

THIS ORDER IS SUBJECT TO APPEAL PER THE PROVISIONS OF SECTION 12.06.04 OF THE CITY OF ST. AUGUSTINE BEACH LAND DEVELOPMENT REGULATIONS.

**Sec. 12.06.04.C.** *"Appeals from the decision of the City Commission shall be appealed to the circuit court."*



Anastasia Dunes is a unique community located near the Atlantic Coast of Florida in St. Augustine Beach. Nestled among the natural beauty of rolling dunes, majestic oak tree canopies, lake views and over 20 acres of conservation land, it is a special place to call home.

Living in this coastal community, the residents benefit from the local climate of continuous sea breezes and ample sunshine. Soothing sounds of the surf, close proximity to sandy beaches, and pathways for leisurely strolls beneath the shade of ancient oaks are a few of the amenities that contribute to the high quality of life in Anastasia Dunes.

Just south of the historical City of St. Augustine. Anastasia Dunes provides a single home neighborhood where children still play outside and neighbors visit while strolling beneath the oak trees. A short walk provides access to miles of sandy beaches.

# Anastasia Dunes

Listen to the sounds of the beach and ocean while strolling over hills under the shade of a canopy of oaks. A true gem in St. Augustine Beach, Anastasia Dunes masterfully combines the natural topography of Anastasia Island with a private, gated beach community. Luxurious homes with large lots allow for privacy yet the sidewalks and front porches give that welcoming neighborhood feel. Anastasia Dunes also offers a beautiful community gathering area with a kids pool, family pool and pavilion with plenty of room to lounge in the sun or have friends come enjoy the fun. This neighborhood is walking distance to the beach, local restaurants, and shopping.

Anastasia Dunes is just a short walk to the Atlantic Ocean and everything that St. Augustine Beach has to offer from great restaurants, to local bars and shopping. Once you have entered this beautiful gated community you will find oak trees, tall dunes and large lots, typically ranging in size from 1/3 acre to 1/2 acre and most backing to a preserve or a lake. Most homes are a minimum of 2400 sq. ft. or larger, offer a lot of privacy, coastal design and architecture, and were built in the early 2000's to present day. There are still a few vacant lots to build your dream home on but lots go quickly when available. The community has a gated entry, pool, clubhouse and a fenced in kids pool with bathroom facilities.



# Anastasia

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## DUNES

## DESIGN CODE

REVISED APRIL 2005

McGarvey Residential Communities  
Copyright April 2005

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## *Introduction to Anastasia Dunes*

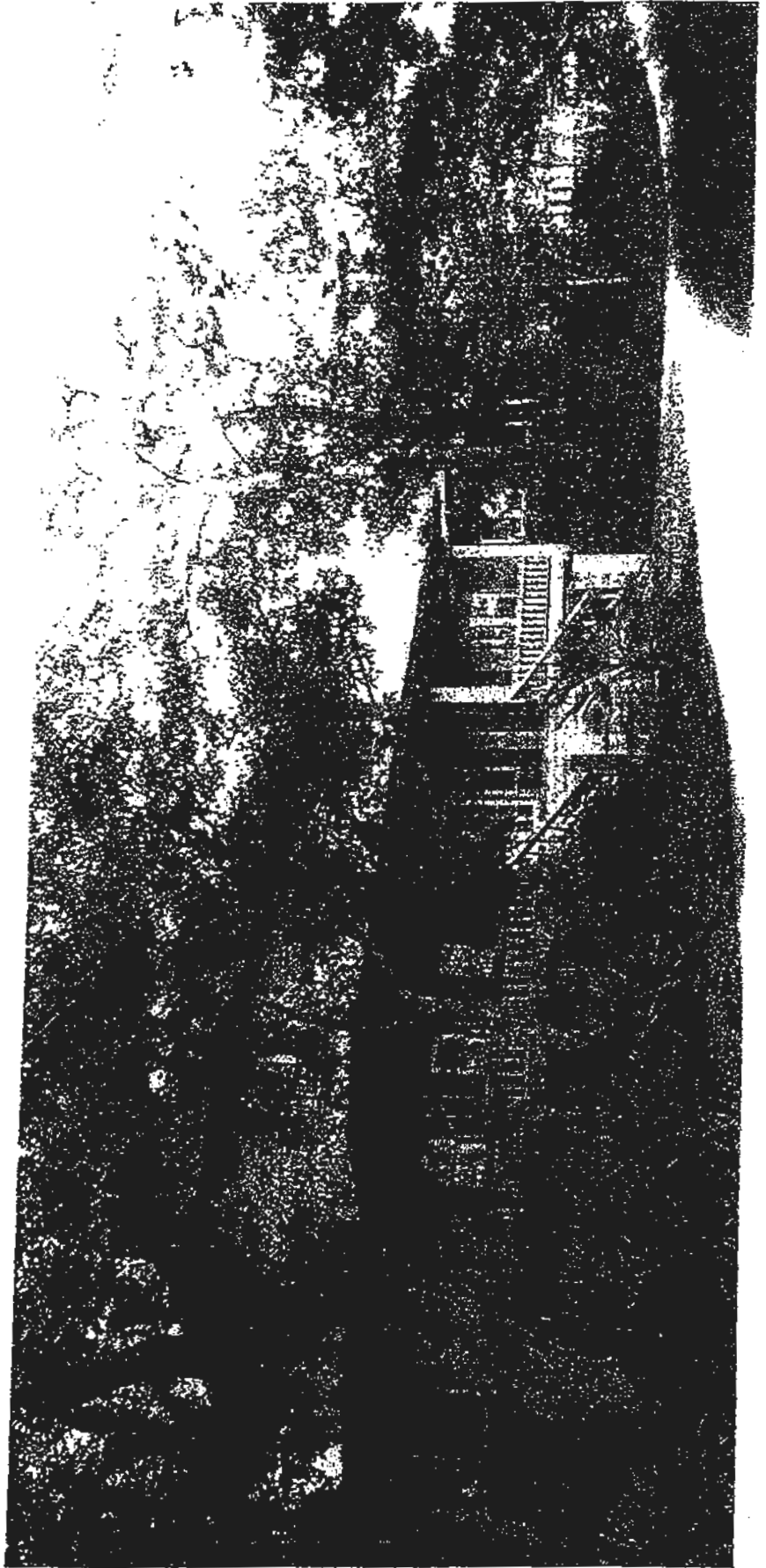
Anastasia Dunes is a unique community located near the Atlantic Coast of Florida in St. Augustine Beach. Nestled among the natural beauty of rolling dunes and majestic oak canopies, it is a special place to call home.

Living in this coastal community, the residents benefit from the local climate of continuous sea breezes and ample sunshine. Soothing sounds of the surf, close proximity to sandy beaches, and pathways for leisurely strolls beneath the shade of ancient oaks are a few of the amenities that contribute to the high quality of life in Anastasia Dunes.

Our desire to create an environmentally sensitive community and to preserve the natural beauty of the area, affects every aspect of the community plan. The streets meander over the dunes and between the trees to preserve these site features. The arrangement of lots has been carefully laid out to take advantage of the natural buffers and to create privacy and individuality for each home site. The Design Code provides flexible setbacks and building requirements to help owners and

designers create an architecture that blends into this beautiful setting.

The success of Anastasia Dunes comes from enhancing and protecting the site's natural features and defining an architecture that works in harmony with this setting.



## *he Neighborhood Plan*

The neighborhood plan for Anastasia Dunes is designed to fit into the natural setting. To facilitate this, lot types of varying size and design parameters have been laid out. This aids in site planning issues and also provides variety in the house designs. These lot types include:

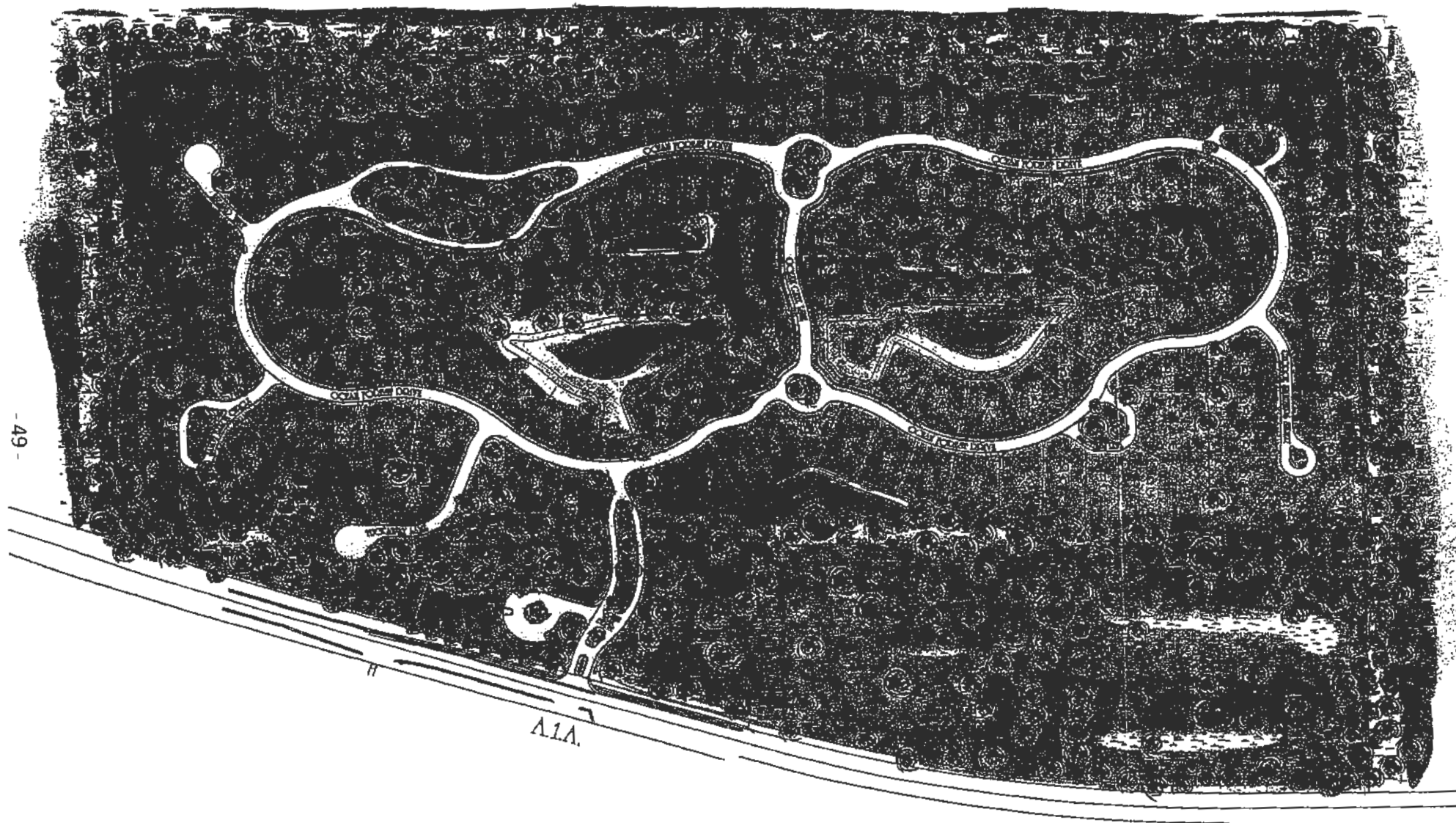
Type A Lots: with width = 90' - 100'

Type B Lots: with width = 80' - 90'

Type C Lots: with width = 70' - 80'

Some lots in Anastasia Dunes, due to their special location along main roadways, intersections, and corners, will require extra attention to their design as they are critical for establishing the neighborhood's image.





Note: This is an artist's rendering and should not be relied on for accuracy. Please refer to recorded plat for accuracy.

## Site Planning

Our goal in Anastasia Dunes is to create a unique residential community defined by the quality of its architectural design. These guidelines have been designed to encourage the growth of a neighborhood while preserving the natural setting.

### Setbacks

Setbacks and lot coverage are traditional site planning and zoning tools which establish the buildable area of a lot. At Anastasia Dunes we have made every effort to produce an environmentally-sensitive coastal community by implementing setbacks which provide maximum flexibility for preserving natural features such as dune structures and specimen trees.

The setbacks for Anastasia Dunes shown here, are designed to provide the maximum flexibility for the owner and designer in placing the house on the lot. By providing a minimum and a maximum setback with a

combined total, the house can be moved from side to side or front to back as necessary depending on topography and for preservation of specimen trees. For example: if on an 80' wide lot there is a large oak tree on the left side, the house can be located 7.5' off of the right property line leaving 17.5' on the left to facilitate the preservation of the oak tree. The same applies to the front and rear setbacks.

Through proper site planning, all residents of Anastasia Dunes can reap the benefits of the natural coastal dune environment by preserving existing tree canopies, maintaining natural site topography and establishing a comfortable rhythm and spacing of houses along the street.

### Flexible Building Setbacks

Front and Rear Setbacks:

20' to 25' for a total of 45'

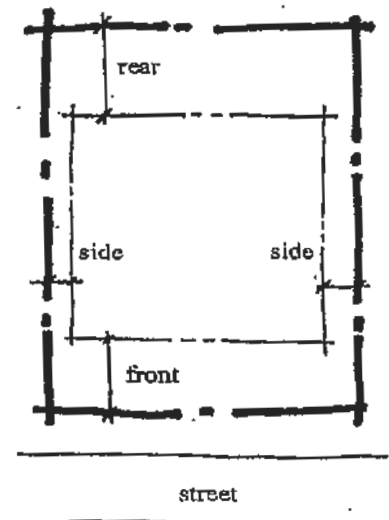
Side Setbacks:

Type A Lots: total sides 30' w/ min. 7.5'

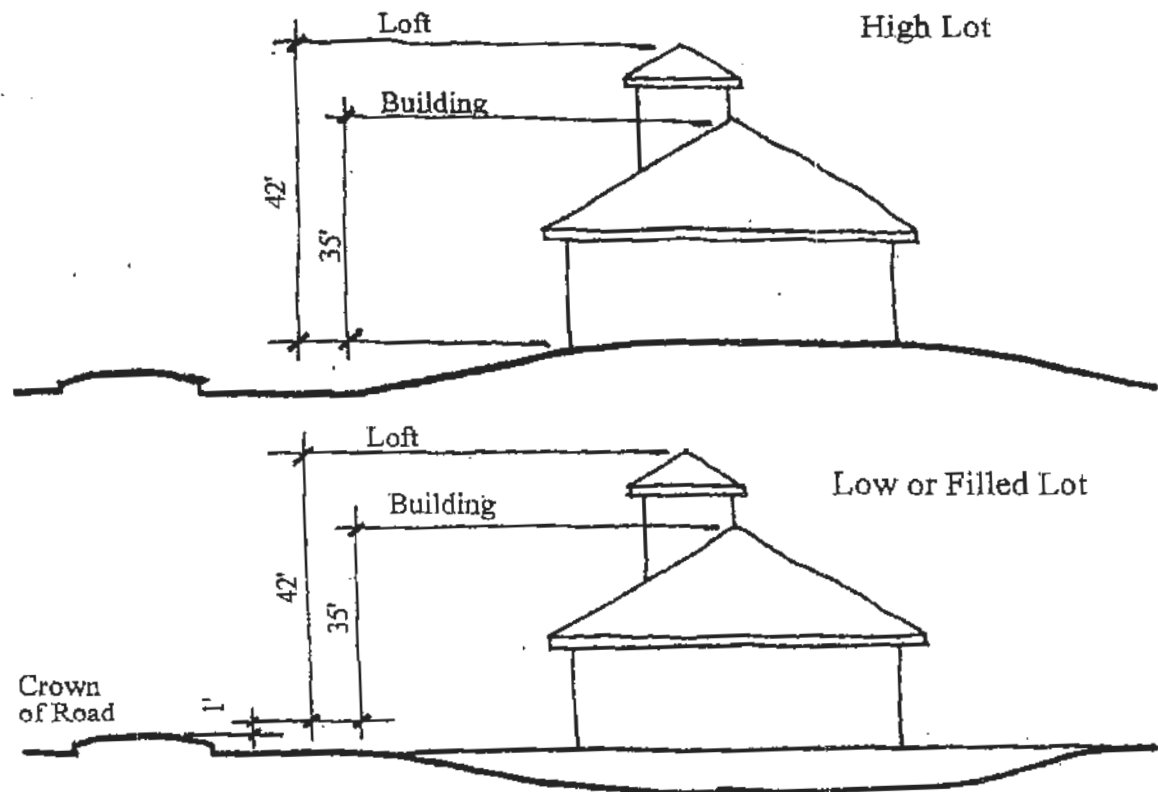
Type B Lots: total sides 25' w/ min. 7.5'

Type C Lots: total sides 20' w/ min. 5'

### *Building Size and Height*



We encourage designers to take special care in articulating the building mass of each residence. Stepped facades and tower elements lend a sense of scale and hierarchy to a house and are encouraged. Minimum house size is 1800 square feet of conditioned space. To establish a residentially-scaled neighborhood and to comply with the Building Codes of St. Augustine Beach, we require that houses not exceed 35' in height. Overall building height is measured from the highest natural point on the lot or from the crown of the road (whichever is higher) to the highest point of the roof. Scenery lofts (tower elements) are allowed a maximum height of 42' to the highest point of the roof. Houses are required to have a minimum first floor ceiling height of no less than 9'-0". The ARB will take into consideration the visual impact a residence has on its neighbors, when reviewing massing and scale of a design.



*NOTE: Owner should confirm point of measure with local building department during design stage.*

## Site Planning

### Building Orientation

House orientation on the building site is an important element in establishing the character of Anastasia Dunes. In the majority of lots, it is easy to determine what should be the front or main orientation of the house. In

several locations there are lots with multiple frontages. In these cases, an appropriate architectural statement, such as porches or balconies, is required on each facade that faces a street.



### Garages and Parking

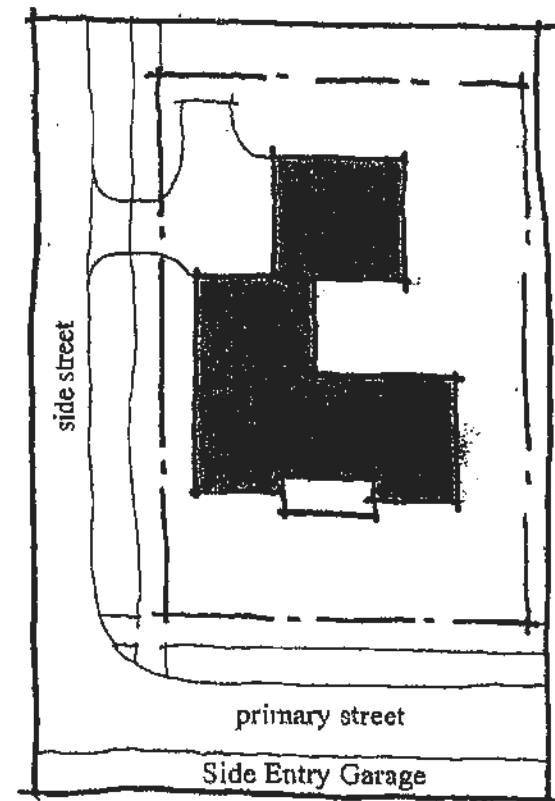
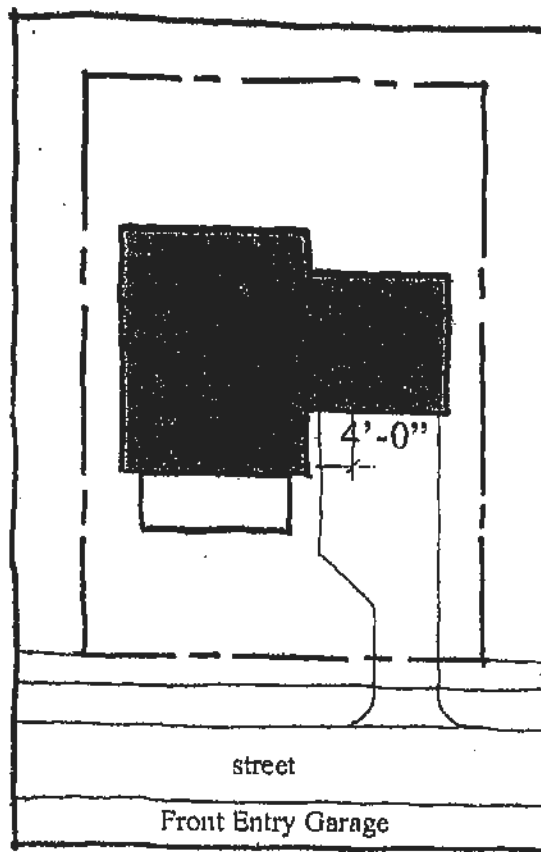
In the environmentally-friendly neighborhood of Anastasia Dunes we strive to de-emphasize the role of the automobile. In order to do this we must make garages less visually obtrusive. Street entry garages are required to be set back from the front of the house a minimum of 4 feet, or preferably to the rear of the lot to downplay their appearance from the street. Garage doors are required to be set in shadow by the addition of architectural elements such as trellis or columns to further de-emphasize their appearance. See the *Architectural Elements* section of the Code for more information.

Detached garages are preferred with features such as trellises, breezeways, or port-cocheres connecting them to the main house. Courtyard type garages (front yard) are not permitted as they create large areas of paving in the front yard which is inconsistent with the natural setting. Side-entry garages should

minimize the amount of paving in front of them to the extent possible.

Each residence will be required to have two enclosed parking spaces. Garages should be designed to match the style and detail of the house. Garages should also be designed to work with the site. On lots with extreme variations in topography, parking underneath the main house level is an option in order to preserve the natural site contours.

Driveway paving should be minimized in all locations in order to preserve the natural feeling of Anastasia Dunes. See the Architectural Elements section of the Code for more information on driveway width within the right-of-way.



### *Pools, Pool Enclosures and Hot Tubs*

One of the pleasures of coastal living in Florida is the enjoyment of year-round outdoor activities. At Anastasia Dunes swimming pools and hot tubs are allowed provided they meet the following criteria.

#### ■ *Pool and Hot Tub Locations*

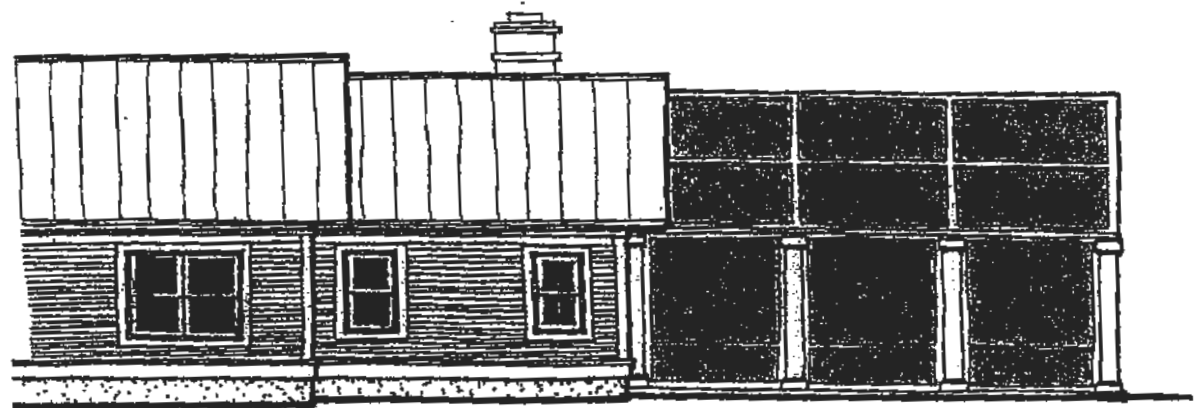
Swimming pools and adjoining decks should be located only at the rear of the property. The width of both the pool and adjacent pool deck shall not exceed the width of the house behind which it is placed. Pools and associated decks must set back a minimum of 7'-6" from the rear property line. Only in-ground pools are permitted.

Above-ground hot tubs and spas are permitted. Hot tubs or spas are to be screened from view with fencing or garden walls appropriately detailed to be part of the house.

#### ■ *Pool Enclosures*

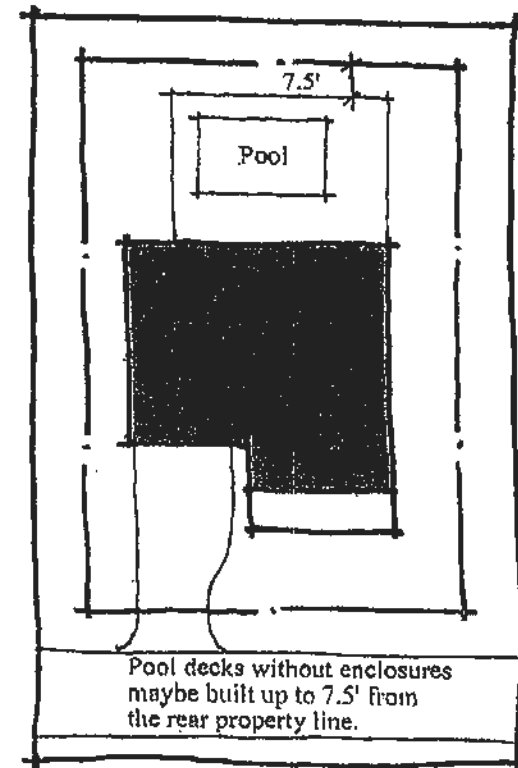
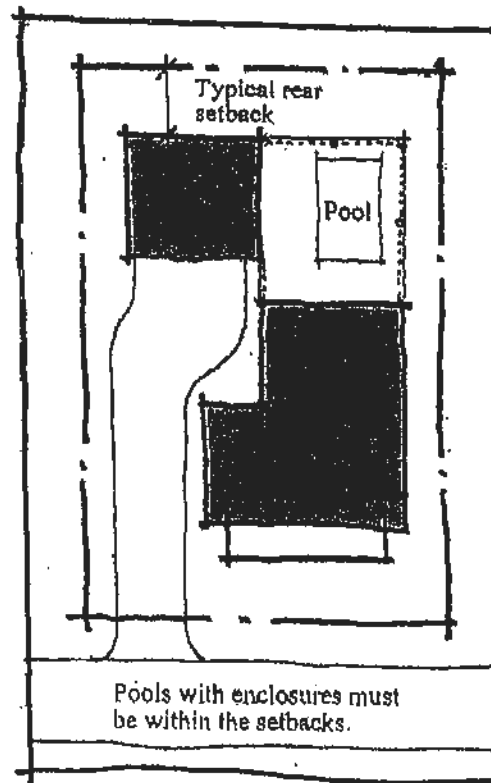
Pool enclosures are allowed in Anastasia Dunes and are required to include architectural elements which match the style and detail of the main house. Roof lines and vertical elements of pool enclosures should be in keeping with the roof line of the house.

We require aluminum pool enclosures to be constructed such that the aluminum frame and screen components are in-filled between architectural elements as shown in the following sketch. Enclosures shall be located at the rear of the property and must conform to the rear and side yard setback requirements for the house.



### ■ *Equipment*

Pool equipment is required to be screened from the view of adjacent properties. All equipment shall be located to minimize its visual and aural impact on neighbors. Fencing or privacy walls appropriately detailed with the style of the house are required screening methods.





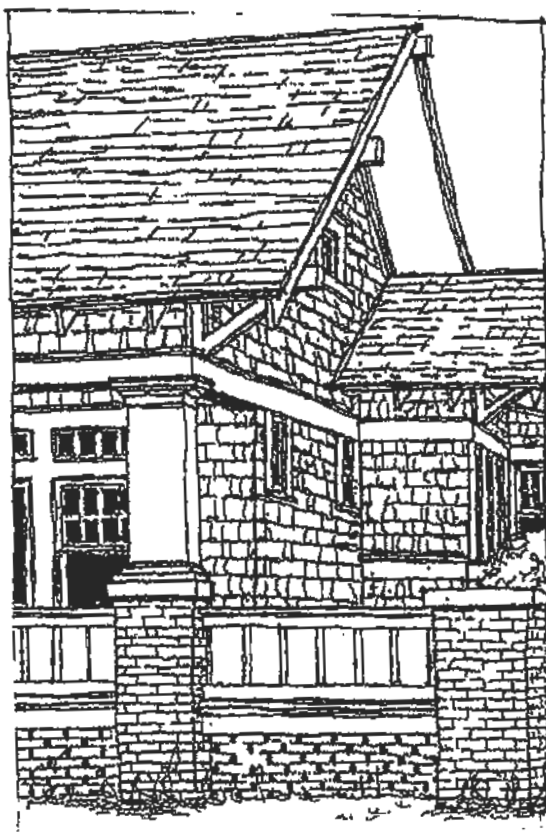
The architectural details of Anastasia Dunes are intended to provide a community-wide sense of proportion and scale. The codes are intended to allow for variety and the flexibility necessary to take advantage of the natural setting and local climatic conditions. However, it is important to require and define certain design elements on all homes in order to develop a standard of quality and cohesiveness for the community. The proper location of homes on the building site and the careful coordination of elements such as porches, railings, balconies, window and door trim, soffits, roof shapes and building materials are crucial to crafting a unified design aesthetic.

It is also important for the house to have a sense of prominence on the site. Building a house off grade or on a stem wall provides this affect. Therefore, all houses in Anastasia Dunes are required to be built with the finished floor at least 28" above the finished grade in front of the house. This may vary on the side and rear elevations to accommodate topography. This also adds greatly to the sense of arrival into a house as you walk up a



set of steps onto the front porch and then in to the house. Of course it is understood that garages are the exception to this rule and will be constructed at grade.

The graphics in this book are illustrations of concepts and ideas and are not meant to prescribe specific house shapes, forms or architecture. Creativity is encouraged in all designs as long as proper proportion, scale, attention to detail, and site integration is achieved. We believe that in doing so, a timeless architecture and a sense of community based on environmental sensitivity will be created that can be enjoyed by the residents both now and in the future.



### *Porches and Balconies*

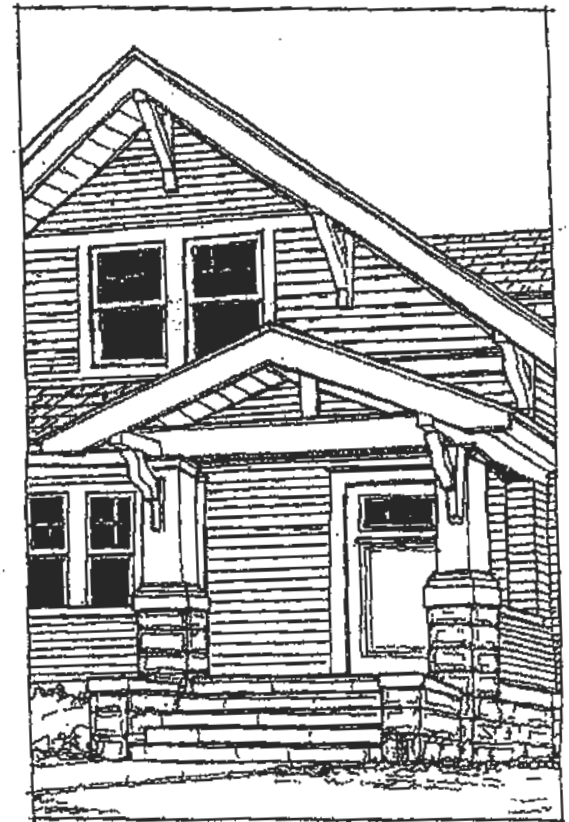
Part of the experience of living in a Florida Coastal community is embodied in an open and inviting front porch. At Anastasia Dunes we require that all homes have a front porch with a size and configuration in proportion to the scale of the front facade.

Upper floor porches and balconies are encouraged, however, location and size should consider privacy for the neighbors. Screens are allowed, except on first floor front porches. The materials used for porches shall be compatible with those of the main house. Decking material can be painted or stained wood, patterned concrete, brick, stone, or tile. If required, railings shall be appropriate to the style of the house. Columns and posts can be wood (solid or wrapped), stucco, tabby or stone. Porch steps can be wood, concrete, brick, or tile.

Traditionally, porches were constructed 8'-0" or deeper to comfortably accommodate furniture and allow people to move around

easily. The front deck height shall be closely associated with the height of the floor level of the house, which is required to be 28" minimum.

Porches should be supported by piers that align with the columns above and shall be finished with brick, stucco or tabby. The spaces between piers should be enclosed with lattice or louvers. Prefabricated P.T. wood or vinyl diagonal lattice is not an acceptable treatment in Anastasia Dunes.

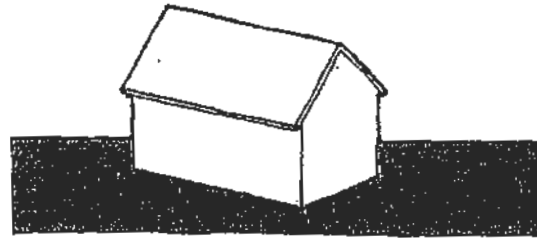


## Roofs

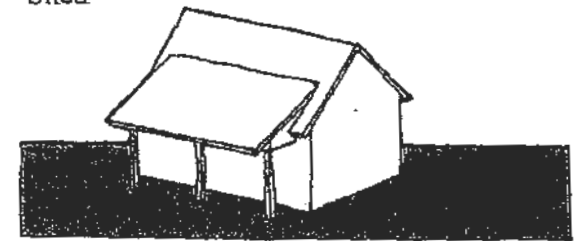
The roof is a prominent element of any house and an important design element. Most roofing materials including metal, architectural shingles, shakes, concrete tiles simulating shakes or slate are acceptable. The material however, should be selected to be compatible with the design and style of the house.

With a selection of six basic roof shapes (Hip, Gable, Hipped Gable, Gable on Hip, Flared Hip, and Shed) there is a diverse design palette. Other factors used to enhance continuity throughout the neighborhood are a minimum 7:12 and maximum 12:12 roof pitch. Designs should strive to keep a consistent roof pitch on all elements. Shed roofs and porch roofs however are allowed to be as low as 3:12.

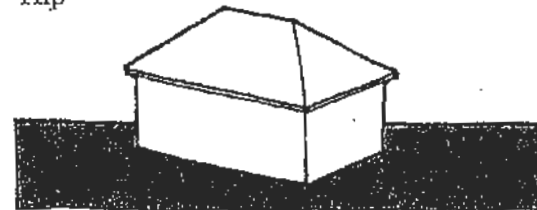
Gable



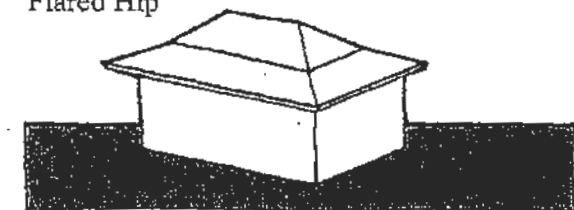
Shed



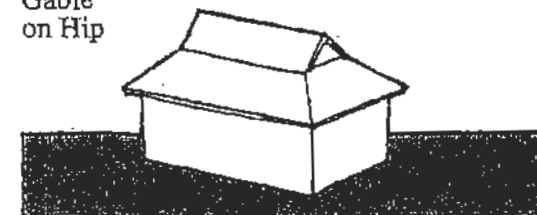
Hip



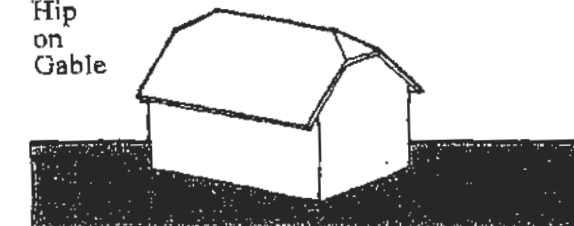
Flared Hip



Gable on Hip



Hip on Gable



## *Architectural Elements*

### ■ *Chimneys*

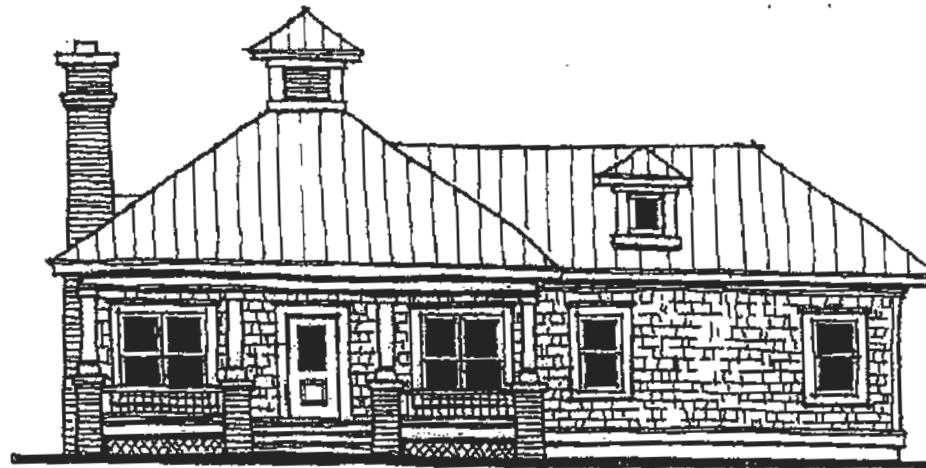
Chimneys provide a strong vertical statement which exemplifies the image of hearth and home. Chimneys shall be clad in masonry materials such as stucco, tabby and brick. A chimney located on the exterior wall of a residence shall extend to the ground line. Chimney caps should be detailed to reflect the style of the house.

### ■ *Roof Penetrations*

Elements such as attic vents, plumbing vents, and other penetrations should always be placed on non view roof faces. Sky lights up to 30" x 48" can help bring light into the heart of a house, but should not be located on the front elevation of a house.

### ■ *Dormers*

Traditional house forms employ dormers to add detail and capture views. These architectural elements should be designed to fit the proportion and character of the house. Windows placed within a dormer should share this sense of scale also. Roof forms for these elements can be selected from hip, gable, shed and eye brow types.



### *Eaves and Soffits*

Eaves and soffits are an integral detail in defining the character of a house. Their design is vital to creating a pleasing transition between roof and wall.

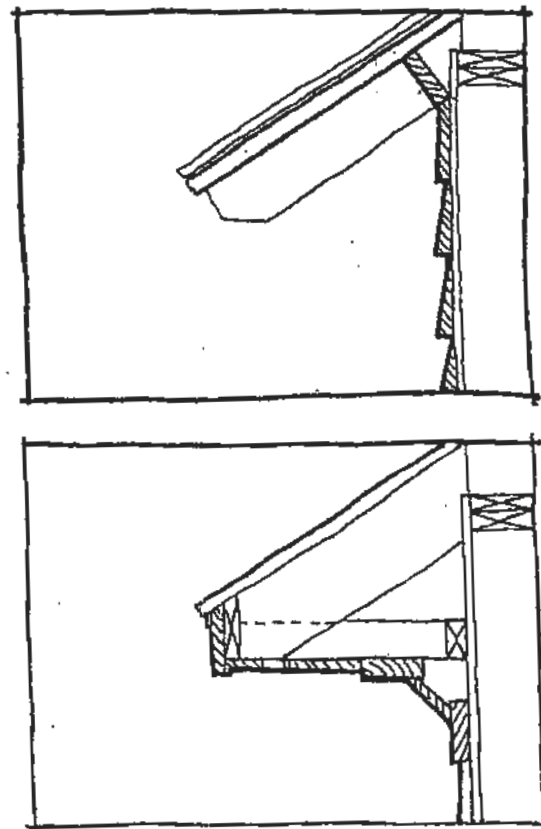
Overhangs are key elements in protecting your house from rain and shading it from the sun. Overhangs are required to be a minimum of 18" and may project a maximum of 24" into setbacks. Dormers and other smaller elements may have reduced overhangs.

Special attention shall be given to soffit and eave detailing. Details such as exposed roof rafter tails are encouraged throughout Anastasia Dunes. Where enclosed soffits occur they shall be carefully designed and detailed to create a graceful transition between the vertical wall of the house and the soffit. Fascia, soffits and associated trim are encouraged to be constructed of painted or stained wood. Aluminum or vinyl fascia and

soffit material are not permitted. Perforated hardi soffits are not allowed unless accompanied by additional trim elements. Other synthetic trim materials may be considered, however, the use of these materials must be approved by the ARB during the review process, on an individual house-by-house basis.

Soffit vents shall be painted to match soffit color. Vents may be round vents at exposed rafters or continuous maximum 2" wide vents at enclosed soffits.

Gutters are also a necessary element for control of rainwater run off. If used, gutters must be the color of the fascia and downspouts must be painted to match the color of the wall to which they are attached.



## Architectural Elements

### Walls

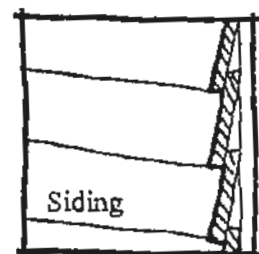
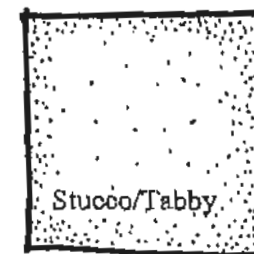
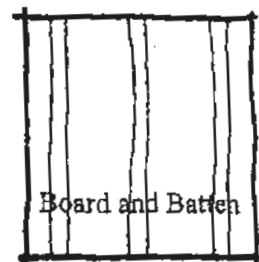
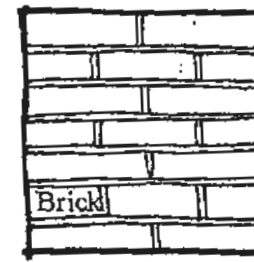
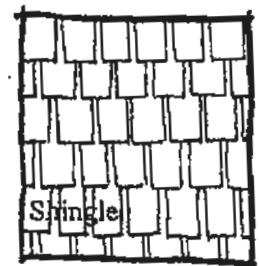
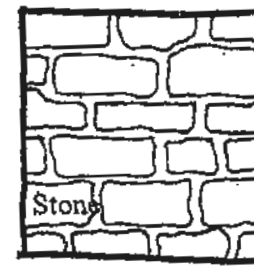
It is our intent in Anastasia Dunes to create a Florida community where the character of the exterior building components is in harmony with the natural setting.

Masonry building materials such as stucco, stone, brick, and tabby, are traditionally used as a foundation material because they appear more structurally stable and permanent. Contemporary concrete block foundation wall systems shall be clad in one of these materials. Exposed CMU walls are not permitted. The masonry materials listed above as well as wood cladding are acceptable for use in Anastasia Dunes. The use of simulated wood materials requires prior approval by sample from the ARB. If a combination of masonry and wood materials is used, the masonry material should be used at the ground floor level and the wood materials should be used in the upper stories due to its lighter appearance. A variety of materials and textures in a design

can add to its appeal and where appropriate is encouraged. 'Hollywood'-style facades, where a finish material only wraps one side, are not allowed.

#### ■ *Some Exterior finish materials:*

- Wood Siding -- beveled, ship lapped, dropped siding, board and batten, etc.
- Wood Shingles
- Stucco -- sand finish, textured.
- Tabby -- crushed oyster shell, medium shell (submit samples to ARB for review)
- Coquina Shell -- (submit samples to ARB for review)
- Brick -- (painted is preferred)
- Concrete Fiberboard (Hardi- plank)-- siding/shingles(smooth side out, only)
- Stone -- Authentic Stone or Faux Stone (submit samples to ARB for review)



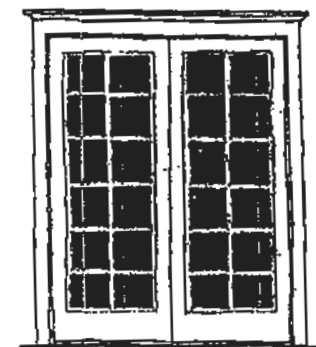
## Windows and Doors

Windows and doors are key design elements for establishing the unique style of a house. The exterior window and door treatment, or fenestration, should reflect the function of each space while unifying the entire design. The ordered arrangement of windows and doors will avoid the haphazard appearance of typical suburban design.

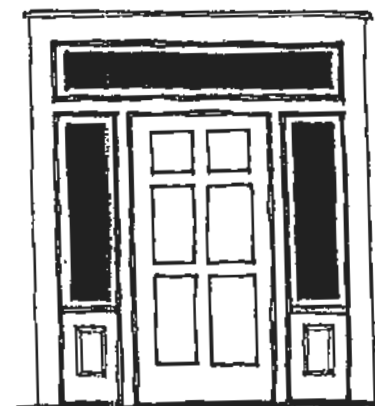
### ■ Doors

A primary design element of a house is the front door. Entry doors should be carefully planned to reflect the style of the residence and the personality of its owner. Doors may be painted wood, stained wood, fiberglass or painted metal. Sidelights and transoms are permitted if appropriate to the style of the house. Oversized, out of scale entries are not permitted.

Patio and french doors are also an important design element. These should have minimum side stiles and top rails of 3 ½" in width and bottom rails of 9" in width. Sliding glass doors are allowed only on rear elevations of houses and are required to have stile and rail profiles matching the french door requirements. Doors with art glass or decorative designs may be used if appropriate to the style of the house, however, these are required to be reviewed by the ARB.



French Patio Door



Front Door with Transom and Skylights

## Architectural Elements

### ■ Windows

Windows, window panes, and lights shall have proportions appropriate for the style of the house. The profile of the sashes and frames shall approximate the size and depth of traditional wood windows and should be made of painted wood, vinyl-clad wood, or aluminum-clad wood. See Approved Windows List.

Solid vinyl or solid aluminum windows are not allowed. Glass block, reflective window coatings, or oversized picture windows are not permitted.

Glass may be clear or tinted. Decorative or stained glass may be used if appropriate to the style of the house and must be submitted for review and approval by the ARB. If windows are designed with simulated divided lights they are required to have exterior applied muntins.

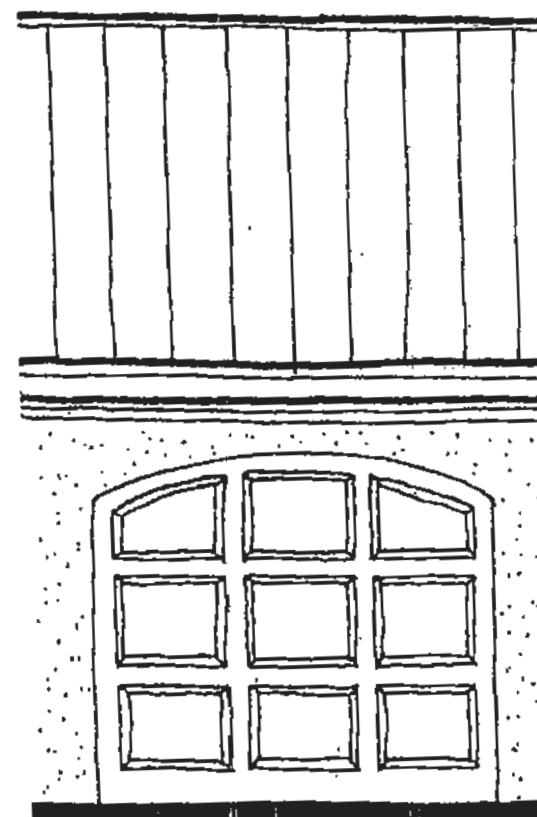
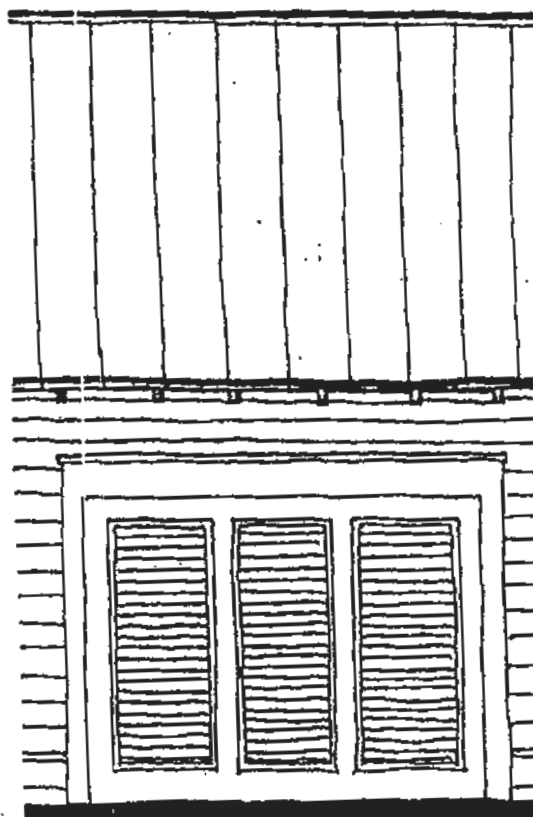




### ■ *Garage Doors*

At Anastasia Dunes it is our goal to minimize the impact of the automobile in this pedestrian-oriented neighborhood. Therefore, the detailing of garage doors is critical to soften their appearance. Garage doors are to be maximum 9' wide. Arched top doors are allowed if they are compatible with the main house. When using a pair of garage doors, provide a minimum of 16" between doors.

Garage doors may have glass lights or panes and must be wood or have applied wood trim to create a paneled or louvered appearance as appropriate to the style of the main house. Garage doors with metal or vinyl as the final exterior finish are not permitted. See also the Garage section under Site Planning for additional details regarding garages.



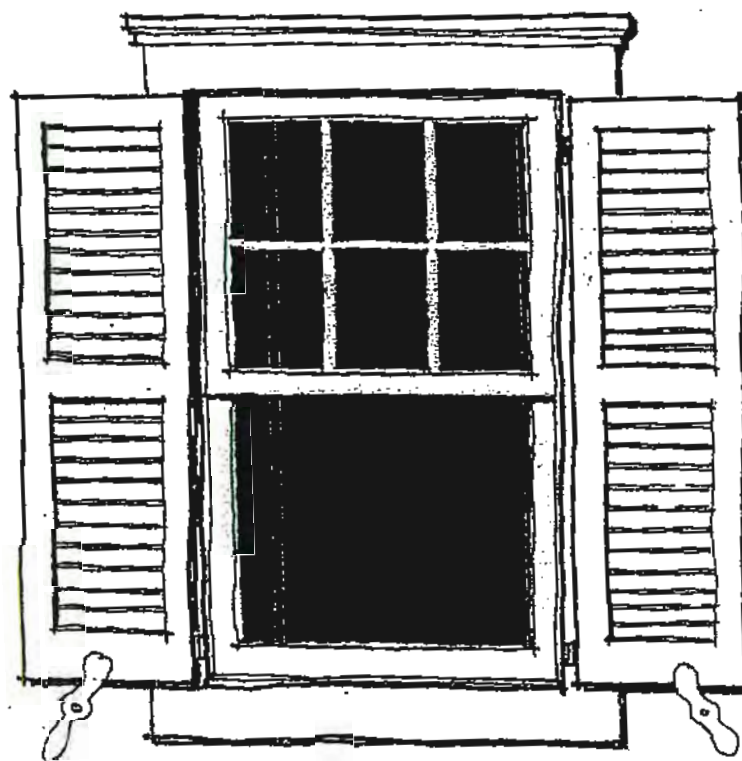
## *Architectural Elements*

### ■ *Shutters*

In sunny Florida operable shutters are one of the primary ways to shade and protect window openings. Shutters are encouraged to be operable and are required to be sized so that when closed they fit completely over the associated window. Decorative fixed shutters are required to be mounted as if they were true operable shutters.

Shutters shall be designed to reflect the style of the house, with a louvered, paneled or plank design. They must also have hardware appropriate for the style and type of shutter including hinges, closures, and hold backs. Appropriate materials include painted wood or pre-finished metal. Vinyl, fiberglass, and composite material shutters may be allowed if presented for review by the ARB.

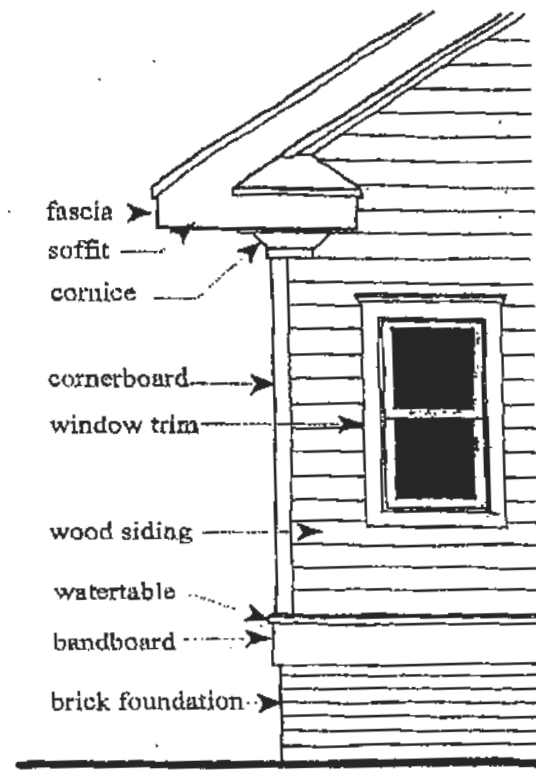
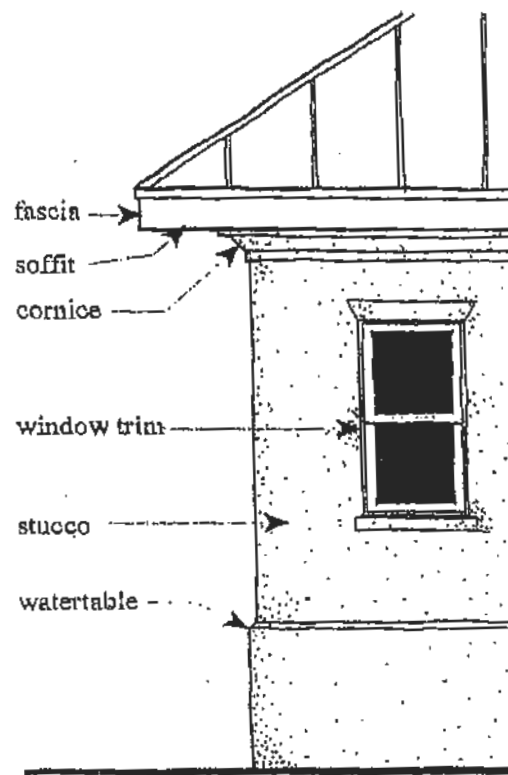
Hurricane shutters and/or storm panels are allowed but must be concealed and/or the mounting tracks and anchors be removable.



### *Trim and Decorative Elements*

Trim and decorative elements bring cohesiveness to an architectural design. Trim around doors and windows defines the openings; corner boards enhance the transitions between facades; and cornice/eave trim create the juncture between roofs and walls. All of these elements provide that level of detail which separates Anastasia Dunes from typical suburban developments.

Window and door trim design shall match the style of the house and trim materials shall be compatible with wall materials. Painted or stained wood, concrete fiberboard, and stucco are acceptable trim materials. A watertable, bandboard, or expanded base should be used to define the floor line of the house above the foundation wall and is required to be a material compatible with the wall material.



## Architectural Elements

### Paving

#### ■ Driveways

In Anastasia Dunes driveways can be surfaced in a variety of materials and styles. Plain concrete driveways are not permitted. However, panels of colored concrete bordered by bands of pavers or bands of colored concrete that frame panels of pavers are acceptable. The use of "grass block" pavers, concrete pavers, coquina finish concrete, stamped concrete, and traditional ribbon driveways are encouraged. Materials selected shall be compatible with the materials used on the house and are subject to ARB approval. Driveways shall be a maximum of 12'-0" wide as they pass through the right of way and must flare as they connect to the street.

#### ■ Walkways and Patios

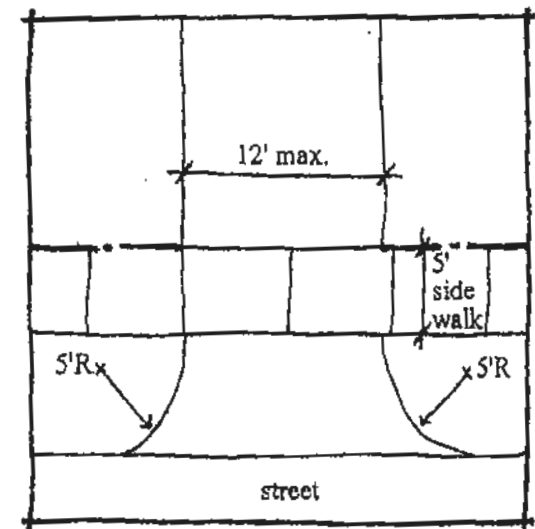
Walkways and patios can be a variety of materials, such as brick, coquina, concrete,

patterned concrete, pavers, or stone, subject to approval by the ARB. Materials selected shall be compatible with the materials used on the house.

#### ■ Sidewalks

As a pedestrian oriented neighborhood, sidewalks are an important element. Anastasia Dunes was designed with a series of sidewalks to provide safe walking paths around the community.

The Anastasia Dunes engineering plans indicate the locations where sidewalks are to be installed. It is the duty of the home owner to build the sidewalk in front of their house in the time frame indicated in the Covenants and Restrictions. All sidewalks shall be 5'-0" wide and shall be constructed of plain, unbordered concrete with tooled joints at  $\pm 8'-0"$  O.C. Coordinate installation of joints with adjoining property sidewalks.



Typical Driveway at Street

# MEMO

**To:** Max Royle, City Manager  
**From:** Bonnie Miller, Executive Assistant  
**Subject:** Final Development File No. FD 2019-01  
**Date:** Wednesday, June 19, 2019

Please be advised that at its regular monthly meeting held Tuesday, June 18, 2019, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted to recommend the City Commission approve a final development application submitted for modification to final development orders issued for Anastasia Dunes Subdivision, to allow an increase in impervious surface ratio for this subdivision in a low-density residential land use district.

The application was filed by James G. Whitehouse, Esquire, St. Johns Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for Anastasia Dunes Association Inc., Robert Dobson, Title President, 357 Ocean Forest Drive, St. Augustine Beach, Florida, 32080, pertaining to modification to Final Development File Nos. FD 99-08, FD 2000-04, and FD 2001-05, per Section 12.02.10.B of the City of St. Augustine Beach Land Development Regulations, to allow a maximum of 45 (forty-five) percent total lot coverage and a maximum of 55 (fifty-five) percent total impervious surface ratio coverage in Anastasia Dunes Subdivision, consisting of 138 single-family residential lots on approximately 72 acres in a low-density residential land use district, PERTAINING TO ANASTASIA DUNES UNITS 1, 2, AND 3, PARCEL IDENTIFICATION NUMBERS 172491-0001, 172491-0003, AND 172491-0005, RESPECTIVELY, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 40, PAGES 80-88, MAP BOOK 42, PAGES 14-18, AND MAP BOOK 46, PAGES 28-32, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Ms. Sloan made the motion to recommend the City Commission approve this final development application for modification to the above-referenced final development orders issued for Anastasia Dunes Subdivision to allow an increase in impervious surface ratio coverage to 50 (fifty) percent, with the stipulation that the current allowable lot coverage of 35 percent be maintained and not increased, and contingent upon the 20-plus acres currently designated as conservation land in this subdivision remaining intact, and if at any time any portion of this conservation acreage is modified to include impervious surface coverage, the modification to allow 50 (fifty) percent impervious surface ratio coverage shall be rendered null and void. Ms. Sloan's motion was seconded by Ms. Odom and passed 5-2 by voice-vote, with Ms. Odom, Ms. West, Ms. Sloan, Mr. Holleran, and Mr. Kincaid assenting, and Ms. Longstreet and Mr. Mitherz dissenting.



## MINUTES

### PLANNING AND ZONING BOARD MEETING

TUESDAY, JUNE 18, 2019, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

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#### I. CALL TO ORDER

Chairperson Jane West called the meeting to order at 6:02 p.m.

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Jane West, Vice-Chairperson Elise Sloan, Jeffrey Holleran, Hester Longstreet, Steve Mitherz, Roberta Odom, Kevin Kincaid, Senior Alternate Chris Pranis, Junior Alternate Dennis King.

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Building Official Brian Law, City Attorney James Wilson, Recording Secretary Lacey Pierotti.

#### IV. APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF MAY 21, 2019

**Motion:** to approve the minutes of the May 21, 2019 meeting. **Moved** by Ms. Odom, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

#### V. PUBLIC COMMENT

There was no public comment on any issue or item not on the agenda.

#### VI. NEW BUSINESS

- A. Land Use Variance File No. VAR 2019-11, for a rear yard setback reduction from 10 (ten) feet to 7 (seven) feet for a proposed pool screen enclosure addition to an existing single-family residence in a Planned Unit Development (PUD) on Lot 21, Seagrove Unit 1, at 525 Weeping Willow Lane, Patrick P. and Susan M. Murphy, Applicants

Mr. Law said on March 19, 2019, the Board granted a variance to these same applicants for a rear yard setback reduction from 10 to seven feet for a pool addition. The pool plans at that time were

submitted with a fence barrier around it, but since then, the applicants decided they want to put a screen enclosure around it. This property is subject to the Seagrove PUD ordinance, which states pools and enclosures must have 10-foot setbacks off property lines. As the variance for the pool was granted to reduce the rear yard setback to seven feet, the applicants are applying to reduce the rear yard setback for the pool enclosure to seven feet as well, to coincide with the pool. The rear of the property backs up to a waterway and the applicants have HOA approval for both the pool and pool enclosure. Staff has no objection to this as it doesn't impede on anyone.

Susan Murphy, 525 Weeping Willow Lane, St. Augustine Beach, Florida, 32080, applicant, said the pool was originally planned to have a fence around it, but as all the leaves from the live oaks started falling, she realized a screen enclosure was needed to be able to keep the pool clean.

Mr. Mitherz asked the height of the proposed screen enclosure.

Mr. Law said appears to be around 14 feet high, which is standard for a screen enclosure.

Ms. West said this is something the Board also granted recently for a property on Overdale Road.

**Motion:** to approve the variance application for 525 Weeping Willow Lane as requested. **Moved** by Mr. Holleran, **seconded** by Mr. Kincaid, **passed 7-0** by unanimous voice-vote.

- B. Final Development File No. FD 2019-01, for modification to final development orders issued for Anastasia Dunes Subdivision, to allow a maximum of 45 (forty-five) percent total lot coverage and a maximum of 55 (fifty-five) percent total impervious surface ratio coverage in Anastasia Dunes Units 1, 2, and 3, consisting of 138 single-family residential lots on approximately 72 acres in a low-density residential land use district, James G. Whitehouse, Esquire, St. Johns Law Group, agent for Anastasia Dunes Association Inc., Robert Dobson, Title President, Applicant

Mr. Law said Anastasia Dunes was built in three phases and has three final development orders, which clearly state the subdivision is in a low-density residential land use district. The final development orders provide flexible setbacks for preservation of trees and/or the natural topography only. At some point, buildings were allowed to exceed 35 percent lot coverage for residential properties and 40 percent impervious surface ratio (ISR) coverage for low-density residential land use districts. He turned down two houses submitted for new construction as they exceeded the maximum 35 percent lot coverage allowed, and this is what triggered this application to modify the final development orders. This isn't the only subdivision in this City with this predicament. Anastasia Dunes' HOA is trying to get the houses in compliance in the event of a natural disaster, so the homeowners can rebuild the homes that exceed 35 percent lot coverage and/or 40 percent impervious surface ratio (ISR) coverage. This subdivision was designed as a PUD, but it is not a PUD, and the HOA was reluctant to apply for a blanket variance because development orders are issued by the City Commission now and variances are usually considered on a case-by-case basis. May Management, the property management company for Anastasia Dunes HOA, has provided lot coverage and ISR calculations for all the existing structures.

Ms. West said she personally doesn't think it's fair if a homeowner's house had a fire and it couldn't be rebuilt on the same footprint. She asked if there is a way to craft language for a grandfathering allowance for the homes that have been built and don't meet the requirements.

Mr. Law said this was considered, but the Code is very specific and says once a structure is deemed substantially damaged it must conform with all current Land Development Regulations (LDRs). As

there are only 20 vacant lots left in Anastasia Dunes, a final development modification seemed like a better way to deal with this versus converting the subdivision it to a PUD at this stage.

James Whitehouse, Esquire, St. Johns Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for Anastasia Dunes Association Inc., applicant, said his client is asking for a modification to the final development orders, which he discussed along with a summary of the design and development of this subdivision. Per the final development orders, a total of 138 single-family residential lots were approved in three phases on a total of 72 acres, 20 acres of which are preserved as a conservation area. At this point in time, it doesn't really make sense to do a PUD, but the HOA wants to allow the 20 vacant lots to be developed like the other 118 that already have houses on them, and also because if anything happens to any of the houses that are already built but not in conformity with the Code, they can't be rebuilt as they are. The lot and ISR coverage calculations provided by May Management only show six homes over 35 percent lot coverage, so they only need an increase in lot coverage to 40 percent. Regarding ISR, over 50 of the existing homes exceed the allowable 40 percent ISR for low-density residential, so they're asking to craft some language to allow the homeowners to rebuild if anything were to happen. He said Mr. Law did a good job of summing up the dilemma, and it's not that they're not asking for these increases to get more space or build bigger houses. This subdivision was established almost 20 years ago, and they'd like to be able to build out the remaining lots in the same way.

Ms. West disclosed ex parte communication with Mr. Whitehouse earlier today pertaining to this application. She said she feels the requested modifications should be done as a blanket variance along the lines of the variance granted to the Ridge, and apply retroactively to the existing homes.

Mr. Whitehouse said Anastasia Dunes has a design code with a bunch of caveats, which makes it confusing, and he believes this is at least partly the reason why the subdivision was developed the way it was. If the 20 acres of conservation land was factored in with the rest of the acreage that has development on it, the lot coverage and ISR would comply with what the Code allows.

Ms. West said asked how they have an entire neighborhood nonconforming with ISR percentage.

Mr. Law said ISR can only be verified at time of permitting. Flatwork is exempt from permitting and the LDRs say anything less than 12 inches off the ground doesn't need a permit, so a lot of low-density residential properties exceed 40 percent ISR in the City, and much of this has to do with the City's interpretation of what's permeable. Pools at one time weren't calculated as part of ISR coverage, but this was changed at some point and this threw things off. Also, the properties that exceed lot coverage and/or ISR also had to go through the HOA and be stamped approved.

Mr. Mitherz said why it wasn't noticed that the final development orders, with all their amendments, were violated, how it got to this point, and why it's only now being addressed.

Ms. West asked why no citations were issued to the HOA for this.

Mr. Law said he can't issue a citation to a permit legally issued by the City. He's not willing to take on the HOA when the Building Department issued a permit with all the information at its disposal.

Mr. Whitehouse said to answer Mr. Mitherz's question, part of the reason this is being addressed now is due to the house that recently burned down in Anastasia Dunes. The owner wanted to rebuild the same house but was turned down by the Building Department because it couldn't meet Code, so the HOA is asking to modify the final development orders to bring the subdivision



into conformity and finish off the build-out of the vacant lots. This is a respected, gated community that brings in good property taxes because of the high house and property values.

Mr. Kincaid said there are only six lots that exceed 35 percent lot coverage, so roughly 85 percent don't exceed lot coverage. He asked why the HOA is asking to modify final development orders for the whole subdivision when most of it complies with the regulations. Catastrophic losses happen infrequently, so if someone has a total loss, like the house that burned down, they can come before this Board to ask for a variance to rebuild it, and he'd find it hard to believe they'd get turned down. As things like this rarely happen, he thinks variances should be considered on an individual basis, instead of asking to modify final development orders for the entire subdivision. If there is a natural disaster such as a hurricane, it isn't going to affect just this neighborhood, but the whole City, so he wants to make sure what's done in this subdivision doesn't set a precedent.

Mr. Whitehouse said lot coverage and ISR are two different things. Noncompliance with ISR coverage is really what the HOA would like to remedy, because there are over 50 houses that exceed the 40 percent maximum ISR. However, Anastasia Dunes is unique in that it has 20 acres of preserved conservation land, and if it were built today, he's sure it would be done as a PUD.

Ms. West asked what the restrictions are on converting the conservation area into other uses, and what steps the HOA would have to take to convert the conservation area into other uses that might be subjected to impervious surfaces being built on them.

Mr. Whitehouse said the 20 acres of conservation land is specified in the final development orders and couldn't be developed without applying for final development and plat modification.

Mr. Law said there is probably language in the final development orders and plat approvals for each phase of Anastasia Dunes that would prohibit that. Upland buffers can have no construction in them unless the plats are redone, which would require final development and plat modification which he expects would be turned down by both this Board and the City Commission. There is the option is to require every property owner who exceeds lot coverage and/or ISR coverage to apply for a variance, but the HOA is looking for a development-wide solution to fix the issues.

Mr. Kincaid said the vacant lots that aren't developed shouldn't be held to a standard the rest of the neighborhood wasn't held to, as he thinks this would change the community and the value of those properties by forcing them to be built alongside existing houses that are non-conforming.

Ms. West said that is a legitimate point and asked if they are going to treat one area of homeowners different from the rest of the homeowners in the community.

Ms. Longstreet said she knows it is time-consuming but thinks the subdivision should be redone as a PUD so they don't have other property owners in other subdivisions asking for the same thing.

Mr. Kincaid said roughly half of the properties in Anastasia Dunes are above 40 percent ISR coverage, so they are in violation but already built so they can't go back and redo them. He suggested a motion to allow 50 percent maximum ISR and no increase in the 35 percent maximum lot coverage, and anyone else who can't meet this should be encouraged to apply for a variance.

**Motion:** to recommend the City Commission approve modification of the final development orders for Anastasia Dunes Subdivision to allow an increase in ISR coverage to 50 (fifty) percent, with the stipulation that the current maximum lot coverage of 35 percent be maintained and not increased, contingent upon the existing 20-plus acres designated as conservation land remaining intact, and if at any time any portion of the conservation acreage is modified to include impervious

surface coverage, the modification to allow 50 (fifty) percent ISR shall be rendered null and void. **Moved** by Ms. Sloan, **seconded** by Ms. Odom, **passed 5-2** by voice-vote, with Ms. Odom, Ms. West, Ms. Sloan, Mr. Holleran, and Mr. Kincaid assenting, and Ms. Longstreet and Mr. Mitherz dissenting.

**VII. OLD BUSINESS**

There was no old business.

**VIII. BOARD COMMENT**

Ms. Odom asked if Panama Hattie's was going to open this week.

Mr. Law said no, as he understands, they're working on the parking lot and finishing up the exterior. Every agency is looking at it as far as inspections go, and it should be open soon.

Ms. West said once again, they have Styrofoam cups, and asked if she must buy the rest of the City's stock of cups to get rid of them, because she's sick of seeing them.

Mr. Law said he'll pass this on to Mr. Royle.

**IX. ADJOURNMENT**

The meeting was adjourned at 6:59 p.m.

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Jane West, Chairperson

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Lacey Pierotti, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122.)

**BEFORE THE CITY COMMISSION OF THE  
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

In re:

**APPLICATION OF JAMES G. WHITEHOUSE, ESQ.,  
ST. JOHNS LAW GROUP, AGENT FOR ANASTASIA  
DUNES ASSOCIATION INC., FOR MODIFICATION TO  
FINAL DEVELOPMENT FILE NOS. FD 99-08, FD 2000-  
04, AND FD 2001-05, PERTAINING TO ANASTASIA  
DUNES SUBDIVISION, ST. AUGUSTINE BEACH,  
FLORIDA 32080**

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**FINAL DEVELOPMENT ORDER FILE NO. FD 2019-01, APPROVING  
MODIFICATION TO FINAL DEVELOPMENT FILE NOS. FD 99-08, FD 2000-04, AND  
FD 2001-05**

This CAUSE came for public hearing before the City Commission of the City of St. Augustine Beach, Florida, on the 1<sup>st</sup> day of July, 2019, upon application of Final Development File No. FD 2019-01, by James G. Whitehouse, Esquire, St. Johns Law Group, agent for Anastasia Dunes Association Inc., Robert Dobson, Title President, 357 Ocean Forest Drive, St. Augustine Beach, Florida, 32080, for modification to Final Development File Nos. FD 99-08, FD 2000-04, and FD 2001-05, per Section 12.02.10.B of the City of St. Augustine Beach Land Development Regulations, to allow a maximum of 50 (fifty) percent total impervious surface ratio coverage, pertaining to Anastasia Dunes Subdivision, consisting of 138 single-family residential lots on approximately 72 acres in a low-density residential land use district. The City Commission having reviewed and considered the application, the report of the Building and Zoning Department, the recommendation of the Comprehensive Planning and Zoning Board of St. Augustine Beach, which reviewed and considered the application on the 18<sup>th</sup> day of June 2019, the testimony, statements, and evidence presented before the Comprehensive Planning and Zoning Board and the City Commission by the applicant and other persons speaking at the public hearing, including public comments, and the City Commission finding it has jurisdiction over this proceeding and that the required notices have been provided and were afforded to all parties, upon motion duly made, seconded and passed, the application was approved based upon the following findings of fact:

**FINDINGS OF FACT**

The City Commission finds that the final development modification of the final development orders described above for Anastasia Dunes Subdivision conforms to all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and, except as may be required to be cured herein, with all applicable City of St. Augustine Beach Land Development Regulations.

The application and accompanying documents submitted demonstrate the final development plan for the above-referenced property does not degrade the prescribed Levels of Service for the City of St. Augustine Beach and/or any interlocal agreement with St. Johns County concerning services or capacities which affect consistency and concurrency determinations.

Subject to the conditions hereinafter set forth, it is determined that this Final Development Order File No. FD 2019-01, prepared for the final development application submitted by James G. Whitehouse, Esquire, St. Johns Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for Anastasia Dunes Association Inc., Robert Dobson, Title President, 357 Ocean Forest Drive, St. Augustine Beach, Florida, 32080, unless modified by a subsequent final development order, is approved for Anastasia Dunes Subdivision, St. Augustine Beach, Florida, 32080, and shall not be effective except upon ratification of each and every one of the following conditions.

**ORDERED** as follows:

1. Nothing contained herein shall be deemed to waive the requirement that the proposed development comply with the State of Florida Building Codes and conform to all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, City of St. Augustine Beach Land Development Regulations, except as may be required to be cured herein.
2. The modification to the orders granted for Anastasis Dunes Subdivision per Final Development File Nos. FD 99-08, FD 2000-04, and FD 2001-05, is hereby granted by the St. Augustine Beach City Commission to allow all 138 single-family residential lots platted in Anastasia Dunes Subdivision to exceed the 40 (forty) percent maximum total impervious surface ratio coverage allowed in a low density residential land use district to allow 50 (fifty) percent maximum impervious surface ratio coverage.
3. The approval granted by the City Commission to allow 50 (fifty) percent maximum impervious surface ratio coverage for the 138 single-family residential lots in Anastasia Dunes Subdivision is contingent upon the 20-plus acres currently designated as conservation land remaining intact. If at any time any portion of this conservation acreage is modified to include impervious surface coverage, this final development modification order to allow a maximum of 50 (fifty) percent impervious surface ratio coverage shall be rendered null and void.
4. The maximum lot coverage of 35 percent for residential land use districts, per Section 3.02.04 of the City of St. Augustine Beach Land Development Regulations, shall be maintained and not increased.
5. Successors and assigns of the applicant/owner shall be bound by the terms and conditions of this Final Development Order. However, persons acquiring property do so with notice that although under appropriate circumstances, owners of property have vested rights, changes in the City of St. Augustine Beach Land Development Regulations affecting use would not be acquired under the transfer of ownership.

6. Any appeal of this decision may be made by filing an appropriate action with a court of competent jurisdiction within thirty (30) days of the date of this Order.

**DONE AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019, at St. Augustine Beach, St. Johns County, Florida.

**CITY COMMISSION OF THE CITY OF  
ST. AUGUSTINE BEACH, FLORIDA**


**Attest:** \_\_\_\_\_ **By:** \_\_\_\_\_  
**Max Royle, City Manager** **Undine C. George, Mayor**

THIS ORDER IS SUBJECT TO APPEAL PER THE PROVISIONS OF SECTION 12.06.04 OF THE CITY OF ST. AUGUSTINE BEACH LAND DEVELOPMENT REGULATIONS.

**Sec. 12.06.04.C.** *"Appeals from the decision of the City Commission shall be appealed to the circuit court."*

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 13, 2019

**SUBJECT:** Ordinance 19-03, Public Hearing and Final Reading: to Prohibit the Use of Polystyrene Containers and Single-Use Plastic Straws in the City

Attached (page 1-4) is the Ordinance, which you reviewed and passed on first reading without changes at your June 10<sup>th</sup> meeting.

Also, attached (pages 5-6) is Resolution 19-03, which you adopted on April 29, 2019. It encourages residents and businesses to discontinue the use of plastic straws and other plastic items.

A copy of the Ordinance and a notice of the July 1<sup>st</sup> public hearing concerning it have been sent to 40 restaurants in the City.

**ACTION REQUESTED**

It is that you hold the public hearing and decide whether to pass Ordinance 19-03 on final reading.

**CITY OF ST. AUGUSTINE BEACH, FLORIDA**

**ORDINANCE NO. 19-03**

**AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE CITY OF ST. AUGUSTINE BEACH CODE BY AMENDING ARTICLE V OF SECTION 13, PROHIBITING THE USE OF EXPANDED POLYSTYRENE CONTAINERS AND SINGLE-USE PLASTIC STRAWS BY RESTAURANTS WITHIN THE CITY; PROVIDING FOR SEVERABILITY, CODIFICATION, PENALTY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Augustine Beach declares that it is in the best interest of the public health, safety and welfare of its residents and visitors to reduce litter and pollutants on the land and in the waters of the City; and

**WHEREAS**, expanded polystyrene is a petroleum-based plastic, most commonly incorrectly referred to by the name of "Styrofoam," which is actually the proprietary trade name of a polystyrene foam product; and

**WHEREAS**, expanded polystyrene containers and single-use plastic straws are detrimental to the environment because they do not fully degrade, they overburden landfills, introduce unsafe chemicals into the environment, become litter and create hazards for land and aquatic animals due to ingestion, and create impediments to waste reduction and recycling goals, while creating unsightly litter; and

**WHEREAS**, use and distribution of expanded polystyrene containers and single-use plastic straws has a detrimental effect on the public health, safety and welfare of the City, County and State; and

**WHEREAS**, the City Commission of the City of St. Augustine Beach declares that it is in the best interest of the public health, safety and welfare of its residents and visitors to reduce litter and pollutants on the land and in the waters of the City; and

**WHEREAS**, expanded polystyrene and single-use plastic straws constitute a portion of the litter in the City's streets, parks, public places and waterways; and

**WHEREAS**, as an environmental leader among local governments in the State of Florida, the goal of the City is to replace expanded polystyrene and single-use plastic straws with recyclable or compostable alternatives whenever possible; and

**WHEREAS**, this Ordinance provides for a 1-year implementation period allowing for an extensive education campaign and for retail establishments to expand their current stock of expanded polystyrene and single-use plastic straws and transition to recyclable or compostable alternatives; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety and welfare of the City residents and visitors and future generations; and

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH:**

**SECTION 1.** That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

**SECTION 2.** That Chapter V, Articles 13-48 and 13-49 of the Code of the City of St. Augustine Beach, Florida, are hereby created to read as follows:

**ARTICLE V, PROHIBITION OF USE OR DISTRIBUTION OF EXPANDED POLYSTYRENE AND SINGLE-USE PLASTIC STRAWS**

**Sec. 13-48. – Prohibition on Use of Expanded Polystyrene and Single-Use Plastic Straws**

(a) *Definitions.* For the purposes of this section only, the following definitions should apply:

1. *Food service provider* means a person or entity that provides food directly to the consumer, regardless of whether such food is provided free of charge or sold, or whether consumption occurs on or off premises, or whether the food is provided from a building, pushcart, stand or vehicle. Food service providers include, but are not limited to, restaurants, cafes, sidewalk cafes, delicatessens, coffee shops, grocery stores, markets, supermarkets, drug stores, pharmacies, bakeries, caterers, gas stations, vending or food trucks or carts or cafeterias.
2. *Retail establishment* means any person or entity engaged in the retail sale of goods. Retail establishment includes any supermarket, grocery store, convenience store, shop, service station, restaurant, farmer's market vendor, and any other sales outlet where a customer can directly purchase goods, materials, and products.
3. *Expanded polystyrene* containers means plates, bowls, cups, containers. Lids, trays, coolers, ice chests, food containers and all similar articles that consist of blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including but not limited to fusion of polymer sphere (expandable bead foam), injection molding, foam molding and extrusion-blown molding (extruded foam polystyrene).
4. *Expanded polystyrene product* shall mean food containers, plates, bowls, cups, lids, trays, coolers, ice chests, "clamshells," and all similar articles that consist of expanded polystyrene.
5. *Single-use plastic straw* shall mean a plastic tube intended for transferring a beverage from its container to the mouth of a drinker.
6. *Special event permittee* means any entity or person, and their subcontractors, agents or property, in a City facility or in the City's right-of-way, for the promotion or sale of their products and/or business.

(b) *Prohibited Use of Expanded Polystyrene and Single-Use Plastic Straws; Penalties; Exceptions*

1. Special event permittees shall not provide expanded polystyrene and/or single-use plastic straws during special events as a condition of approval



2. Upon warning, the special event permittee must cease providing the expanded polystyrene and/or single-use plastic straws immediately. If the special events permittee does not do so he or she may be forced to discontinue the service, sale or participation in the special event.
3. A violation of this section shall constitute a City code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.

#### **Sec. 13-49. - Expanded Polystyrene and Single-Use Plastic Straws Prohibited;**

##### **Exceptions**

1. Although the discontinuation of the use of expanded polystyrene containers and single-use plastic straws is strongly encouraged, this article shall not apply to:
  - a. Expanded polystyrene containers used for prepackaged food that have been filled and sealed prior to receipt by the food service provider or retail establishment;
  - b. Expanded polystyrene containers used to store raw meat or seafood sold from a butcher case or similar refrigerated display or storage case;

#### **SECTION 3. PENALTIES.**

Any violation of this section shall be punishable as provided in Section 1-9 of this Code.

#### **SECTION 4. SEVERABILITY.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

#### **SECTION 5. REPEALER.**

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

#### **SECTION 6. CODIFICATION.**

It is the intention of the Commission of the City of St. Augustine Beach, Florida, that the provisions of this Ordinance shall become and be made part of the City of St. Augustine Beach Code of Ordinances immediately upon the signing of the Ordinance; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

#### **SECTION 7. EFFECTIVE DATE**

This Ordinance shall become effective upon adoption.

**PASSED** by the City Commission of the City of St. Augustine Beach, Florida upon second reading  
this \_\_\_\_ day of \_\_\_\_\_, 2019

**CITY COMMISSION OF THE CITY OF  
ST. AUGUSTINE BEACH**

**ATTEST:** \_\_\_\_\_  
City Manager, Max Royle

**BY:** \_\_\_\_\_  
Mayor, Undine C. George

**RESOLUTION NO. 19-03**

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

**RE: CONCERNING THE USE OF PLASTIC  
DRINKING STRAWS, STYROFOAM,  
PLASTIC STIR STICKS, AND SIMILAR  
PLASTIC ITEMS; ENCOURAGING  
BUSINESSES AND RESIDENTS TO  
DISCONTINUE THE USE OF PLASTIC  
DRINKING STRAWS, STYROFOAM,  
PLASTIC STIR STICKS, AND SIMILAR  
PLASTIC ITEMS IN WORKING  
TOWARD A CLEANER AND SAFER  
ENVIRONMENT, BEACH, OCEAN;  
AND PROVIDING AN EFFECTIVE  
DATE.**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on April, 29, 2019, resolves as follows:

**WHEREAS,** maintaining and enhancing the quality of the waters of the Atlantic Ocean as well as the beach is important to the quality of life enjoyed by the City of St. Augustine Beach residents, businesses, and visitors, as well as the health of the flora and fauna in those waters and the beach; and

**WHEREAS,** plastic drinking straws and styrofoam are provided by most establishments that offer cold drinks and plastic stirring sticks are provided for hot drinks offered by most establishments; and

**WHEREAS,** plastic drinking straws, styrofoam, plastic stirring sticks, and similar plastic items are not biodegradable and break down into smaller pieces that become more difficult to manage and clean up; and

**WHEREAS,** plastic drinking straws, styrofoam, plastic stirring sticks, and similar plastic items deposited on the beach or that wash up onto the beach pose a great threat to marine and other wildlife; and

**WHEREAS**, the cost of trying to make our beach and the ocean clean and safe increases, due in part, to the need to remove plastic drinking straws, styrofoam, plastic stirring sticks, and similar plastic items.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, as follows:

**SECTION 1.** All businesses are encouraged to discontinue providing plastic drinking straws, styrofoam, plastic stirring sticks, and similar plastic items.

**SECTION 2.** Businesses that provide a product for which a plastic straw, styrofoam, plastic stirring stick and similar plastic items would be desired are encouraged to offer paper straws, metal straws or other biodegradable items as substitutes, and to provide a plastic straw, styrofoam, or plastic stirring stick only upon individual request.


**SECTION 3.** City residents are encouraged to discontinue the use of plastic drinking straws, styrofoam, plastic stirring sticks, and similar items.

**SECTION 4.** The discontinuation of the use of plastic drinking straws, styrofoam, plastic stirring sticks, and similar plastic items is encouraged to be a part of everyone's effort to go "plastic free" in working towards a cleaner and safer environment, beach and ocean.

**SECTION 5.** This Resolution shall become effective immediately upon its passage and adoption.

**RESOLVED AND DONE**, this 29<sup>th</sup> day of April, 2019, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

**ATTEST:**

  
\_\_\_\_\_  
Max Royle, City Manager

  
\_\_\_\_\_  
Undine C. George, Mayor

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 13, 2019

**SUBJECT:** Ordinance 19-04, Public Hearing and Final Reading: to Prohibit the Sale, Use, and Distribution of Single-Use Plastic Bags by Retail Establishments in the City

Attached (page 1-4) is the Ordinance, which you reviewed and passed on first reading without changes at your June 10<sup>th</sup> meeting.

A copy of the Ordinance and a notice of the July 1<sup>st</sup> public hearing concerning it have been sent to 29 retail establishments in the City.

**ACTION REQUESTED**

It is that you hold the public hearing and decide whether to pass Ordinance 19-04 on final reading.

**CITY OF ST. AUGUSTINE BEACH, FLORIDA**

**ORDINANCE NO. 19-04**

**AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE CITY OF ST. AUGUSTINE BEACH CODE BY CREATING ARTICLE V OF SECTION 13, PROHIBITING SALE, USE AND DISTRIBUTION OF SINGLE-USE CARRYOUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS WITHIN THE CITY; PROVIDING FOR SEVERABILITY, CODIFICATION, PENALTY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Augustine Beach declares that it is in the best interest of the public health, safety and welfare of its residents and visitors to reduce litter and pollutants on the land and in the waters of the City; and

**WHEREAS**, distribution of single-use carryout plastic bags by retailers to consumers for use in carrying purchased goods has a detrimental effect on the environment of the City, County, and State; and

**WHEREAS**, discarded single-use carryout plastic bags contribute to overburdened landfills, threaten wildlife and marine life and degrade and litter the beaches and waters off the Florida coast, which include areas within the City; and

**WHEREAS**, single-use carryout plastic bags are photo-biodegradable and break down into smaller pieces which can make their way into the food chain via such animals as jellyfish and endangered sea turtles; and

**WHEREAS**, plastic bags constitute a portion of the litter in the City's streets, parks, public places and waterways; and

**WHEREAS**, as an environmental leader among local governments in the State of Florida, the goal of the City is to replace single-use carryout plastic bags with reusable, recyclable, or compostable alternatives whenever possible; and

**WHEREAS**, retail establishments such as ALDI, Trader Joes, and Whole Foods have successfully incorporated programs that encourage the use of reusable and/or recyclable alternatives to single-use carryout plastic bags; and

**WHEREAS**, this Ordinance provides for a 1-year implementation period allowing for an extensive education campaign and for retail establishments to deplete their current stock of single-use carryout plastic bags and transition to reusable or compostable alternatives; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety and welfare of the City residents and visitors and future generations; and

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH:**

**SECTION 1.** That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

**SECTION 2.** That Chapter V, Articles 13-44 thru 13-48 of the Code of the City of St. Augustine Beach, Florida, is hereby created to read as follows:

**ARTICLE V, PROHIBITION OF USE OR SALE OF CERTAIN SINGLE USE PLASTIC PRODUCTS**

**Sec. 13-44. – Prohibition on Use of Single-Use Carryout Plastic Bags**

(a) *Definitions.* For the purposes of this section only, the following definitions should apply:

1. *Single-use carryout plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags, as defined above, provided to an individual to transport items provided free of charge, including but not limited to, samples and informational materials.
2. *City facility* includes, but is not limited to, any building, structure or park owned, operated or managed by the City.
3. *Special event permittee* means any entity or individual, and their subcontractor(s), who has been issued a special event permit by the City for a special event on City property, in a City facility or in the City's right-of-way, for the promotion or sale of their product(s) and/or business(es).
4. *Compostable carryout bag* means a bag that (1) conforms to the current ASTM D6400; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials.

(b) *Prohibited Use of Plastic Bags; Penalties; Exceptions*

1. Special event permittees shall not provide items in single-use carryout plastic bags during special events as a condition of approval.
2. Upon warning, the special event permittee must cease providing the single-use carryout plastic bags immediately. If the special events permittee does not do so he or she may be forced to discontinue the service, sale or participation in the special event.
3. A violation of this section shall constitute a City code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.
4. *Exceptions.* This prohibition shall not apply to Exempt Bags or other types of single-use plastic bags used, provided or given out by individuals who are special events permittees for the purpose of hosting a small private event (100 people or less) (e.g. birthday party, family reunion).

**Section 13-45. – Sale, Use or Distribution of Single-Use Carryout Plastic Bags by retail Establishments within the City**

For purposes of this section only the following definitions should apply:

- (a) *Customer* means any person purchasing goods from a retail establishment.
- (b) *Single-use carryout plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags provided to a customer to transport items provided free of charge, including but not limited to, samples, and informational materials.
- (c) *Exempt bag* means (1) a compostable carryout bag (as defined 13-44(a)(4) above; (2) a bag used to protect food or merchandise from being damaged or contaminated by other food or merchandise, when items are placed together in a reusable bag, including produce bags; (3) a bag used to hold prescription medications dispensed from a pharmacy or veterinary office; (4) designed to be placed over articles of clothing on a hanger, including dry cleaning bags; (5) door hanger bags; (6) newspaper bags; (7) garbage bags; (8) pet waste bags; (9) yard waste bags; (10) bags of any type that a customer previously owned and brings to a retail establishment for his or her own use in carrying away store goods.
- (d) *Reusable bag* means a bag with handles that is specifically designed and manufactured for multiple reuses and made of durable material specifically designed for and provided to consumers with the intention of multiple, long-term use and does not include any film plastic bags.
- (e) *Recyclable paper bag* means a bag that contains a minimum average of forty percent (40%) post-consumer recycled materials and displays the minimum percent of post-consumer content on the outside of the bag.
- (f) *Compostable carryout bag* means a bag that (1) conforms to the current ASTM D6400; (2) is certified (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic, compounds and biomass at a rate consistent with known compostable materials.
- (g) *Retail establishment* means any entity or individual engaged in the retail sale of goods. Retail establishment includes any supermarket, grocery store, convenience store, shop, service station, restaurant, farmers' market vendor, and any other sales outlet where a customer can directly purchase goods, materials, and products.

**Sec. 13-46. – Single-Use Carryout Plastic Bags Prohibited; Exceptions**

- (a) No retail establishment shall provide to any customer a single-use carryout plastic bag, unless noted in exceptions below.
- (b) Exceptions: Although the discontinuation of the use of single-use carryout plastic bags is strongly encouraged by the City of St. Augustine Beach, this article shall not apply to Exempt Bags defined in Section 13-45(c) above.
- (c) Retail establishments can propose innovative and creative environmentally sustainable alternative programs that eliminate the use of single-use plastic bags. After being submitted, the program is reviewed by City staff for approval. Each program is reviewed on a case by case basis.



**Sec. 13-47. – Use of reusable bags**

Retail establishments are strongly encouraged to educate their staff to promote reusable bags and to post signs encouraging customers to use reusable bags. Should retail establishments provide carryout bags, they shall be reusable, compostable carryout bags and/or recyclable paper bags free of charge or for a fee as determined by the merchant. Retail establishments may keep any fees charged for providing such bags to offset the cost of providing the bag.

**SECTION 3. PENALTIES**

Any violation of this section shall be punishable as provided in Section 1-9 of this Code.

**SECTION 4. SEVERABILITY.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 4. REPEALER.**

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

**SECTION 5. CODIFICATION.**

It is the intention of the Commission of the City of St. Augustine Beach, Florida, that the provisions of this Ordinance shall become and be made part of the City of St. Augustine Beach Code of Ordinances immediately upon the signing of the Ordinance; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 6. EFFECTIVE DATE**

This Ordinance shall become effective upon adoption.

**PASSED** by the City Commission of the City of St. Augustine Beach, Florida on second reading this \_\_\_\_ day of \_\_\_\_\_, 2019.


**CITY COMMISSION OF THE  
CITY OF ST. AUGUSTINE BEACH**

**ATTEST:** \_\_\_\_\_  
Max Royle, City Manager

**BY:** \_\_\_\_\_  
Undine C. George, Mayor

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 17, 2019

**SUBJECT:** Ordinance 19-08, Public Hearing and Second Reading, to Establish Resident Only Parking Permit System

The Ordinance is the result of several months of discussion. At your June 10<sup>th</sup> meeting, you reviewed a draft of it with the City Attorney, made changes, and passed it on first reading. The minutes of that part of the meeting when you discussed Ordinance 19-08 and Ordinance 19-09, which is also scheduled for a public hearing at your July 1<sup>st</sup> meeting, are attached as pages 1-3. Ordinance 19-08 is attached as pages 4-9.

**ACTION REQUESTED**

It is that you hold the public hearing and pass Ordinance 19-08 on its second and final reading.

As the Ordinance references a resolution, the resolution will be prepared for your August 5<sup>th</sup> meeting.

XII. OLD BUSINESS

7. Ordinances Related to Parking: Ordinance 19-08, First Reading, to Establish Resident Only Parking Permit System, and Ordinance 19-09, First Reading, to Change Parking Regulations in Chapter 19 of the City Code and to Prohibit Overnight Parking on Public Property in certain areas (Presenter Jim Wilson, City Attorney)

Mayor George introduced Item 7 and asked City Attorney Wilson to give his report.

City Attorney Wilson explained that he made the changes to both ordinance from the minutes as requested by the Commission at the previous meeting.

Mayor George opened the Public Comments section. The following addressed the Commission:

Brud Helhoski, 691 A1A Beach Blvd., St. Augustine Beach, FL, advised that overnight parking should not penalized someone who decided to take an uber or taxi because they are intoxicated.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Mr. Helhoski because it is a safety issue. He doesn't agree with the paid parking and the residential ordinance should be tabled forever.

Mayor George closed the Public Comments section and asked City Attorney Wilson whether the City is obligated to hire a Parking Enforcement Specialist.

City Attorney Wilson advised no the City is not obligated, but just giving the designation and establishment of the position.

Mayor George commented that the City could give those duties to a current employee without hiring someone in a new position.

Mayor George asked if the City Manager could have the authority to waive the fee if they took a cab home because they were intoxicated.

Commissioner Kostka suggested establishing a pass from a business to give to the customer the ability to stay in the parking lot.

Commissioner Rumrell advised that public safety is a priority. He suggested if there is a car in the parking lot for multiple nights they could get a ticket. He advised that the discussion started over camping overnight.

Commissioner Kostka suggested changing the wording to no overnight camping.

Vice Mayor England suggested in Ordinance 19-09 deleting under 19-32, (b) instead of complicating the matter.

Mayor George asked City Attorney Wilson if he thinks the ordinance is okay the way it is drafted.

City Attorney Wilson advised it should be okay and could be changed at any time if there are problems.

Police Chief Hardwick advised there is a secondary backup which is a red tag. The Police Department imputes the red tag into their system and if the car is not moved in 72 hours, it will be towed. He commented that he likes the ordinance as it is drafted.

Commissioner Samora asked if overnight parking would be enforced by Pier Park since Embassy Suites guests sometimes park there.

Mayor George advised that Pier Park is public, so it would apply.

Police Chief Hardwick advised that the City has a current Memorandum of Understanding with the County and City of St. Augustine's Police Departments to be able to enforce parking citations. Our Police Officers write citations in the Pier Park parking lot.

Discussion ensued regarding not too many problems with overnight camping; recreational vehicles take up so many parking spaces; parking lot on Pope Road being used by Embassy Suites clients; signs being placed to stop parking on Pope Road; Police Department has all the tools needed to stop overnight camping; and changing the time to 24 hours from 5 p.m. to 5 a.m.

Discussion ensued regarding deleting in Ordinance 19-09, Section 19.32 (b), to amend the time from 48 hours to 24 hours from 5 p.m. to 5 a.m., and to amend the language to say upon any street and/or plazas east or west of A1A Beach Boulevard.

Discussion ensued regarding long-haul trucks parking at city hall occasionally.

Mayor George recapped the amendments as in Ordinance 19-09, Section 19.32 (a) to immediately following "upon any street or plazas, east or west on A1A Beach Boulevard in Ocean Hammock Park and any area designated for paid parking."

City Attorney Wilson read the titles of Ordinance 19-09.

**Motion:** to approve Ordinance 19-09 with the modifications previously stated including Section 7, Section 19-32 (a) be amended that after the word upon any street to include the language "or plazas east or west of A1A Beach Boulevard and Ocean Hammock Park and any areas designated for paid parking" and removing Section 19-32 (b) and changing in Section 19-32 (a) from 48 hours to 24 hours. **Moved by** Mayor George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Ordinance 19-08.

City Attorney Wilson read the title of Ordinance 19-08.

Discussion ensued regarding Sections 19.59 and 19.60 having the same title.

City Attorney Wilson advised that he would change one of the titles.

Commissioner Samora asked if zoning permits would be applicable to transient rentals.

Mayor George advised that that refers to parking zones by street, not lot zones. She advised that her intent was that it would not apply to transient rentals.

Discussion ensued regarding whether the owners have guests; how many permits would be issued to each property owner; what about the fees for the permits; permit system that would only be adopted by the owners on that street on a voluntary basis; Administration needing to

manage the permits; not issuing guest permits; No Parking signs are working; creating operating procedures to implement permits; consider one street to test this system first before it goes Citywide; working with the residents door-to-door to see what streets want signs; leaving the effective date on the ordinance, but don't create the zones until the operational procedures are done; putting on the webpage information informing the residents that this ordinance will be in effect if they would like to voluntarily have it for their street; and enforcing the permit system with improper parking.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-08. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item 11.

## **ORDINANCE 19-08**

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, CREATING A RESIDENTIAL PARKING PERMIT PROGRAM; PROVIDING THAT IT IS IN THE PUBLIC'S BEST INTEREST TO PRESERVE THE RIGHTS OF RESIDENTS PARKING IN CERTAIN CONGESTED AREAS; PROVIDING GUIDELINES FOR THE CREATION OF RESIDENTIAL PARKING AREAS; PROVIDING FOR DESIGNATION OF AREAS; PROVIDING FOR ISSUANCE OF PERMITS; PROVIDING FOR GUIDELINES AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.**

### **RECITALS**

**WHEREAS**, the City of St. Augustine Beach has a number of residential areas which are near commercial establishments and the beaches, which attract a number of visitors and tourists to those areas; and

**WHEREAS**, the large numbers of tourists and visitors that flock to the City during special events and holidays, which places a strain upon the City resources; and

**WHEREAS**, the use of city narrow City rights of way for parking by tourists and visitors tends to adversely affect the quality of life for owners and residents living on those residential streets by creating traffic congestion, restricting access to and from their homes, restricting access of emergency vehicles to such areas and otherwise adversely affecting the safety and welfare of the residents; and

**WHEREAS**, to protect the safety, welfare and quality of life for the residents, the City Commission finds it necessary to allow for the creation of residential parking areas in certain impacted areas.

**BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA:**

Section 1. Sections 19-52 through 19-61 are hereby created, as follows:

#### **Section 19-52. -Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Residential permit parking area means that land containing streets or parts of streets primarily abutted by property that has zoning district designations, which includes residences as

a permitted use on the official zoning map book. The city manager designates residential permit parking (RPP) areas pursuant to criteria and procedures established in this article.

Residential permit parking zones and zones mean specific locations within the area. Any area may have more than one zone.

Other vehicle means a motor vehicle parked in an area or zone by a person who is not a resident and/or property owner in the area or zone and who has not obtained a permit for the motor vehicle that is so parked.

Permit means a permit issued for parking on a city street in a designated area or zone. The permit shall be displayed on the left front dashboard of the vehicle.

Program year means the time beginning January 1 and ending December 31 of that year.

Property owner means a person who can provide proof of property ownership in an area.

Resident means a person who resides in an area.

**Sec. 19-54. - Purpose and exercise of authority to control vehicular traffic in certain congested areas.**

- (a) The city commission finds and declares that it is in the best interest of the city to reduce vehicular congestion on designated city streets and to facilitate the efficient movement of traffic by providing for parking preference within certain areas meeting the criteria set forth in this article and that controlled vehicular decal/permit parking regulation is necessary to promote the health, safety and welfare of the city's residents.
- (b) While providing adequate parking spaces adjacent to or close by residences in the affected area, it is in the public interest to:
  - (1) Reduce hazardous traffic conditions resulting from the use of streets located within congested areas for the parking of vehicles by persons using such residential areas to gain access to other places;
  - (2) Protect those areas from excessive noise;
  - (3) Protect the residents of those areas from unreasonable burdens in gaining access to their residences and preserve the character of those areas;
  - (4) Promote efficiency in the maintenance of those streets in a clean and safe condition;

- (5) Preserve the value of the property in those areas;
- (6) Preserve the safety of children and other pedestrians; and
- (7) Promote traffic safety, clean air and comfort, health, convenience and welfare of the city's inhabitants.

**Sec. 19-55. - Guidelines.**

- (a) Generally. The detailed operational guidelines for an area or zone designated pursuant to this article shall be established and approved by the city manager and shall be on file in the traffic engineering division.
- (b) Parking permit fees. The annual fee and renewal fee for permits shall be enacted by the city commission by resolution.
- (c) Penalties, liability and enforcement. Penalties, liability and enforcement shall be as follows:
  - (1) Anyone violating or failing to comply with any of the requirements of this article shall be guilty of violation of this Code, subject to the penalties of Section 19-23 and 19-24 of this Code of this chapter.
  - (2) Any person parking or failing to remove a vehicle without a permit in an area or zone during the time prohibited shall be deemed to have committed a violation and shall be punished pursuant to subsection 19-23 and 19-24 of this Code.
  - (3) In addition, or as an alternative to subsection (c)(2) of this section, an unattended vehicle without a valid permit properly displayed in an area or zone during a prohibited time may be removed and impounded pursuant to subsection 19-31(d).

**Sec. 19-56. - Exceptions.**

Marked vehicles of public safety and public service agencies shall be exempt from this article. Unmarked public safety and public service vehicles shall be issued permits without charge for official use only. Public service vehicles shall be limited to governmental and franchised public utility vehicles.

**Sec. 19-57. - Designation of areas.**



After following the procedures set out in this article, the city manager or thereon designee is authorized to post signs establishing residential parking zones. Vehicles may be restricted from parking in such areas unless bearing a valid permit issued pursuant to this article. This authority shall be in addition to any other authority the city commission may have to regulate times and conditions of motor vehicle parking on public streets.

**Sec. 19-58. - Criteria and procedures for establishing areas.**

A section of the city shall be eligible for designation as a residential permit parking area based upon the following criteria and procedures:

- (1) The city commission shall request, or the city manager may conduct, upon his own initiative or upon receipt of a petition from Sixty Percent (60%) of the property owners, in such a proposed area, a study to determine if the proposed area meets the criteria established by this article. Following the study and upon approval by the city manager, the section under consideration is designated as a residential parking area.
- (2) In determining whether a proposed area identified is eligible for designation as an area, the city manager shall consider any relevant factors which include but are not limited to the following:
  - a. The extent of the desire and need of the property owners and/or residents for a residential permit parking as evidenced by receipt of verified petitions as provided for in this section;
  - b. The extent to which legal on-street parking spaces are occupied by motor vehicles during the period proposed for parking regulations;
  - c. The extent to which vehicles parking in the area during the period proposed for parking regulations are other vehicles rather than vehicles owned by residents, owners or guests;
  - d. The extent to which motor vehicles registered to persons residing in the area cannot be accommodated by the number of available off-street parking spaces; and
- (3) The city manager shall cause parking signs to be erected upon the public streets in the area, indicating the times, locations and conditions upon which parking shall be by permit only. When an area has been approved, designated and posted as an area, it shall be unlawful and a violation of this article to park a vehicle in an area without displaying a valid parking permit.
- (4) The city commission or manager is authorized to remove the designation of an area upon request of Sixty Percent (60%) of the residents on any street so designated or upon a determination that the permit system no longer serves the intended purpose.

#### **Sec. 19-59. – Requirements for permits.**

Upon designation of a permit parking area or zone, the owner or resident shall be issued the appropriate permit upon application. A permit shall be issued only to the owner or operator of the motor vehicle who resides in that area. The application for a decal shall contain the name of the owner or operator of the motor vehicle; residential address; and the motor vehicle's make, model, registration, and tag number. The current motor vehicle registration shall be required and presented at the time of making an application to verify the contents of the application. If the vehicle is registered at an address other than the local residence, the applicant must provide other sufficient proof acceptable showing residency within the area. If the name of the registration is different from the applicant, a notarized letter must be obtained from the owner of the vehicle establishing permission to use the vehicle. The permit will be valid for a program year and shall be renewed for each successive program year if proof of residency can be provided, except that residents who own their residences are eligible for three-year decals. After the initial permit has been issued, any renewal of the permit shall be affixed to the vehicle no later than January 15 of the applicable program year.

#### **Sec. 19-60. - Issuance of permits.**

Upon designation of a permit parking area or zone, permits meeting the following criteria shall be issued to residents, property owners, visitors and/or persons with a business or community facility in the area or zone for an extended period.

- (1) Permits are issued to residents in the area for use for parking in the public right-of-way. Two permits can be obtained per residence for a program year.
- (2) It shall constitute a violation of this article for any person to falsely represent himself as eligible for a permit or to furnish any false information in an application in order to obtain a decal/permit.
- (3) Permits shall be transferable to any purchaser of the property and may not be retained by any former property owners.

#### **Sec. 19-61. - Fee schedule.**

A schedule of fees is imposed for the purchase of permits shall be adopted by resolution.

**SEVERABILITY.** If any phrase, clause, sentence, subsection, section, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such

invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining phrases, clauses, subsections, or provisions of this Ordinance.

**CODIFICATION.** This ordinance shall be incorporated into the Code of the City of St. Augustine Beach. Any section, paragraph, number, letter and/or heading may be changed or modified as necessary to effectuate the forgoing. A copy of this Ordinance shall be maintained in the offices of the City Clerk.

**EFFECTIVE DATE.** This ordinance shall take effect upon passage.

**PASSED** by the City Commission of the City of St. Augustine Beach, Florida, upon Second Reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY COMMISSION OF THE CITY  
OF ST. AUGUSTINE BEACH**

**ATTEST:** \_\_\_\_\_  
Max Royle, City Manager


**By:** \_\_\_\_\_  
Undine C. George, Mayor

First reading: \_\_\_\_\_

Second reading: \_\_\_\_\_

# MEMORANDUM

**TO:** Mayor George  
 Vice Mayor England  
 Commissioner Kostka  
 Commissioner Samora  
 Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 17, 2019

**SUBJECT:** Ordinance 19-09, Public Hearing and Second Reading, to Change Parking Regulations in Chapter 19 of the City Code

The Ordinance is the result of several months of discussion. At your June 10<sup>th</sup> meeting, you reviewed a draft of it with the City Attorney, made changes, and passed it on first reading. The minutes of that part of the meeting when you discussed it have been provided for in your discussion of Ordinance 19-08. Ordinance 19-09 is attached as pages 1-4.

## ACTION REQUESTED

It is that you hold the public hearing and pass Ordinance 19-09 on its second and final reading.

ORDINANCE NO. 19-09

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING CHAPTER 19 ARTICLE 1 OF THE CODE OF THE CITY TO DELETE OBSOLETE SECTIONS; TO CREATE THE POSITION OF PARKING ENFORCEMENT SPECIALIST; PROHIBITING OVERNIGHT PARKING IN CERTAIN AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH FLORIDA:

Section 1            Section 19-2 is hereby amended to read as follows:

Section 19-2-Towing

AN ORDINANCE

Law enforcement officers shall utilize only wrecker operators, wrecker equipment, and storage facilities which are approved by the county department of public safety as qualified under County Ordinance No. 2015-50 ~~85-9~~, for towing or moving of wrecked, disable, stolen or abandoned motor vehicles in the event the owner or operator of the vehicle is incapacitated, unavailable, or leaves the procurement of wrecker service to the discretion of a law enforcement officer.

Section 2            Section 19-4 is hereby deleted in its entirety:

~~Section 19-4-Violation of Chapter 316 Florida Statutes as City Code Violation~~

- ~~(a) State traffic infraction. It shall be unlawful for any person to commit, within the corporate limits of the city, any act which is or shall be recognized by FS. Ch. 316 as a traffic infraction or misdemeanor.~~
- ~~(b) Enforcement. Violations hereof may be enforced as provided in section 1-9 of this Code.~~

Section 3            Section 19-24 (a) shall be amended as follows:

Section 19-24-Penalties

- (a) Any person issued a city parking ticket by a ~~code-parking~~ enforcement specialist or law enforcement officer shall be deemed to be charged with a noncriminal violation and shall comply with the directions of the ticket. In

the event that payment is not received, or a response to the ticket is not made within the time period specified thereon, the court or its traffic violations bureau, shall notify the registered owner of the vehicle which was cited by certified mail or by service of notice by sheriff's deputy, of the ticket. Upon receipt of the notification, the registered owner shall comply with the court's directive. In computing any period of time prescribed for payment of fines, Saturdays, Sundays, and holidays observed by the office of the city manager shall be excluded in the computation. If the fine is paid by mail, the date of payment shall be deemed to be the date of the official postmark on the envelope.

Section 4                      Section 19-27 shall be amended as follows

Section 19-27-Impounding vehicles illegally parked

The parking enforcement specialist and members of the police department shall be vested with the authority to impound any unoccupied vehicle parked in violation of any of the parking ordinances of the city and to release such vehicle to the duly identified owner thereof, subject, however, to the payment of a court fine and to the payment of storage, towing and other impounding charges.

Section 5                      Section 19-30 (c) and (d) shall be amended as follows:

Section 19-30-Standing or parking prohibited in specified places

- (c) Whenever a parking enforcement specialist or any police officer finds a vehicle standing or parking upon a roadway in violation of any of the foregoing provisions of this chapter, the officer is authorized to move the vehicle, or require the driver or other persons in charge of the vehicle to move the vehicle to a position off the paved or main traveled part of the roadway.
- (d) If the parking enforcement specialist or police officer cannot move the vehicle, the officer is authorized to have it towed to a convenient place designated by the chief of police, and the owner of the vehicle shall be liable for the cost of such removal and storage, if any. The owners of the vehicle shall also be subject to the penalties provided in sections 19-23 and 19-24 of this chapter.

Section 6                      Section 19-31 (e) shall be amended as follows:

Section 19-31 Streets, rights-of-ways, etc.; stopping, standing or parking prohibited

- (e) "Tow-away zone" means a zone where no parking, stopping or standing is permitted as indicated by proper signs , and where vehicles parked in violation of the signs are towed away to keep the roadway clear for traffic movement. No person shall stand or park, allow, or permit any vehicle registered in his name to stand or park on any of the ways or parts of ways hereinafter described and during the periods of time set forth. Vehicles found in violation of the provision of this section except those specifically exempted by law shall be removed ~~a convenient place designated by the chief of police~~ and the owner of the vehicle so removed or towed away shall be liable for the cost of such removal and storage, ~~is any, within the limits set forth in section 19-226.~~ The owner of any vehicle removed or towed away under the provisions of this section shall also be subject to the penalties provided in sections 19-23 and 19-24 of this chapter. The cost of removal and storage by an independent contractor shall be the dee established thereof by contract.

The parking enforcement specialist, chief of police of the police department or such sergeants or other officers of higher rank in the police department as he may from time to time designate, is hereby authorized to remove to some convenient place through the agency of a person or persons in the employ of the police department or by an independent contractor selected in accordance with all applicable provisions of the general laws and the revised ordinances as in effect at the time of the award of the contract on the basis of competitive bids, any vehicle parked or standing on any part of any way under the control of the city which shall have been designated as a tow-away zone.

Section 7                      Section 19-32 shall be amended as follows:

Sections 19-32-Extended parking prohibited

- (a) It shall be unlawful for any person to park a vehicle for more than twenty-four (24) hours continuously in the same location upon any street where the parking limit time is not otherwise designated.
- (b) Overnight camping on plazas east and west of A1A Beach Boulevard, in Ocean Hammock Park and any area designated for paid parking is prohibited.

SEVERABILITY. It is the intent of the City Commission of the City of St. Augustine Beach, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**CODIFICATION.** This ordinance shall be incorporated into the Code of the City of St. Augustine Beach and a copy hereof shall be maintained in the office of the City Clerk.

**EFFECTIVE DATE.** This ordinance shall take effect upon its being adopted.

**PASSED** by the City Commission of the City of St. Augustine Beach, Florida upon Second Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

**CITY COMMISSION OF THE  
CITY OF ST. AUGUSTINE BEACH**

**ATTEST:** \_\_\_\_\_

City Manager, Max Royle

**BY:** \_\_\_\_\_

Undine C. George, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_



**MEMORANDUM**

**Date:** June 24, 2019

**To:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Rumrell  
Commissioner Samora

**From:** Max Royle, City Manager 

**Subject:** Streaming of City Meetings: Review of Responses Received to City's Request for Proposals

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BACKGROUND

You last discussed this topic at your April 29<sup>th</sup> special meeting, when the City's Information Technology Manager, Mr. Anthony Johns, briefed you on the televising and streaming of City meetings having to be in compliance with the American with Disabilities Act. The compliance issue concerns the closed captioning of the Commission and Planning Board meetings.

There were two outcomes from your discussion at the April 29<sup>th</sup> meeting: first, to discontinue using Comcast's Channel 2 for showing the meetings because Comcast was going to charge the City a monthly fee of \$500, second, to advertise a Request for Proposals for a captioning service.

The RFP was prepared and advertised. The deadline for bids was June 17<sup>th</sup>. Only one was received. It was from Swagit Productions of Dallas, Texas, with two options:

- Post-meeting captioning: \$7,370 upfront cost and \$46,620 annually
- Live-captioning: \$25,660 upfront cost and \$45,620 annually.

ATTACHMENTS

Attached for your review is the following:

- a. Pages 1-3, the memo the City Manager prepared for your April 29<sup>th</sup> meeting.
- b. Pages 4-5, the report that Mr. Johns provided to you at that meeting.

- c. Pages 6-8, the minutes of that part of your April 29<sup>th</sup> meeting when you discussed the compliance issue.
- d. Page 9, the summary of the one bid received for the closed captioning service.
- e. Page 10, a memo from Mr. Johns, in which he describes the bid received, its two options and the cost of each.
- f. Pages 11-13, a list of frequently asked questions and responses to them that Mr. Johns prepared.
- g. Page 14, an opinion from the Fernandina Beach City Attorney, which Mr. Johns refers to in his FAQs.
- h. Pages 15 -16, information compiled by the Deputy City Clerk, Ms. Dariana Fitzgerald, about other Florida cities' efforts to deal with the closed captioning issue.

### THREE ISSUES

All are related to money and the City's limited financial resources.

- 1. The cost of the closed captioning equipment and the current cost of the City's video production equipment
- 2. The cost for software upgrades and to replace expensive information technology equipment that is vital to the City's internal operations as the software and the equipment become obsolete
- 3. The City's long-term debt load

You know from the bid received from Swagit how much that company will charge from the closed captioning equipment.

On page 12 (attached), Mr. Johns in the first paragraph provides information about how much money is needed just to maintain the City's video production equipment.

To show you how much money the City has budgeted for items related to computer equipment and software, here is what you appropriated in just the FY 19 budget:

- a. Finance and Administration Department
  - Computer replacements \$ 7,500
  - Document scanner \$ 1,000
  - Finance Software upgrade \$12,000
  - City server \$50,000
  - City-wide routing equipment \$50,000
  - Backup storage \$16,500
  - Replace three computer in police cars \$ 9,000
  - Computers replacements, Building Dept. \$ 3,000

|   |           |
|---|-----------|
| - Bldg. Dept. portion of software upgrade | \$12,000  |
| - Computer replacement, Solid Waste Dept. | \$ 2,233  |
| - Computer replacements, Streets Dept.    | \$ 3,455  |
| TOTAL:                                    | \$166,688 |

The City's long-term debt was shown by the auditors in their report on the FY 18 budget in Subsection (8) of the Notes to Financial Statements. Annual debt service requirements, principal and interest, from 2019 to 2047 total \$10,868,952. The debt payment for FY 19 will be \$743,058. The payment will be over \$700,000 for each fiscal year until FY 2023.

All of the information above is to help you decide an answer to a key question: Is the closed captioning in a context of demands on the City's limited financial resources for computers, software and debt payments a need or a want?

Also, additional context to help your decision is from the recent Resident Survey: in response to the question, "How often do you watch a commission meeting," the answer from 388 or 62.78% of the 618 persons who responded was "never." Only 35, or 5.66%, responded once a month; and nearly the same number 66 or 10.68% every other month, 65 twice a year, and 64 once a year.

#### ACTION REQUESTED


It is that you have Mr. Johns brief you on the bid from Swagit as well as the information he has provided in his FAQs.

Some of you want to have the streaming with closed captioning restored as soon as possible. It appears that the action to accomplish that the quickest is to select the bid from Swagit. If this is your preference, Mr. Johns can tell you how long it will take to get the equipment, and have it function.

In the meantime, the City staff will continue to check with other cities, especially the ones listed on page 15 that do live streaming with closed captioning. We'll check in particular with Granicus as to what it would charge to provide captioning and with Florida Captioning Services, which Gainesville is using for \$82.95 an hour. Any information we find will be forwarded to you before your July 1<sup>st</sup> meeting.

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** April 16, 2019

**SUBJECT:** Televising and Streaming City Meetings: Review of Options and Costs

**INTRODUCTION**

At your March 5<sup>th</sup> continuation meeting, you reviewed two reports: one from the City's CFO, Melissa Burns; the other from the Information Technology Manager, Anthony Johns. Both reports concerned the threat of a lawsuit against the City for non-compliance with American with Disability Act requirements related to internet accessible technology. In particular, Mr. Johns told you that the staff had believed the City was compliant with Section 508 of the ADA law, which governs information technology and requires captioning of live broadcasts of City meetings. However, the staff later learned that that wasn't the case and that PDF documents on the City's website and the City's live broadcast on cable and the streaming of its meetings weren't compliant. He informed you that lawsuits concerning non-compliance were happening throughout the state. After considerable discussion, you approved a motion to stop the broadcasting of live video and to remove all videos and non-compliant documents from the webpage and Facebook. Since then, the following has happened:

- a. All documents since 2015 have been made compliant and are now posted on the webpage.
- b. On March 21, 2019, the City received a letter from a Mr. Joel Price of Daytona Beach, who wrote he is legally blind and depends on a screen reader to help him understand electronic documents, and that his reader does not work with the City's electronic documents. He wrote that he was interested in the City's budget for the years 2015 through 2018, and all City Commission agendas and backup material for 2016, 2017, and 2018. He also asked that other electronic documents on the site be accessible by means of his screen reader. The City Manager made the City's liability insurer, the Florida Municipal Insurance Trust, aware of the letter. Its attorney said that Mr. Price's letter is standard procedure and that the City can expect to be informed of a lawsuit within 60 days of the letter's date, which was March 5<sup>th</sup>, as other cities that the League is defending have been.

Regardless of the lawsuit threat, the City has proceeded to make its website and Facebook page compliant with ADA requirements. What remains to be done is to make also compliant the video of the Commission and Planning Board meetings.

### WHAT'S REQUIRED FOR COMPLIANCE

Attached as pages 1-2 is a report from Mr. Johns, in which he describes options and provides recommendations. In summary, the options are:

- a. To purchase an Automated Caption Encoder for \$82,000 with an additional cost to pay the staff to make the video ADA compliant; or
- b. To engage the same vendor, Swagit Productions, that provides live captioning or post-meeting captioning for the County and St. Augustine's meetings. For our City, the prices under Swagit to make the video ADA complaint:
  - \$25,460 upfront cost for equipment plus \$23,340 a year for up to 25 meetings of four hours each. This option will make the streaming service ADA compliant when the meeting is broadcast, so there will be no cost for staff time to make the video ADA complaint; or
  - \$7,370 upfront cost for equipment plus \$18,840 a year for up to 25 meetings of four hours each with a four-day delay so that the company can make the video ADA complaint; or
- c. Not to have live broadcasting and streaming of City meetings. This option would save the City the money it would spend for new equipment and Swagit's services, and the cost for overtime paid to City employees to televise/stream the meetings. There is no requirement in state law that the meetings be televised or streamed, or that a video record of them be made.

For each option, it will take 6 weeks to purchase and implement the system.

### CONCERNS

1. Given the pace of technological change, the \$82,000 Automated Caption Encoder could well be obsolete in three or four years when the City might have to buy another piece of very expensive equipment.
2. Under the Swagit option, the yearly 25-meeting cap will be exceeded. Each year, the Commission has 12 regular meetings, plus two additional special meetings for the budget, plus other special meetings, the number of which cannot be known in advance. The Planning Board also has 12 regular meetings. Thus, the number of meetings could be 30 or more a year.

Swagit does offer a 50-meeting package. The one-time cost would be \$25,460, while the recurring or yearly cost for indexing and captioning the meetings would be \$32,940.

An alternative is to stream only the Commission meetings but not the Planning Board meetings. This would bring the number of yearly meetings to be captioned to less than 25. If the Commission selected this option, then the costs would be: one-time \$25,460, recurring \$23,340.

3. As Mr. Johns notes in his report, Comcast is going to begin charging the City a monthly fee to connect to its system for the live televising of the Commission and Planning Board meetings. That fee could be up to \$500 a month at the present and would likely be increased in future years.

## OPTIONS

Assuming that the Commission does not support Option 3 (discontinuing both the televising and streaming of Commission and Planning Board meetings), the Commission is left with these options:

- Option A: purchase of the \$82,000 encoder. After each meeting, City staff would have to make certain the video was ADA compliant.
- Option B.1: \$7,370 up front cost for the equipment plus \$18,840 a year for up to 25 meetings of four hours for each meeting with four-day delay for company to make the video ADA compliant. TOTAL: \$26,210.
- Option B.2: \$25,460 up front cost for equipment plus \$23,340 a year for 25 meetings of four hours each with no delay in making the streaming immediately ADA compliant and thus no staff time needed. TOTAL: \$48,800.
- Option B.3: \$25,460 up front cost for equipment plus \$32,940 a year for 50 meetings of four hours each with no delay in making the streaming immediately ADA compliant. TOTAL: \$58,400.

Other than ceasing the televising/streaming of the meetings, the cost to the City for ADA compliance is going to be expensive and will have an effect on the City's budget, especially because the City's sources of revenue to pay such a significant expense are so limited. As it's unlikely that the Commission will not favor stopping the televising and streaming of meetings, the staff has the following recommendations:

- a. That the City cease broadcasting its meetings over Comcast but continue the live streaming of the meetings. Mr. Johns notes in the last paragraph of his report that it appears very few residents use Comcast to view the City's meetings. Also, the streaming of the meetings can be viewed on a PC, a tablet, and even a smart phone, and as most, if not all, residents have one or more of those devices, broadcasting the meetings on cable-TV is redundant and an unnecessary expense when the City needs money to pay for the captioning of the meetings that are streamed.
- b. That you decide whether to purchase the \$82,000 encoder, or to use a service such as Swagit.
- c. If your decision is to use Swagit, that you consider whether to discontinue streaming of the Planning Board meetings, in order to keep the number of yearly meetings that will need to be captioned to 25 or less.
- d. That you approve the staff negotiating with Swagit for its services for either 25 or 50 meetings a year because even Swagit's most expensive, 50 yearly meeting option, is cheaper than the \$82,000 that the City would have to pay to purchase its own equipment that will in time become obsolete.

Mr. Johns will be at your meeting to explain the options in more detail and to answer your questions. Should you have questions ahead of the meeting, you can email him at [ajohns@cityofsab.org](mailto:ajohns@cityofsab.org).

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## MEMORANDUM

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**TO:** MAX ROYLE, CITY MANAGER

**FROM:** ANTHONY JOHNS, IT MANAGER

**SUBJECT:** ADA COMPLIANCE PROGRESS FOR VIDEO

**DATE:** APRIL 12, 2019

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Per the previous discussion with the City Commission and Administrative staff, IT staff has been working on a resolution to the issue of ADA compliance of video broadcasts. Staff has worked with the A/V engineering company selected through RFP to receive a proposal for equipment necessary to provide captioning. In addition to this proposal, staff has received other information that is pertinent to changes that will be made. Staff is seeking direction on what video services will be provided, and on which compliance measures should be taken. Staff has no formal recommendation to provide on a specific compliance measure but will list options that have been explored. Staff would provide a recommendation that the City move forward with the continued use of a streaming platform but discontinuing the use of Comcast.

Due to the Commissions desire to expedite the process, staff has worked primarily with two vendors in seeking pricing to meet compliance requirements. The first vendor is Infinity A/V, they have provided a proposal for roughly \$82,000.00 to place an Automated Caption Encoder (Link Electronics ACE-2000) in-line in the current equipment rack. Their proposal includes the replacement of all HDMI distribution throughout the latter portion of the system due to the HDMI standards inability to carry closed-caption signal. Staff can explain this further, but what users see on consumer devices is decoded captions prior to the HDMI. This proposal also includes a replacement to the aging streaming encoder which was a reused device from Granicus. The second vendor is Swagit. The proposals provided by Swagit are for Live Captioning, or 4-day after the fact captioning. The cost for live is \$25,460.00 in up-front cost, and \$23,340.00 per year for up to 25 meetings of 4 hours each, and the cost for 4-day captioning is an up-front cost of \$7,370.00, and \$18,840.00 per year for the same meeting coverage. Staff has been aware of Swagit for a number of years, but the cost has deterred staff from seeking their services. They were chosen for this process because they are the current vendor of both St. Johns County and the City of St. Augustine. They provide both indexing of video and captioning through a live transcriber. It would be important to note that by default (without a user editing captions) the option provided by Infinity is WCAG 2.0 Level A compliant, while the option from Swagit is AA compliant. It would also be noteworthy that some of the HDMI distribution may need to be replaced to utilize the Swagit proposal, however they have not provided a diagram of their layout like Infinity has.

Staff has also been in frequent contact with Comcast due to the recent failure of and subsequent approval to purchase a new encoder. Since this encoder failed Comcast has repeatedly referred staff to a hardware vendor for questions of equipment compatibility and capability. The vendor, Radiant Communications Corporation, has been helpful with compatibility with known system components or hardware owned by the City, but cannot provide information regarding Comcast's equipment. Despite this, Comcast government support has been unwilling to assist with engineering a compatible solution and has instead referred staff to Comcast Enterprise. Staff met with and discussed existing and future changes with the Enterprise team and was provided information and estimated pricing of continued broadcasts through Comcast. Although no formal quote has been received, the Comcast Enterprise team provided staff with an estimate of \$500.00 monthly to continue broadcasting through Comcast. The only advantage that the City would receive is the encoder that pushes content to Comcast would then be maintained and replaced by Comcast. This device is approximately \$3,000.00. When asked what motivation the City would have to pay for a service currently received for free, staff was corrected that the fee may be less, but the City will be required to pay for the circuit to provide content to Comcast.

Staff can move forward with several explored options. While staff believes it would be an unpopular decision among residents and Commissioners alike, the lowest cost option is to discontinue filming City meetings completely. Staff's understanding is that the City has no requirement to provide video. This would save the cost of the upgrade, the significant cost of maintenance and upgrades to the existing equipment racks, and the cost of some employee overtime associated with the video production. The City may also continue forward with both Live and On-Demand streaming, as well as Live and Scheduled cable broadcasts. If this option is chosen, staff would also need to provide Live Captioning either through owning equipment outright, or through utilizing a service. The costs for this were already mentioned, but would be the cost of the solution chosen, plus the cost to broadcast to Comcast. Finally, the City can discontinue broadcasting via Comcast, but continue producing video content for DVD distribution as well as Live and On-Demand, or On-Demand only streaming. This would involve only the cost of the captioning solution chosen and, in the case of On-Demand only, could include the cheaper 4-day captioning if it is acceptable to not display meetings until days after the meeting concludes.

Staff's recommendation to move forward with this project would be to discontinue cable broadcasts and move forward with streaming and a caption solution. While IT staff makes no recommendation for a specific captioning solution, the CFO may have a recommendation. Regarding the recommendation to discontinue cable broadcasts, staff has been aware of reduction in viewership for several years now. This is best illustrated by a lack of complaint with equipment failure. Staff was unaware that the Comcast encoder had ceased to function, inside testing showed functioning equipment, until an employee reported the issue. Previously this would have been immediately reported by a resident. Meanwhile, streaming viewership routinely now eclipses 100 viewers per meeting within days of the initial broadcast date. With this falling viewership combined with the addition of a fee to provide Comcast with content, staff would recommend discontinuing a cable broadcast.



FROM MINUTES OF CITY COMMISSION MEETING, APRIL 29, 2019

4. Televising and Streaming City Meetings: Review of Options and Costs (Presenters: Max Royle, City Manager and Anthony Johns, Information Technology Manager)

Mayor George introduced Item 4 and asked for a staff report.

City Manager Royle advised that Comcast will charge \$408 a month to continue televising the Commission and the Comprehensive Planning and Zoning meetings, which would allow for 25 megabits per second (MBPS). The costs to have 50 MBPS would be \$531. He asked the

Commission if they want to do the televising or not. He explained that Anthony Johns, IT Manager, would explained the City's streaming.

IT Manager Johns explained his memo to the Commission regarding streaming with closed captioning in order to be in compliance with ADA. He advised that the Commission and the Comprehensive Planning and Zoning Board have a little over 25 meetings per year. He explained that St. Johns County and the City of St. Augustine did a Request for Proposals for closed captioning televising firms, which the City could piggyback off their contract with Swagit Productions LLC or HGMI. He commented that some staff recommended discontinuing some meetings. He explained that to have the City own the equipment is approximately \$82,000, which includes the equipment and the third-party labor, and the other proposal was Swagit, which they would own the equipment and do the close captioning for \$25,000 upfront costs and for 23 meetings a year it would be \$23,000 a year. For 50 meetings it would be \$32,000 a year. He explained that the fee for 50 meetings a year was reduced because Swagit knows we stream approximately 30 meetings a year. He recommended not keeping the Comcast service because the City provides the content for Comcast and now Comcast wants the City to pay for the service.

Mayor George asked about the four-day delayed option.

IT Manager Johns advised that there is a four-day delay option, which would drop the price significantly. He explained that when he spoke with the vendor, they advised that it is usually one to two-day delay but for a meeting lasting over two hours is usually a four-day delay.

Discussion ensued regarding people call in when the live streaming goes out; residents who have Comcast are not watching as frequently as previously, most watch YouTube; staff has received complaints since live streaming has stopped; whether radio would be an option for the meetings; the differences in the live streaming equipment and the close captioning delay equipment; whether the City would own the live streaming equipment; the life of the captioning equipment would be approximately five years; to use the 50 meeting option, since 25 meetings would not meet the City's needs; whether the City should have its own Request for Proposals instead of piggybacking off St. Johns County or the City of St. Augustine; necessity to broadcast the meetings; Building Department funds cannot be used to pay for broadcasting the meetings; and whether to cap the broadcasting of meetings to 25 a year.

Commissioner Kostka requested that the City do its own Request for Proposals (RFP) because of the costs involved.

Mayor George advised that she wants broadcasting, so the public is informed and should have the most competitive bids.

Vice Mayor England advised that staff need guidelines for the RFP's.

IT Manager Johns asked for clarification on whether to continue with Comcast or streaming and whether staff would purchase equipment or have a company do the streaming source. He explained that it would take a lot of staff time to work with a third-party to install the equipment that would fit the City's equipment.

Mayor George advised that she liked the provider to provide the service and equipment. She asked whether the RFP should have both options.

Vice Mayor England explained that she is concerned with the extra staff time this takes and would prefer a service provider instead of staff having to manage it because staff is maxed out.

Mayor George agreed with Vice Mayor England that having a service provider for everything would be ideal. She withdrew having the two options in the RFP and to eliminate Comcast.

It was the consensus of the Commission to eliminate Comcast and to do an RFP.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that an RFP is the right thing to do and mentioned that he likes Swagit because the viewer can find the topic they want without searching for it. He asked for the City Attorney to review the contract with Comcast to see if they are in breach of their contract and requested that the City Manager be let go.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, requested to stop broadcasting so the City can save the money. He suggested having the public come to the meetings.

Discussion ensued regarding the Comcast contract status.

Mayor George asked City Attorney Mulligan to review the Comcast contract.

Vice Mayor England confirmed that staff direction of the RFP would be to have a service provider with equipment, to be ADA compliant, to have close caption streaming, and to cover the Comprehensive Planning and Zoning Board and all Commission meetings.

Mayor George asked in the RFP the costs with or without delay of close captioning.

Commissioner Samora asked what the term of the contract would be.

Mayor George suggested no more than a one to three-year contract.

Mayor George moved on Item 5.

### RFP 19-04: Closed Captioning Services

| Bidders                            | Bidder #1   | Bidder #2 | Bidder #3 | Bidder #4 | Bidder# 5  |
|------------------------------------|---|-----------|-----------|-----------|------------|
| <b>Bidder's Name &amp; Address</b> | Swagit Productions<br>12801 N. Central Expy,<br>Suite 900<br>Dallas, TX 75243<br>214- 432-5905                    |           |           |           |            |
| <b>Total Price</b>                 | <b>Yearly Cost: \$46,620</b><br><br><b>Post-Meeting<br/>upfront: \$7,370</b><br><br><b>Live upfront: \$25,660</b> |           |           |           |            |
| Bidders                            | Bidder #6   | Bidder #7 | Bidder #8 | Bidder #9 | Bidder# 10 |
| <b>Bidder's Name &amp; Address</b> |   |           |           |           |            |
| <b>Total Price</b>                 |   |           |           |           |            |

Bid opening was conducted on Friday, June 17, 2019 at 3:00 p.m. at City Hall by Deputy City Clerk Dariana Fitzgerald. Bids were opened, and amounts noted were read aloud. Bid opening adjourned at approximately 3:04 p.m. Opening was also attended by: Chief Financial Officer Melissa Burns, IT Manager Anthony Johns, and IT Specialist Russell Adams.

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**MEMORANDUM**

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**TO:** MAX ROYLE, CITY MANAGER

**FROM:** ANTHONY JOHNS, IT MANAGER

**SUBJECT:** ADA CAPTIONING UPDATE

**DATE:** JUNE 21, 2019

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The bids for ADA compliant captioning (RFP 19-04) have been received and opened. The RFP was advertised on DemandStar, broadcast out to 28 vendors specifically involved in broadcast, video production, and captioning. By bid closing, 3 of the 28 vendors were interested enough to download the full set of requirements and detailed plans. Of the 3 planholders, 1 vendor responded with a proposal prior to bid closing. The single two-option proposal received by the City was from SwagIt Productions, LLC. The first option was for post meeting captioning with a hardware (upfront) cost of \$7,370.00 and an annual fee of \$46,620.00. The second option was for live captions and had a hardware cost of \$25,660.00 and the annual fee was unchanged from post meeting captions at \$46,620.00 per year.

Considering that only one proposal was received, staff has foregone providing a recommendation for the proposal most advantageous to the City. Instead, a list of replies to questions that have been asked by Commission or staff is attached as you requested.

## Recently asked Questions regarding ADA compliant captioning

Q: Can we hire an American Sign Language interpreter to be present at City meetings and show the interpreter in a PIP window to be compliant?

A: *From my understanding, this would not be compliant with the intent of the ADA captioning requirement. Although an interpreter would be able to adequately provide translation to anyone fluent in ASL, including profoundly deaf individuals, it would not provide any aid to those not fluent in ASL including some hard of hearing individuals, for instance elderly with hearing loss*

Q: Can't individuals watching just press the CC button on their television remote and watch those captions?

A: *The captions that are exposed when a viewer presses the CC button on a television remote ARE the embedded closed captions that the content provider has added. The button only exposes the closed captions embedded offscreen to the onscreen area where open captions are displayed.*

Q: On some remotes, other languages can be accessed by changing the language setting, can't this be used to resolve any non-compliance?

A: *This is like the CC button and accesses a feature already present. In digital cable, it may change the channel to another channel number where the same programming is playing in a separate language. On a DVD, it may access a second audio track in the appropriate language. It has the some limitations as the CC button, and it doesn't provide caption data.*

Q: Can the City just hire a stenographer to be present at the meetings and provide a transcript?

A: *It's possible for the City to purchase hardware that would allow an individual to type captions with the video. This is essentially the hardware that has previously been proposed. A stenographer making a transcript doesn't automatically imply captions but could possibly be compliant. This may be a better question for the City Attorney or an expert on the topic.*

Q: If the equipment is purchased, will the City be finished purchasing equipment for video production?

A: *The City will never "finish" purchasing equipment for video production if video production work is performed. The video production system hasn't had a substantial addition since 2007. There have been a few purchases in the past 12 years, but none have added any additional functionality to the system. The purchases have been to replace obsolete technology and repair or replace equipment that was functioning in a degraded manner to some degree. The City will always have a need to update obsolete equipment and replace or repair (where possible) broken or damaged equipment.*

*Q: How much money needs to be spent to maintain the video production equipment?*

*A: The video production equipment is maintained at a similar, if not better, level than the major IT infrastructure in the City. It is generally repaired or replaced only when broken or necessary to remove obsolete equipment that is limiting or potentially harmful to other infrastructure. Staff does attempt to predict the lifespan of equipment and plan for replacement, but most replacement has been responsive. The City updated equipment in 2017 to address aging equipment within the audio side of the system, switching the remainder of the system to digital, and standards conversions creating redundant equipment that could be removed by the switch to digital. The cost of these changes was \$32,615.57. St. Johns County also updated their system in 2017, to accomplish a shift to a digital format at a cost of \$187,097.25. While it's difficult to predict the amount of money that will be spent on video production equipment, a maintenance cost will be associated if video production occurs. The A/V system currently in use has approximately 40 hardware devices, 50 audio devices (including microphones, body packs, hearing assist receivers, and speakers), and a vast amount of wiring and mounts between these devices. Each wire can be as little as a couple of dollars to \$500 for a 150' Optical Active HDMI cable. The total cost to replace the system with currently available equivalent equipment is roughly \$120,000. I wouldn't expect most equipment to last 20 years and would think a reasonable expectation would be ¼ of the equipment being replaced per 5 year capital cycle.*

*Q: What legal requirements or case law has established the need and requirements for captioning?*

*A: The need and requirements for captioning are staggered through so many different agencies and individual laws that it's difficult to explain the topic or even understand it without being allowed to solely dedicate time to that specific pursuit. The basics are the ADA establishes accessibility law, Section 508 extended the law to electronic and information technologies, WCAG provides guidelines for accessible content and the FCC sets requirements for captioning. Most recently, the CVAA added live-streaming and video to content required to be captioned. The actual requirements are even more confusing. The FCC published a rule in 2014 that stated that captions must be "accurate". Within that rule, the definition of accurate doesn't seem to be defined, but most of the opinions cited in the same document show at or near 100%.*

*Q: Is the City required to caption?*

*A: This is really a legal opinion and it would be inappropriate for IT staff to provide an unqualified legal opinion. As far as I'm aware, we have yet to receive a legal opinion on the matter from our City Attorney or a legal expert with specific expertise. Having read the Attorney for the City of Fernandina Beach's legal opinion (attached) it appears legally that PEG channels are under no obligation to caption, but "the City should be moving toward budgeting" and "the law is moving that way". According to online resources including section508.gov, Florida has not adopted a "Little 508" or local law adopting the standards of section 508 for local entities. Additionally, several municipalities were previously under the impression that FCC exemptions applied to Cities, specifically those under the FCC "Self Implementing Exemptions From Closed Captioning Rules". What triggered the urgency to caption was the surge of lawsuits against other entities.*

Q: Why is the City not using YouTube's automatic captions for free?

*A: The automatic captioning on YouTube was being used by the City prior to the removal of all video content. The captioning on YouTube is inaccurate under good conditions and does not meet the guidelines for captioning content without extensive manual correction. Specifically, the captions fail to accurately convey all information from the meeting and accuracy falls when audio is low, distorted or multiple speakers are commenting at once. YouTube may be a viable use for the City, but considerable staffing time would be required to correct the automatic transcript generated by YouTube.*

Q: What options does the City have?

*A: The options available to the City have been discussed several times in Commission meetings now. The City can resume streaming without providing captioning data, the City can stream and provide caption data utilizing one of the methods previously discussed or any other available, or the City can discontinue providing video content. Technology staff certainly can't provide an opinion on a legal decision, but broadcast and production equipment is expensive and the budget has been trending towards shortfalls.*





TO: Caroline Best, City Clerk  
FROM: Tammi Bach, City Attorney  
RE: Request for Legal Opinion for Closed Captioning Services  
DATE: July 29, 2018

**QUESTION PRESENTED:**

Under the Americans with Disabilities Act (ADA) and other federal laws protecting disabled persons, is the City required to provide closed captioning for its live-streamed meetings?

**SHORT ANSWER:**

No.

**FACTS:** The Federal laws are changing. Most recently, the 21<sup>st</sup> Century Communications and Video Accessibility Act of 2010, known as CVAA became effective on July 1, 2017 requiring live-streaming and video to be captioned if the TV broadcast is captioned. Technically, the City is not required to do closed-captioning at this time because the PEG Channel does not provide closed captioning. However, some cities and businesses have been sued over the lack of closed-captioning and have settled these lawsuits instead of fighting them.

**CONCLUSION:** The City should be moving toward budgeting for closed-captioning services for every meeting live-streamed and televised on PEG Channel. The law is moving that way. Some Florida cities and counties have already implemented closed-captioning (i.e. Hillsborough County, Town of Islamorada). Putting an annual budget together for closed-captioning services for all of these broadcasts will be key in providing information to the City Manager and City Commission. Once the budget information is provided to the City Manager and City Commission, they can decide with the City Clerk whether closed captioning services should be provided or meetings should not be live-streamed.

CC: Dale Martin, City Manager

Answers Compiled from Clerk Advisory Group from Questions Asked by Others

| City                | Live Streaming                                  | Closed Captioning                                  | Cost  |
|---------------------|---|--|---|
| Alachua             | No  |  |   |
| Atlantis            | No  |  |   |
| Cocoa Beach         | Yes   | No   |   |
| DeBary              | No - Used to until lawsuits began, then stopped |  |   |
| Dunnellon           | No  |  |   |
| Gainesville         | Yes   | Yes - Florida Captioning Services of Deland        | \$82.95 per hour  |
| Hillsboro Beach     | No  |  |   |
| Indian River Shores | No  |  |   |
| Key West            | Yes   | Yes  |   |
| Naples              | Yes   | Yes - Granicus and Encore Broadcast Solutions      |   |
| Palatka             | No - Took down entire website                   |  |   |
| Parker              | No - Audio only                                 |  |   |
| Port Orange         | Yes   | Yes - Uses automated captioning for one-time costs | <a href="https://link.electronics.com/product/ace/">https://link.electronics.com/product/ace/</a> |
| Sanibel             | No - Audio only                                 |  |   |
| Satellite Beach     | No  | In discussion with Granicus                        |   |
| Stuart              | Yes   | Yes - Granicus                                     |   |
| Tallahassee         | Yes   | Yes  |   |
| Venice              | Yes   | In discussion with Americaption of Sarasota        |   |
| Clearwater          | Yes   | Granicus   |   |

Answers from Direct Questions on Commission Meeting Videos

| City                        | Broadcast                    | Live or Delay  | Closed Captioning   | Vendor / Cost  |
|-----------------------------|------------------------------|--|---|--|
| Bunnell, City of            | Stream online                | YouTube Live   | Yes   | EEG at \$5,000 a year for 10 hrs per month   |
| Fernandina Beach, City of   | Stream online and television | Comcast Channel 264 facilitates televised meetings. Swagit Productions LLC facilitates live streamed meetings. Bis Digital Inc. provides redundancy recording. | At this moment no, however we are in the process of implementing live close captioning and expect to be up and running in two-three months. | Swagit Productions LLC. Approximate implementation cost is \$60,000. Approximate annual cost thereafter: \$40,000 – \$50,000.      |
| Flagler Beach, City of      | Stream online                | Live stream and available on demand later  | Working on that   | Working towards using YouTube  |
| Jacksonville Beach, City of | Stream online                | Broadcast is live – and we post a link to YouTube the next day on our website  | YouTube   | YouTube /no cost – but looking into other options.   |
| Orange Park, City of        | Stream online                | Live and posted later  | No, but we currently looking into applying for an exception from the state  |  |
| Palatka, City of            | Televised                    | Posted later   | Yes, once the video is uploaded to our YouTube channel  | YouTube /no cost   |
| Putnam County               | Stream online                | Posted to Youtube later  | No, but our IT Dept is currently looking into that  |  |
| St. Johns County            | Stream online and television | Live and posted later  | Yes, currently post event, but will be live closed captioned soon.  | Provider is Swagit, same contractor who provides the streaming services. Approx \$20,000 with additional one time equipment costs. |

# MEMORANDUM

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 21, 2019

**SUBJECT:** City Attorney Services: Review of Proposal from Coquina Law Group

Attached as page 1 is a proposal from the current City Attorney, Mr. Jim Wilson, of the Coquina Law Group for him to continue for the next four to six months as City Attorney and to train Mr. Jeremiah Mulligan of the firm to take over as City Attorney. Mr. Wilson proposes that the monthly retainer for legal services be increased from \$3,000 to 56,000.

Enclosed also as pages 2-9 is the current contract for City Attorney Services between the City and the Coquina Law Group.

The City received responses to its Request for Proposals for legal services from two law firms, one in Cape Coral, the other in Gainesville. Each provided the following costs:

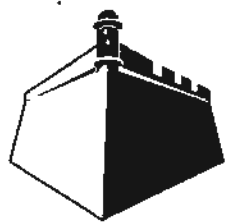
Cape Coral firm: \$6,000 monthly retainer, \$185 for extra legal work

Gainesville firm: no retainer. Instead, \$295 an hour for attorneys with seven-plus years of experience, \$225 an hour for attorneys with less than seven years of experience, \$175 an hour for associates, and \$125 an hour for paralegals.

As noted above, the current monthly retainer with the Coquina Law Group is \$3,000 and the hourly charge for extra legal work, such as preparations for trials and representing the City at trials, is \$175.

## ACTION REQUESTED

It is that you discuss the proposal with Mr. Wilson and decide whether to accept it.



# Coquina

Law Group, PA

24 Cathedral Place, Suite 502  
Saint Augustine, FL 32084

Telephone: (904) 810-1025  
Facsimile: (904) 810-1027  
[www.CoquinaLawGroup.com](http://www.CoquinaLawGroup.com)

June 20, 2019

City of St. Augustine Beach  
2200 A1A South  
St. Augustine Beach, FL 32080

Dear City Manager Max Royle:

Please consider this as a proposal to revise the contract between the City of St. Augustine Beach and the Coquina Law group. As we discussed at the city commission meeting, the Coquina Law Group is willing to continue its role working for the city with myself to continue as City Attorney for at least the next 4 to 6 months and for Assistant City Attorneys Jeremiah Mulligan and Ashby Underhill to become more involved in the operation of the City under my direction. It is my intention that I will reduce the time I spend with the firm within the next six months but will remain affiliated with the firm for the foreseeable future.

We therefore propose to amend Section B of the current contract to reflect an increase in the retainer amount to \$6000 a month. All other terms of the current contract, including the fee for services outside of the retainer, would continue unchanged. The City would retain the ability to terminate the contract upon 30 days' notice.

Please place this proposal on the agenda for the next city commission meeting which will be held on July 1, 2019.

Sincerely,



Jim Wilson

## **CONTRACT FOR CITY ATTORNEY SERVICES**

This Agreement entered into this 17 day of October, 2016, and effective November 1, 2016, by and between the City of St. Augustine Beach, a Florida Municipal Corporation ("City"), having an address of 2200 AIA S., St. Augustine Beach, FL 32080 and James P. Wilson and the Coquina Law Group, P.A. ("Attorney"), having an address of 24 Cathedral Place, Suite 200, St. Augustine FL 32084.

### **WITNESSETH:**

**WHEREAS**, the City has issued requests for proposals to qualified attorneys to act as the City's City Attorney and has received from the Attorney a response thereto attached as Exhibit "A" (the "Response") and hereby engages the ATTORNEY upon the terms and conditions hereinafter contained:

**A. ENGAGEMENT.** ATTORNEY agrees to provide legal services including legal advice and consultation, litigation and any other related issues or matters, which are assigned to him by CITY. In connection with such services, ATTORNEY shall provide at its own cost and expense all personnel, equipment, and library or electronic legal research services as are reasonably required to provide the services herein contemplated.

**B. COMPENSATION.** The primary individual lawyer for the CITY shall be James P. Wilson, who shall serve as the CITY ATTORNEY. The CITY ATTORNEY may utilize other alternative attorneys, including but not limited to, W. Ashby Underhill, and/or Jeremiah Mulligan. Any attorney providing services to the CITY shall be admitted to practice by the Florida Bar and a member in good standing.

The ATTORNEY shall be compensated by the CITY at the rate of **\$3,000.00** per month for all work within the "**Regular Scope of Work**," which excludes litigation and extra legal

work, which additional items shall be billable by the ATTORNEY at the rate of \$175.00 per hour. See attached **Exhibit "A"** for Regular Scope of Work.

**C. ACCESS TO CITY PERSONNEL AND RECORDS.** CITY agrees to provide access to all personnel and records deemed necessary for the completion of the services to be provided under the terms of this Agreement.

**D. OUTSIDE CLIENTS.** ATTORNEY is free to engage in any other business or legal representation, provided that such other business or legal representation shall not constitute a conflict of interest. In that event of a potential conflict of interest, the ATTORNEY will promptly advise the CITY of such potential conflict.

**E. TIME REQUIRED.** ATTORNEY shall devote only as much time and attention to the providing of legal services to the CITY as the opinion and judgment of ATTORNEY deems reasonably necessary.

**F. PERSONAL ATTENTION.** ATTORNEY agrees to give personal attention to work performed; and to in every way and in good faith protect to his utmost the rights of the CITY.

**G. EXPENSES AND LITIGATION EXPENSES.** CITY to pay ATTORNEY all expenses and court costs incurred in the preparation of any litigation which the ATTORNEY is authorized to prosecute or defend; in addition to those expenses as may be necessary in the taking of depositions, traveling expenses at such rate as shall be allowed for "Authorized Travelers" by City Ordinance or State Law, or any other expenses incurred in or about litigation that the City authorizes the ATTORNEY to defend or prosecute. It is understood that the CITY may engage other attorneys in the defense of prosecution or defense of any litigation or to handle any specialized matters. The term "litigation" does not include appearances before any City Board such as the Local Code Enforcement Board.

**H. NON-LIABILITY FOR COSTS AND EXPENSES.** ATTORNEY shall not be liable for costs or expenses of any kind, and shall be reimbursed by CITY for all ordinary and necessary expenses paid by ATTORNEY in connection with the prosecution or defense of any litigation.

**I. ADDITIONAL COUNSEL.** If employment of additional counsel shall be necessary or advisable in the preparation of trial of any litigation, ATTORNEY may contract for such assistance on terms approved by the CITY. Matters related to Police Unions and collective bargaining, should they arise, shall be outside of the scope of this contract and the CITY may continue to retain other labor counsel to handle those matters.

**J. EQUAL EMPLOYMENT.** In all hiring or employment made possible by or resulting from this contract, there will not be any discrimination against any employee or applicant for employment because of race, color, religion, age, physical or mental disability, national origin, gender, creed, culture or ancestry.

ATTORNEY shall fully comply with CITY Ordinance No. 13-03 regarding employment discrimination, including Section 3-4 of the City Code, which provides:

It is an unlawful employment practice for an employer:

- (1) To fail or refuse to hire, to discharge or otherwise to discriminate against an individual with respect to compensation or the terms, conditions or privileges of employment because of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, age or disability.
- (2) To limit, segregate or classify employees or applicants in a way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee or applicant because of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, age or disability.



**K. ASSIGNABILITY.** ATTORNEY shall not assign any interest in this contract, nor shall ATTORNEY transfer any interest in the same without prior written consent of the CITY.

**L. ACKNOWLEDGMENT OF EXCLUSION OF WORKER'S COMPENSATION COVERAGE.** ATTORNEY herein expressly agrees and acknowledges that he is an independent contractor. As such, it is expressly agreed and understood between the parties hereto, in entering into this professional services contract, that CITY shall not be liable to the ATTORNEY for any benefits or coverage as provided by the Worker's Compensation Law of the State of Florida.

**M. ACKNOWLEDGMENT OF EXCLUSION OF UNEMPLOYMENT COMPENSATION.** COVERAGE ATTORNEY herein expressly declares and acknowledges that he is an independent contractor, and as such is being hired by the CITY under this contract, and therefore, it is expressly declared and understood between the parties hereto, in entering into this professional services contract, and in connection with unemployment coverage only that: (1). ATTORNEY has been and will be free from any control or direction by the CITY over the performance of the services covered by this ATTORNEY; (2). Services to be performed by ATTORNEY are outside the normal course and scope of the CITY's usual business; and (3). ATTORNEY has been independently engaged in the practice of law prior to the date of this contract. Consequently, neither ATTORNEY nor anyone employed by ATTORNEY shall be considered an employee of CITY for purpose of unemployment compensation coverage, the same being hereby expressly waived and excluded by the parties hereto.

**N. WAIVER OF SICK AND ANNUAL LEAVE BENEFITS.** It is expressly agreed and understood between the parties entering into this professional services contract that the ATTORNEY, acting as an independent agent, shall not receive any sick or annual leave benefits from the CITY.

**O. CONFLICT OF INTEREST.** ATTORNEY by signing this Agreement, covenants that ATTORNEY has no public or private interest, direct or indirect, and shall not acquire directly or indirectly any such interest which does or may conflict in any manner with the performance of ATTORNEY'S services and obligations under this Agreement. ATTORNEY further covenants that, in the performance of this contract, no person having such an interest as described above shall be employed by ATTORNEY.

**P. POWERS CONFERRED ON ATTORNEY.** The CITY gives ATTORNEY the authority to file any and all papers necessary and proper in any action which he is authorized to prosecute or defend on behalf of the CITY; to take any evidence necessary and proper; to make any amicable and extrajudicial compromise of the case only with the CITY approval; and otherwise do those things ordinarily undertaken by a City attorney. ATTORNEY is granted the right authority to do any and all things necessary and proper to protect the interest of the CITY.

**Q. CANCELLATION.** Either party to this contract may terminate this contract at any time during the term of this contract by giving the other party written notice of said intention to terminate at least thirty (30) days before the date of termination; **provided, however,** that as to any pending litigation in which the ATTORNEY has been engaged, ATTORNEY shall until a successor is appointed take all actions necessary to protect the interests of the CITY pending appointment and appearance of such successor and shall be compensated therefore in the same manner as compensation is paid for litigation. ATTORNEY shall reasonably cooperate with any successor with regard to pending matters. Notice of cancellation by the ATTORNEY shall be given to the CITY in care of the City Manager. Notice of cancellation shall be given to the ATTORNEY at his or her then address as shown by the records of the Florida Bar.

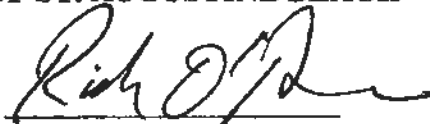
**IN WITNESS WHEREOF,** the parties have caused these presents to be executed as of the day and year first above written.

**CITY OF ST. AUGUSTINE BEACH**

**ATTEST:**

  
City Manager

**BY:**

  
Mayor-Commissioner

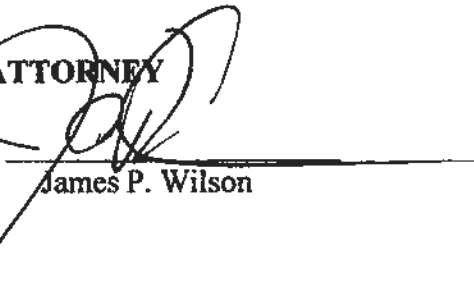
**COQUINA LAW GROUP, P.A.**

**BY:**

  
W. Ashby Underhill

**CITY ATTORNEY**

**BY:**

  
James P. Wilson

**Exhibit "A"**

**CITY ATTORNEY, CITY OF ST. AUGUSTINE BEACH**

**REGULAR SCOPE OF WORK**

The scope of work is divided into two parts: regular and extra-legal. Under regular is the following:

1. Attend all regular and special or workshop meetings of the City Commission.

The City Commission has one regular meeting on the first Monday of every month. This meeting begins at 7:00 p.m. The Commission sometimes has special meetings or workshop meetings on other days of the month. These meetings may be held at 5:00 or 7:00 p.m.

2. Attend all meetings of the Comprehensive Planning and Zoning Board.

The Board normally has one meeting a month: the third Tuesday at 7 p.m.

3. Attend meetings of the Code Enforcement Board as the attorney for the Code Enforcement Officer.

The Officer brings cases to the City's Code Enforcement Board once a month, usually on the fourth Wednesday at 3:00 p.m. The City Attorney provides legal advice to the Officer. The Code Enforcement Board has its own attorney, if one is needed. Sometimes the Board has an emergency or special meeting.

4. Attend other meetings when requested or when deemed appropriate by the City Commission.
5. Perform all legal work for the City as required by the City Charter, excluding litigation.
6. Handle the negotiation and preparation of agreements, contracts or similar documents.
7. Review and comment on contract form between the City and independent contractors.
8. Perform legislative work associated with City Commission, Planning Board, and Code Enforcement Board meetings, including preparation of ordinances and resolutions, variances, conditional

use permits, final development plans, etc., together with research work associated with the preparation of those documents.

9. Respond by telephone, e-mail or regular mail to requests for advice from the Mayor, Commissioners, Police Department, City Manager's office, and Building and Zoning Department regarding administrative, legislative, executive and legal issues.
10. When requested by the City Commission or by the Police Chief or by the City Manager, perform investigations that would require interviewing witnesses, taking testimony, review of reports and legal research.
11. Respond to email and telephone inquiries by members of the public regarding matters before the city.


**Extra Legal – Bill Hourly at \$175**

Work performed under extra-legal consists of the following:

- A. Attend City, County, State and Federal meetings and conferences on litigation work concerning the City when approved by the City Commission.
- B. Prosecute violations of local ordinances or of the zoning code in any Court, if the State Attorney is not handling the prosecution.
- C. Provide labor negotiations and assist with labor relations matters that go beyond routine telephone conferences or counseling. Ability to perform labor negotiations legal work is optional as the Police Department has traditionally used separate counsel for this work.
- D. Provide legal services for such matters which do not involve items covered by paragraphs 1-10 above, but which necessitate legal advice or use of the City Attorney's office, as determined by the City Commission. These matters which might be difficult to qualify, but may include attendance at meetings between City officials and officials or representatives of other business entities or governmental entities, or attendance at mediation.
- E. Provide legal counsel and defense to challenges to the City's ordinances and regulations; and defend the City in lawsuits which are not defended by legal services provided by the City's insurer, the Florida League of Cities.
- F. Conduct real estate or public finance closings and related legal work as bond counsel, etc.

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 17, 2019

**SUBJECT:** Ordinance 19-11, First Reading, to Add Cigarette Butts and Tobacco-Related Products to the Definition of Litter

At your June 11<sup>th</sup> continuation meeting, Captain Adam Morley asked that you bring the City in agreement with St. Augustine and St. Johns County ordinances that include cigarette butts and tobacco-related products in their litter ordinances. You agreed with his request.

The City Attorney has prepared the attached Ordinance.

**ACTION REQUESTED**

It is that you pass Ordinance 19-11 on final reading.

If you do, it will be scheduled for a public hearing and final reading at your August 5<sup>th</sup> meeting.

ORDINANCE NO. 19 -11

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE BEACH CHAPTER 5, BEACHES, PIERS AND WATERWAYS, SEC. 5-9, TRASH AND LITTER, BY INCLUDING TOBACCO RELATED PRODUCTS WITHIN LIST OF ITEMS THAT ARE ILLEGAL TO DISCARD OUTSIDE OF APPROVED RECEPTACLES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, cigarette filters, and products containing tobacco were used for consuming tobacco products, when disposed of improperly, or a nuisance and health hazard to humans and wildlife; and

**WHEREAS**, used cigarette filters contain a myriad of harmful chemicals and are made from plastics and other products which do not naturally decompose and tend to remain a hazardous part of the environment for decades, if not longer;

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH FLORIDA:

Section 1 Chapter 5, Beaches, Piers and Waterways, Sec. 5-9, Trash and Litter, of the Code of the City of St. Augustine Beach, Florida, is hereby amended to read in its entirety as follows:

**Sec. 5-9. - Trash and litter.**

(a) It is unlawful for any person to deposit, discard, throw, place or pile any trash, litter of any type, paper, garbage, cans, cartons, bottles, cigarette butts, filters, products containing tobacco or used for consuming tobacco products or other waste or discard materials on the city beach or any public street, right-of-way or other public places in the city, except in public receptacles, in authorized private receptacles for collection, or in the official city trash disposal site.

Section 2 SEVERABILITY. It is the intent of the City Commission of the City of St. Augustine Beach, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 3        CODIFICATION. This ordinance shall be incorporated into the Code of the City of St. Augustine Beach and a copy hereof shall be maintained in the office of the City Clerk.

Section 4        EFFECTIVE DATE. This ordinance shall take effect 10 days after adoption.

**PASSED** by the City Commission of the City of St. Augustine Beach, Florida upon Second Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

**CITY COMMISSION OF THE  
CITY OF ST. AUGUSTINE BEACH**

**ATTEST:** \_\_\_\_\_

City Manager, Max Royle

**BY:** \_\_\_\_\_

Undine C. George, Mayor


First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_



**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 18, 2019

**SUBJECT:** Ordinance 19-12, First Reading, to Vacate Alley on East Side of A1A Beach Boulevard in Block 9, Chautauqua Beach Subdivision, Between 2<sup>nd</sup> and 3<sup>rd</sup> Streets

This ordinance concerns the alley, the western part of which appears to have been vacated sometime in the past, making the remaining part of the alley inaccessible to the public. Though the alley ends at the beach, the vacating of it will not violate the Comp Plan policy that prohibits the vacating of any street or alley that provides access to the beach because the public has no access to the alley.

At your June 10<sup>th</sup> meeting, you held a public hearing on the request by Ms. Laurie Sage Royal that the alley be vacated, and you approved her request "...based on the evidence the Commission received and the evidence of the opinion of the City Attorney and based on the portion of the alley that has been previously vacated prior to the incorporation of the City, that there is no current direct beach access in this alley and vacating the alley would not violate current City codes or the Comprehensive Plan" (from the motion made by Vice Mayor England).

Mr. Wilson has prepared the attached Ordinance.

**ACTION REQUESTED**

It is that you pass Ordinance 19-12 on first reading.

If you do, it will be scheduled for a public hearing and final reading at your August 5<sup>th</sup> meeting.

**ORDINANCE NO. 19-12**

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA RELATING TO STREETS AND PUBLIC RIGHTS-OF WAY; VACATING AND ABANDONING PART OF AN UNNAMED ALLEY LYING WITHIN BLOCK 9, CHAUTAUQUA BEACH SUBDIVISION, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND DESCRIBED MORE FULLY HEREIN; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Augustine Beach finds that the following described property is no longer required for use of the General Public, and;

**WHEREAS**, that the same was not acquired or dedicated for state, county or federal highway purposed, and;

**WHEREAS**, the property does not provide public access to the ocean and/or beach, and;

**WHEREAS**, all conditions precedent as set forth in Article III, Chapter 18 of the St. Augustine 2016-04 have been met.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA:**

**Section 1. Findings.** It is the finding of the City Commission of the City of St. Augustine Beach, Florida, that all that part of an unnamed alley lying within Block 9, Chautauqua Beach Subdivision, Public Records of St. Johns County, Florida, as more fully described as follows:

**A STRIP OF LAND IN BLOCK 9, CHAUTAUQUA BEACH SUBDIVISION, BEING THAT LAND DESCRIBED AS AN EASEMENT LYING EAST OF THE WEST LINE OF SAID BLOCK 9 AND WEST OF THE EAST LINE OF SAID BLOCK 9, NORTH OF THE NORTH LINE OF LOTS B, 3, 5, 7, 9, 11, 13, 15, AND 17 AND SOUTH OF THE SOUTH LINES OF LOTS A, 4, 6, 8, 10, 12, 14 AND 16, EAST OF A1A BEACH BOULEVARD, IN BETWEEN 2<sup>ND</sup> AND 3<sup>RD</sup> STREETS IN SAID BLOCK 9, ALL IN SECTION 34, TOWNSHIP 7, RANGE 30, AS RECORDED IN MAP BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.**

Said land being within the corporate limits of St. Augustine Beach, Florida is no longer required for use of the General Public; that the same was not acquired or dedicated for state, county

or federal highway purposes; does not provide public access to the ocean and/or beach, or other recreational resources; and that all conditions precedent as set forth in Article III, Chapter 18 of the City Code have been complied with as set forth in Alley Vacation Application V 2019-01.

**Section 2. Vacation of Street.** All that portion of an unnamed alley lying within Block 9, Chautauqua Beach Subdivision, as described hereinabove, St. Augustine Beach, Florida, is hereby vacated, discontinued and abolished and is hereby declared no longer a public right-of-way, street or alley of the City, reserving, however, to the City and the Public an easement over, under and along said alley an easement for public utilities and drainage.

**Section 3. Effective date.** This Ordinance shall take effect upon recording as provided by Section 18 of the City Code.

**PASSED** by the City Commission of the City of St. Augustine Beach, Florida, upon Second Reading this \_\_\_\_ day of July 2019.

**CITY COMMISSION OF THE  
CITY OF ST. AUGUSTINE BEACH**

By: \_\_\_\_\_  
Undine C. George, Mayor


**ATTEST:** \_\_\_\_\_  
Max Royle, City Manager

First reading: \_\_\_\_\_

Second reading: \_\_\_\_\_

## MEMORANDUM

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 18, 2019

**SUBJECT:** Property, Liability, Vehicle, and Workers' Compensation Insurance: Consideration of Whether to Advertise for Proposals

### INTRODUCTION

Currently, the City's property liability, vehicle, and workers' compensation insurance is provided by the Florida Municipal Insurance Trust (FMIT), which is an agency of the Florida League of Cities. The City has been a client of FMIT for at least 20 years and has found the service provided by FMIT to be satisfactory and responsive. The Trust has a safety grant program, from which the City receives grants to purchase safety equipment for the Police and Public Works departments. It also has a reimbursement program for its client cities. The City has received in past fiscal years a dividend of several thousands of dollars. In the current Fiscal Year, the reimbursement was \$3,301.

From time to time, the City receives inquiries from agencies that are FMIT's competitors. The most recent inquiry is from PRIA, Public Risk Insurance Advisors. It doesn't provide insurance itself but is an independent broker on behalf of the Preferred Government Insurance Trust (PGIT) that does provide to cities and counties the types of insurance that FMIT provides. PRIA's parent company is Brown & Brown Insurance of Daytona Beach.

Attached as pages 1-19 is information from PRIA about itself and PGIT.

Though the City has in the past advertised Request for Proposals from insurance providers (the last was 2013), the result has been that the City has remained with FMIT because of its quality of service, responsiveness, and dividends.

For FY 2019, the City is paying the following to FMIT:

|                          |           |
|--------------------------|-----------|
| - General liability:     | \$ 61,976 |
| - Auto liability:        | \$10,286  |
| - Auto property:         | \$ 11,169 |
| - Property/Buildings:    | \$ 26,829 |
| - Workers' Compensation: | \$ 82,112 |
| TOTAL:                   | \$192,372 |

Also, FMIT acts as a broker for the City's flood insurance coverage for the following buildings:

|                   |         |
|-------------------|---------|
| - Police station: | \$3,253 |
| - City hall:      | \$2,120 |
| - Building C:*    | \$1,783 |
| TOTAL:            | \$7,156 |

\*Building C is the former post office on the west side of the city hall parking lot.

#### ACTION REQUESTED

It is that you discuss whether to remain with the Florida Municipal Insurance Trust or to advertise a Request for Proposals for various types of insurance.

## Why Choose PRIA?

1. **Experience:** Our Company has been in the business of serving the insurance needs of Florida's public entities for 24 years. PRIA currently represents more than 250 of Florida's governmental entities, including:
  - a. State of Florida
  - b. 22 Counties
  - c. 59 Cities
  - d. 8 Public School District
  - e. 6 Public Universities
  - f. Many Special Taxing Districts
2. **Claim Advocacy:** In the last 20 years PRIA has managed many very large catastrophic property claims (2004 and 2005 Hurricanes), several high profile law enforcement liability claims and many contentious workers' compensation claims. Experience and institutional knowledge gained from managing these claims for public entity clients has proved invaluable in achieving the most favorable outcomes for our clients.
3. **Market Access** – PRIA has direct access to all competitive carriers doing business in Florida. We are largest broker in Florida for many carriers due to our critical mass of public entity clients. We utilize our preferred status with carriers to the benefit of our clients by providing the most cost efficient risk transfer programs available.
4. **Proven Record** – Our history reveals a track record of excellence in client service and efficient risk management programs. We consistently outperform our competitors in the design, implementation and maintenance of our risk management programs. We have never failed to greatly improve the terms and conditions of a new client's program and repeatedly achieve better than average results for our long term clients. We have never taken a client's business for granted and doggedly pursue program improvements year after year.
5. **Proactive Pursuit of the Continual Reduction of Your Cost of Risk!**

## **Preferred Governmental Insurance Trust**

Liability Defense Attorney Panel

### **Northwest Florida - Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, Liberty, Gulf, Franklin Counties**

Warner Law Firm, P.A.

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Panama City, Florida 32401-2617

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[timwarner@warnerlaw.us](mailto:timwarner@warnerlaw.us) // [billwarner@warnerlaw.us](mailto:billwarner@warnerlaw.us)

Carr Allison

William Graham, Esq.

305 South Gadsden Street

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850-222-2107

[bgraham@carrallison.com](mailto:bgraham@carrallison.com)

### **North Florida – Gadsden, Leon, Jefferson, Madison, Hamilton, Wakulla, Taylor, Lafayette, Suwanee, Dixie, Levy Counties**

Rumberger, Kirk & Caldwell, P.A.

Leonard Dietzen, Esq.

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### **Northeast Florida – Columbia, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Gilchrist, Alachua, Putnam Counties**

Quintairos, Prieto, Wood & Boyer, P.A.

Fernan M. Fernandez, Esq.

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Jacksonville, Florida 32202-5002

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Carr Allison

Heath L. Vickers, Esq.

208 North Laura Street, Suite 1100

Jacksonville, FL 32202

904-328-6459

[hvickers@carrallison.com](mailto:hvickers@carrallison.com)

## **Preferred Governmental Insurance Trust**

Liability Defense Attorney Panel – 11/20/2017

### **Northeast Florida – Columbia, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Gilchrist, Alachua, Putnam, Counties – (continued)**

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Kelley - Kronenberg  
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### **West Central Florida – Citrus, Hernando, Pasco, Pinellas, Hillsborough, Manatee, Sarasota Counties**

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Kelley - Kronenberg  
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Tampa, Florida 33607  
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[HWander@kelleykronenberg.com](mailto:HWander@kelleykronenberg.com)

### **East Central Florida – Marion, Flagler, Sumter, Lake, Volusia, Seminole, Orange, Polk, Osceola, Brevard, Indian River, Hardee, Highlands, Okeechobee Counties**

Bell & Roper, P.A.  
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Tavares, Florida 32778  
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## **Preferred Governmental Insurance Trust**

Liability Defense Attorney Panel – 11/20/2017

### **East Central Florida – Marion, Flagler, Sumter, Lake, Volusia, Seminole, Orange, Polk, Osceola, Brevard, Indian River, Hardee, Highlands, Okeechobee Counties – (continued)**

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### **Southeast Florida – St. Lucie, Martin, Palm Beach, Broward, Miami-Dade, Monroe Counties**

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## **Preferred Governmental Insurance Trust**

Liability Defense Attorney Panel – 11/20/2017

### **Southwest Florida – DeSoto, Charlotte, Lee, Glades, Hendry, Collier Counties**

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### **City of North Port, City of Punta Gorda**

Bryant, Miller & Olive

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# WHY PREFERRED

The Preferred Governmental Insurance Trust entered its 19th year in 2018 and has a number of significant advantages and features from both a coverage and service standpoint.

## PROGRAM FEATURES

### FINANCIAL STRENGTH

Preferred's surplus to written premium stands at 1.15 to 1. The Trust has no long term debt and over \$220 million in assets.

### AGENCY DISTRIBUTION

Preferred is the only Trust in Florida that utilizes a totally dedicated and independent agency distribution system for optimal Member service.

### SHARED LOSS PROPERTY LIMIT

Preferred provides a shared loss property limit for all Members of the Trust that exceeds the 1 in 250 year storm event. There is only a 0.4% probability that an event will occur that exceeds the limit of property coverage purchased.

### AUDITS

At Preferred, only workers' compensation is subject to audit thus avoiding additional premium charges beyond policy expirations on other lines of coverage.

### MULTI-YEAR COVERAGE AGREEMENT

Available for all lines and includes a **rate guarantee** for the multi-year term of coverage.

### SPECIALIZED CLAIM SERVICE

Claims administration services are provided by PGCS Claim Services who is solely dedicated to Florida's public sector.

### CLAIMS ACCESS

24/7 On-line claims access for all Members.

## COVERAGE ADVANTAGES

### NON-MONETARY

Preferred **automatically** provides coverage for non-monetary claims including injunctive relief, EEOC, public records law, and inverse condemnation allegations for those members who purchase public officials liability coverage through Preferred.

### LIABILITY DEFENSE COSTS

**Outside** both the limits carried and member deductibles chosen.

### INLAND MARINE

Preferred offers up to \$1M of "blanket inland marine" coverage for equipment individually valued under \$25,000.

### CYBER LIABILITY

Preferred **automatically** includes cyber liability coverage for **\$2,000,000** for those members who purchase public officials liability coverage through Preferred.

### WINDSTORM

We offer named storm coverage and provide the most attractive deductible terms in Florida's public sector marketplace.

### FLOOD DEDUCTIBLE

Except for zones A & V, the flood deductible **matches** selected AOP deductible.

### NO FAULT SEWER

We include no-fault sewer back up with annual aggregate of **\$200,000**.



## DISTINCTIVE SERVICES

### PROPERTY APPRAISALS

Preferred provides building appraisals from a nationally recognized appraisal firm at **no cost** to members. Preferred also has an ongoing appraisal program for all members.

### PREFERRED TIPS

Training incentive program for safety and risk management for our members with a matching incentive of up to \$5,000 per coverage year.

### PREFERRED RESPONSE

Our disaster recovery program provides Members with a choice of pre-approved vendors and online access to track the recovery process, in addition to a mobile app for claims reporting.

### BADGE

We provide a cardiac case management program known as "BADGE" to all police and fire department personnel in the event of a workers' compensation presumption claim.

### HR & CYBER SUPPORT CENTER

Members benefit from a comprehensive human resource & cyber support platform. This includes actionable advice from employment law attorneys, training handbooks, online tools, express updates, and webinars at **no cost**.

### MY COMMUNITY WORKPLACE

My Community Workplace website featuring a wide range of available resource materials on Human Resources and Risk Management.

### ONLINE TRAINING

Online training provided through a partnership with TargetSolutions at **no cost** to Members with over **600 courses** to choose from on a variety of relevant topics, such as Driving Safety and Working in Extreme Temperatures.

### RISK RETENTION OPTIONS

Preferred provides a full range of risk retention options that are available from 1st dollar to self-insured excess placements.

**Over 400 members and over \$100 million of written premium establishes that Preferred Governmental Insurance Trust fulfills what Florida needs: an insurance program exclusively customized and dedicated to the public sector.**

**This is why we are clearly  
PREFERRED**



Mobile apps:



iPhone



Android

# FINANCIAL STRENGTH

## PREFERRED GOVERNMENTAL INSURANCE TRUST SELECTED FINANCIAL INFORMATION AT AND FOR THE YEAR ENDING SEPTEMBER 30, 2017

### Assets

Total Assets \$220,315,232

### Liabilities & Surplus

Unpaid Losses and Loss Adjustment Expenses \$118,361,672

Total Liabilities \$129,354,933

Surplus \$ 90,960,299

### Premiums

Earned Premiums \$104,514,838

Excess Premiums \$ 31,459,730

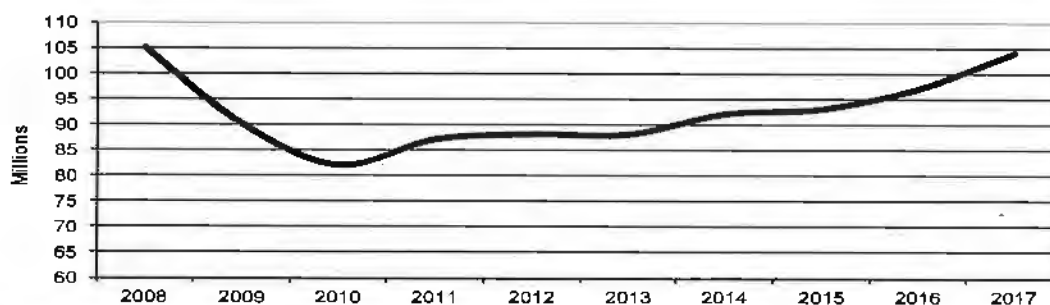
### Expenses

Losses and Loss Adjustment Expenses \$ 51,912,591

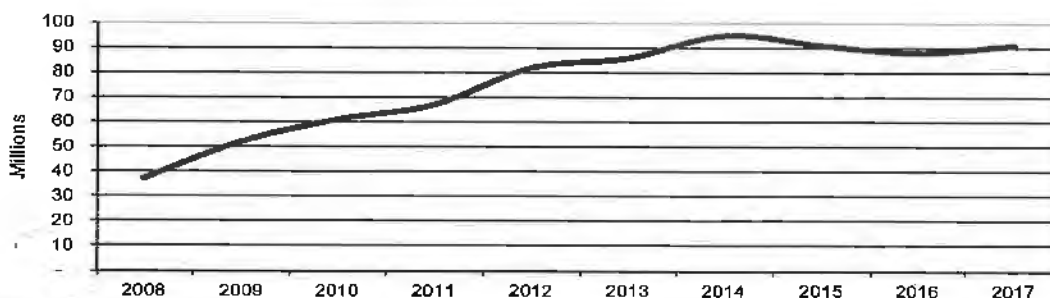
### Net Income

Net Income \$ 2,986,599

Preferred Governmental Insurance Trust  
Earned Premium By Fund Year  
2008 - 2017



Preferred Governmental Insurance Trust  
Surplus  
2008 - 2017



# HR & CYBER SUPPORT CENTER

The Preferred Human Resource & Cyber Support Center is available to those members that have their POL/EPLI or ELL/EPLI coverage with the Trust. The Support Center is an employment law and cyber security focused resource designed to control costs, save time, and complement the valuable services that Preferred provides. The resources provided by the Support Center allows members to save thousands of dollars annually.

## HUMAN RESOURCE (HELPLINE) SERVICES INCLUDE:

- Confidential, documented responses to employment law questions from Florida based attorneys who are experts in Human Resource and employment law
- Online Unlawful Harassment Training for all supervisors and employees
- A Florida specific employee handbook building tool
- HR Express Updates including popular Questions of the Month and HR Alerts
- Customizable HR risk management resources including Federal and State-specific forms and posters
- Plus more

## CYBER SECURITY RESOURCES INCLUDE:

- Breach HealthCheck® – Measurable data breach exposure and protection through instant feedback
- Robust privacy and security templates, including a customizable incident response plan (IRP), which can be specifically tailored to meet industry and regulatory requirements
- Resources for keeping staff up to date on a range of issues related to privacy, data security and compliance
- Latest news and events regarding data breaches, regulations, class-action lawsuits, cyber threats and protective technologies

Please contact the HR & Cyber Support Center  
at Phone: 1-877-568-6655 should you need  
additional information on this valuable service.



# PREFERRED ONLINE

## PREFERRED ONLINE LEARNING CENTER

Effective training and records management is vital in today's workplace. Reducing claims, controlling losses and streamlining efficiencies are critical. That is why Preferred partnered with TargetSolutions to provide our members with innovative web-based training management technology.

- Preferred members can access more than 600 training courses in English and Spanish covering topics related to HR/Employment Practices, OSHA Compliance, Motor Vehicle Safety, School Safety, Office Productivity, Business Skills, and Project Management by utilizing TargetSolutions extensive web-based library. TargetSolutions is committed in helping members to deliver training, ensure compliance and reduce risk by streamlining and automating the training management process.
- TargetSolutions enables members to define, measure and monitor key risk metrics that help keep their employees safe and protect assets. With the platform, Onsite Administrators can create risk mitigation tools specific for their organization, making it possible to analyze the fundamentals and take action where needed.
- TargetSolutions' web-based training management platform is accessible 24/7. Users can navigate captivating, cross-browser compatible courses with cutting-edge interactions at a pace and time that is convenient for them.
- TargetSolutions' Risk Management Platform makes it possible for Member Onsite Administrators to assign and deliver online training courses to their users. The system also provides the ability to track, document and report assignments. Tracking training, generating reports and analyzing deficiencies has never been easier.
- TargetSolutions' technology platform features the industry's most dependable and powerful cloud-based system. TargetSolutions delivers 99.95 percent uptime, delivering a fast and reliable experience for users. TargetSolutions' backup datacenter has been strategically positioned, securing production infrastructure.



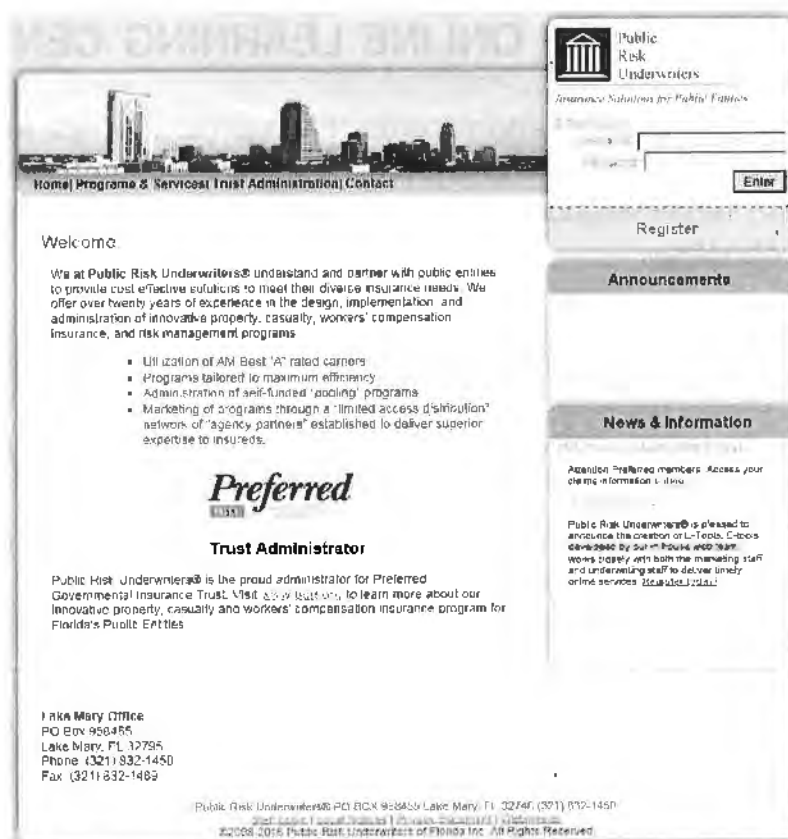
## PREFERRED E-TOOLS

E-Tools provides agents and members with immediate access to the services listed below:

- Preferred newsletters archives
- Preferred Safety & Risk Management resource materials
- Webinar presentations on current topics i.e. Hurricane Preparedness, Sexual Harassment, Return to Work policies and Drug Free Workplace programs

In addition, agents gain immediate access to the following services on behalf of their represented members:

- Issue of certificates of coverage and view of historical data
- Issue of Auto ID Cards (Preferred auto coverage members)



(Please note that some services may not be available upon accessing due to possible development changes and/or updates being performed)

### Registering for E-Tools:

To register, just go to [www.publicrisk.com](http://www.publicrisk.com) and click on "Register" to complete and submit the registration form.

### Activation of E-Tools Account:

You will receive an email within 72 hours of the activation of your account.



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# BADGE PROGRAM

## A SPECIALIZED LEGAL AND MEDICAL APPROACH IN ADDRESSING CLAIMS

In 2003, Florida Legislature expanded the fire fighters' "Heart and Lung Bill" to include police, deputies and correction officers. This change in law presented the Worker's Compensation claims and medical management community with increased challenges.

Amerysis developed a specialized legal and medical program approach in addressing the uniqueness and special needs of handling claims. This was appropriately named B.A.D.G.E. (Better Administration Dedication Guaranteeing Excellence).

This team recognizes the importance of "quality of life" and therefore will exert every effort to educate every employee with a potential for heart disease regarding healthy diet, weight loss and proper medication usage. The program consists of an interdisciplinary approach to manage and provide quality services to our employees and clients.

The combination of disease state management and workers' compensation case management, allows the employee to benefit from the latest in quality cardiac healthcare providing a constant source of support and education. It improves/enhances return to work outcomes, reduces disability duration, prevents unnecessary, dangerous and costly consequences of inappropriate use of cardiac medications while reducing the cost of handling presumption claims.

### The BADGE Program Features Include:

- Medical Director and/or Physician Advisor with Board Certification in Cardiology to assist and direct the medical management team.
- Registered Nurses with cardiac patient experience to implement, monitor and assess all presumption claims.
- Speciality Facilities and/or Speciality Providers contracted for Workers' Compensation to best impact the ultimate outcomes. We recruit and train providers of excellence within their specialty and/or modify their program to meet the unique needs of the claimants covered by the Florida Heart and Lung Bill.
- Most current quality of Cardiac Care while maintaining compliance with the Heart and Lung Bill 112.18 and WC Statute 440.
- Established relationship with Organ Transplant Network. This provides access to Centers of Excellence as medically necessary to meet the needs of claimants covered by the Florida Heart and Lung Bill.

**THE CARDIAC REGISTERED NURSE WORKS DIRECTLY WITH THE ADJUSTER, EMPLOYER AND EMPLOYEE ASSISTING IN THE FOLLOWING:**

- Gathering medical data required to properly determine the compensability by the adjuster.
- Manage the initial diagnostics and treatment to most effectively diagnose condition.
- Works with the employee through diagnostics and moving them toward a stable position.
- Provide education and establish goals with the employee in making lifestyle changes in order to reduce or eliminate future costly events associated with their work-related illness.
- Conference with the treating physician regarding the job description, and assist in the determination of when the claimant can safely return to work.
- During the maintenance phase of the program, the cardiac nurse case manager monitors the physician's findings, diagnostics, lab values and medications. Coordinates care and provides education. The goal is to maintain the claimant at this stable state, acting proactively when necessary.
- Facilitates communication with employees, physicians, employers and adjusters, keeping them apprised of any changes.



# PROPERTY APPRAISAL SERVICES

Preferred Governmental Insurance Trust is pleased to provide property appraisals to our members. Appraisals will be conducted by a nationally recognized appraisal firm. Accurate valuation of property is important for protecting member assets, ensuring insurance-to-value, and allowing for "blanket" coverage to be in place.

## APPRAISAL SERVICE HIGHLIGHTS:

- Building appraisals for all locations at no cost to Preferred members.
- Ongoing appraisal program for all members.

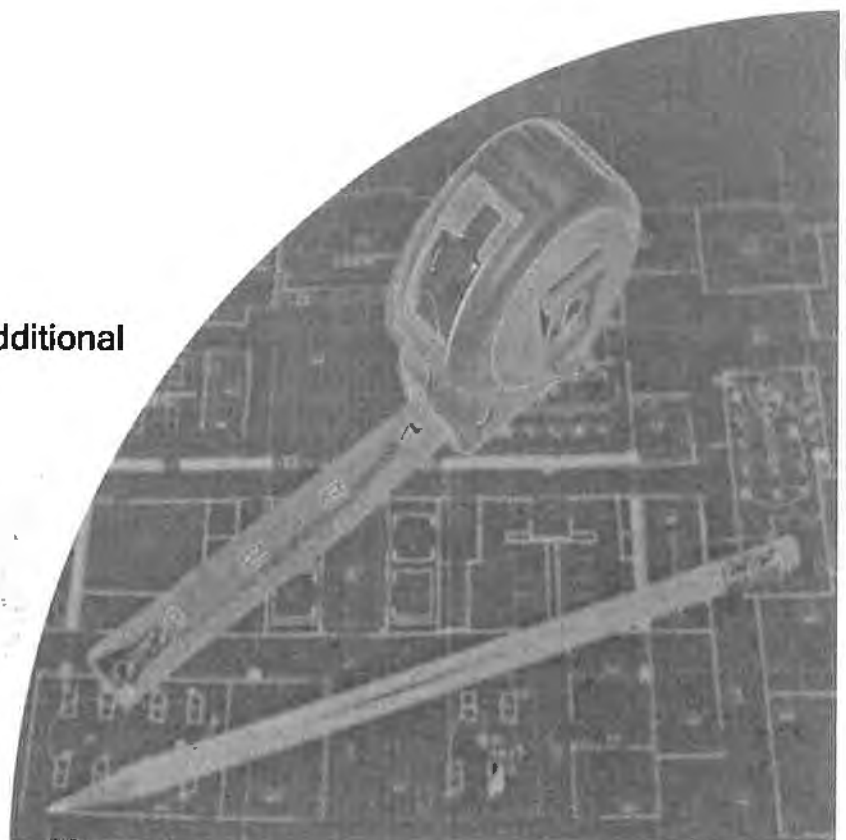
## Appraisal Services Include:

- Appraisal of Buildings/Structures
- Appraisal Data Recording
- Modeling of Building Contents
- Classification of Flood Zones
- Secondary CAT Modeling Data
- Primary Cope Data (includes GPS Coordinates)
- Value Comparison Reports

**Please contact us should you need additional information on this valuable service.**



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# SAFETY & RISK MANAGEMENT

## SAFETY AND RISK MANAGEMENT SERVICES EXCLUSIVELY FOR PREFERRED MEMBERS

Having a comprehensive safety and risk program in place can greatly benefit your municipal or school organization. Our safety and risk management services are designed to allow Preferred members to improve safety in the workplace, control risks, and prevent accidents.

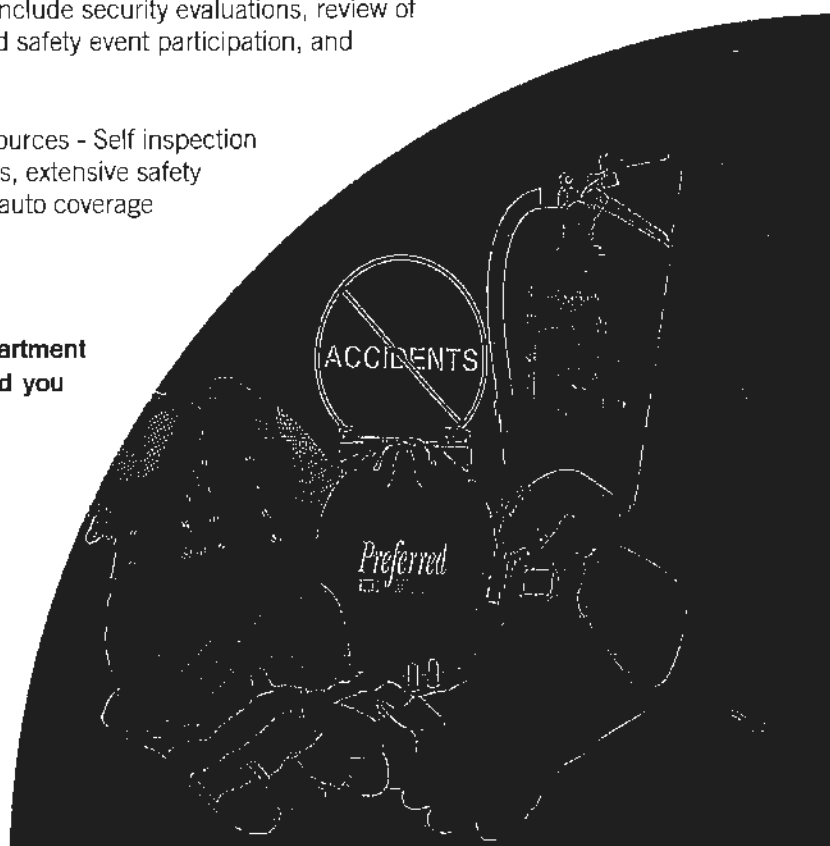
### Safety and Risk Management Services Include:

- **Exposure Identification** - Assist members in determining areas where a chance of loss exists through cause trend analysis, work site evaluations, and facility inspections.
- **Exposure Measurement and Loss Analysis** - Loss analysis and a review of the consequences of the exposures will be considered to develop alternative methods of control.
- **Determination and Selection of Appropriate Risk Control Methods** - Based on measurement and analysis, specific recommendations and/or a custom designed risk control plan can be formulated. OSHA, as well as other Agency Standards will be applied as a "Best Practice" measure when designing and formulating safety and risk control plans.
- **Training and Safety Management Consulting** - After considering the members needs, specific services and/or training will be formulated and initiated to fit the members needs. Specialty consulting services and/or key personnel with the knowledge and skills needed to meet those identified needs can be provided.
- **Timely topics and New Technology** - We provide educational seminars and webinar events, comprehensive online training, and knowledge websites.
- **Additional Consulting Services Available** - Services include security evaluations, review of existing safety and risk programs, special health and safety event participation, and safety and risk related information research.
- **Member Exclusive Safety & Risk Materials and Resources** - Self inspection checklist forms, safety related articles, safety posters, extensive safety video library, auto accident claim reporting kits (for auto coverage members), and much more.

Please contact our **Safety & Risk Management Department** (321) 832-1658 or [mstephens@publicrisk.com](mailto:mstephens@publicrisk.com) should you need additional information on this valuable service.



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# CYBER LIABILITY COVERAGE

Preferred Governmental Insurance Trust is pleased to provide this important protection to address the potential exposures associated with internet communications, such as privacy issues, infringement of intellectual property, virus/trojan transmissions, and other potentially serious exposures that may arise from first to third parties transmissions via the web.

## COVERAGE BENEFITS INCLUDE:

- Endorsement to Public Officials Liability policies
- Sublimit of \$2,000,000 each claim / annual aggregate
- Voluntary notification endorsement included
- Social Engineering Financial Fraud
- Data Breach Response & Crisis Management

## Coverage Highlights Include:

### Third Party Liability Coverages

- Media
- Privacy & Cyber Security
- Privacy Regulatory Defense, Awards and Fines

### First Party Coverages

- BI & Extra Expenses
- Data Recovery
- Cyber Extortion

**Please contact us should you need additional information on this valuable service.**



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# THE PREFERRED RESPONSE

**Pre-disaster planning** begins with asset identification, coordinated by your local retail agent, utilizing Preferred's property appraisal services. Our agent partners and loss control/safety consultants are available to review and refine your Continuity of Operations (COOP) strategy.

**Real time alert notifications** are provided on the Preferred APP via smart phone or tablet. Our local agents and claim staff follow up with emails to members within the expected landfall cone.

**Emergency response** by a panel of approved vendors who specialize in construction, water extraction, and mold remediation. Resources, including manpower and equipment, can be dispatched.

**FEMA recovery coordination** starts with confirmation of insurance coverage and claim payments. Preferred reports are tailored to meet FEMA standards and are made available electronically to FEMA representatives. Preferred partners with FEMA consultants to help members navigate FEMA project management.

**Expedited payments** for repairs can be made directly to service providers/contractors or to the member. The Preferred claims service provides the member flexibility in deciding how to structure their disaster recovery plan.

**Reporting claims** has never been easier. A member may report a claim via the website (PGCS-tpa.com), Preferred APP, fax, phone, or e-mail.

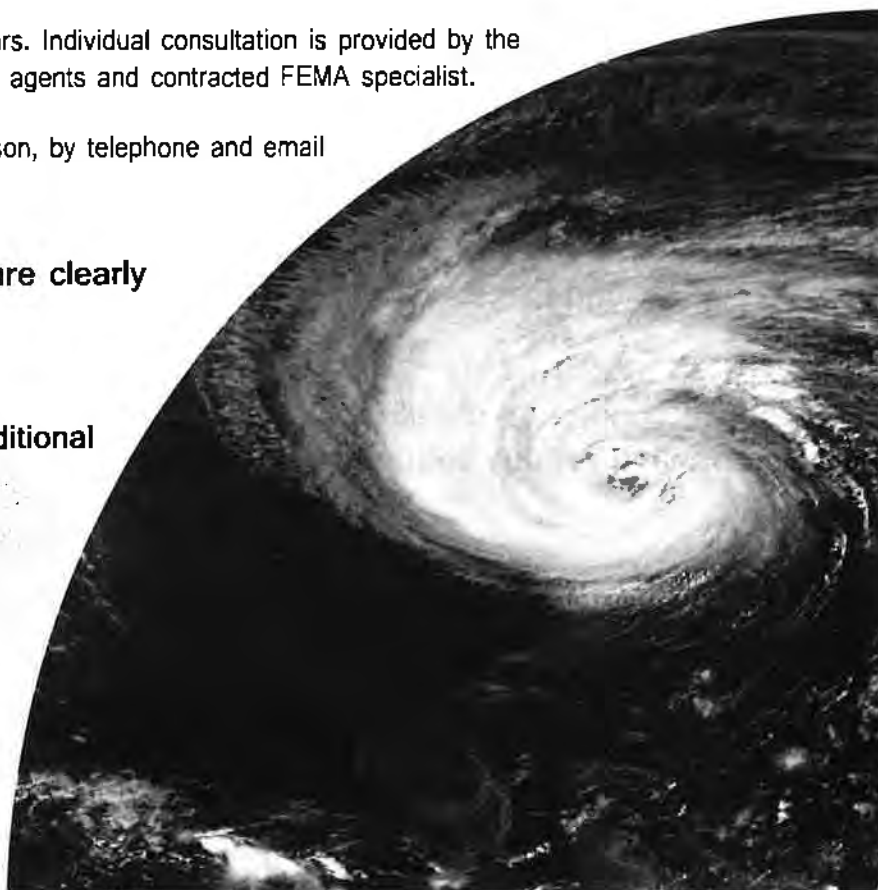
**Recovery** is tailored for each member based on how much of the recovery process the member wants to manage. Preferred adjusters can recommend contractors to mitigate the disaster damage or you may use contractors already appointed with your entity.

**Education** is provided via webinars and seminars. Individual consultation is provided by the Preferred loss control representatives, local retail agents and contracted FEMA specialist.

**Dedicated in-house staff** are available in person, by telephone and email to meet all of your pre and post disaster needs.

**For one step Disaster Recovery, we are clearly  
PREFERRED**

**Please contact us should you need additional  
information on this valuable service.**



# PREFERRED TIPS

## A REIMBURSEMENT PROGRAM WITH MATCHING TRAINING & SAFETY INCENTIVES

The Preferred TIPS program is a reimbursement program with matching training/safety incentives that can be applied for by any current member of Preferred. Each entity is eligible to apply for a matching incentive of up to \$5,000 per coverage year. The applications will be accepted until the end of each quarter and then evaluated and recipients notified by the end of the month following the quarter.

### Examples of eligible reimbursements include:

- Personal protective equipment
- Safety related signs
- ADA compliance measures
- Police accreditation program fees
- Driver training
- Law enforcement simulator training
- Ergonomic training
- Sidewalk repairs
- Continuing education classes
- Lifeguard training
- Most any safety related training or equipment

Once an application is received the committee will determine the relevance of the training/safety purchase against the lines of coverage purchased by the member. The committee will also consider the information provided in the application.

Please contact our Safety & Risk Management Department  
(321) 832-1658 or [PreferredTIPS@publicrisk.com](mailto:PreferredTIPS@publicrisk.com) should you  
need additional information on this valuable service.



# UNMANNED AIRCRAFT (DRONE) LIABILITY COVERAGE

Preferred Governmental Insurance Trust is pleased to provide liability coverage for Unmanned Aircraft (Drone) as an endorsement under the general liability coverage form. With the growing number of uses within the public entity sector for unmanned aircraft, Preferred is on the forefront of providing this protection to our members. If you use an unmanned aircraft to inspect property, monitor infrastructures, investigate accidents or crime scenes, search and rescue operations or any number of other uses, please contact your agent about adding this important coverage.

## COVERAGE HIGHLIGHTS INCLUDE:

- Endorsement to General Liability coverage agreement
- Sublimit of \$500,000 each claim / annual aggregate
- Eligible for unmanned aircraft up to 55 lbs.

**Please contact us should you need additional  
information on this valuable service.**





**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 11, 2019

**SUBJECT:** 2020 U.S. Census: Appointment of Representative to the County's Complete Count Committee

Attached is a letter from the County Commissioner James K. Johns to Mayor George. Commissioner Johns outlines the County Commission's preparations for the upcoming census and asks that the City appoint a representative to the County's Complete Count Committee. He explains that the Committee will meet monthly through June 2020, and that the meetings are projected to last two hours. He also states that there will be a training session on Thursday, July 18, 2019, at 10:00 a.m. at the County's Health and Human Services Building, which is on the same street (San Sebastian View) as the County's administration building.

**ACTION REQUESTED**

It is that you appoint a member of the City Commission to the County's Complete Count Committee.



## St. Johns County Board of County Commissioners

May 29, 2019

Mayor Undine George  
City of St. Augustine Beach  
2200 A1A South  
St. Augustine Beach, FL 32080



Dear Mayor George,

The United States Census Bureau is preparing to launch the Call to be Counted to every U.S. resident for the 2020 Census. The Census influences many important Federal, State, and local issues including the determination of electoral redistricting, representation for the State of Florida within the U.S. Congress, and the allocation of millions of federal dollars annually. The count will impact St. Johns County residents, businesses, and organizations through 2030; therefore, it is vital to St. Johns County that the 2020 Census be as complete and accurate as possible.

In order to maximize our success, the Board of County Commissioners has established a Complete Count Committee to ensure all residents of St. Johns County are aware of the upcoming Census and the importance of being counted. The purpose of the Committee will be to raise awareness of the upcoming Census within the general population, encourage participation, and engage hard-to-reach groups. Comprised of influential community leaders from a variety of high-profile public and private sector organizations and community groups in St. Johns County, the Committee will work together to develop and implement a local outreach plan for the Census that will continue into spring of 2020.

As the Board of County Commissioners liaison to the Complete Count Committee, I would like to invite your organization to appoint a representative to serve on the Committee and assist us in raising awareness about the 2020 Census. The Committee will meet monthly through June 2020, with additional meetings scheduled as needed. An initial Census Bureau training session is scheduled for 10 a.m. on July 18 at the St. Johns County Health and Human Services Building, 200 San Sebastian View. The training will serve to define the group's purpose and identify the roles, responsibilities, and obligations of the committee members. All meetings are projected to last approximately two hours.

If your organization would like to have representation on the Committee, please email [mryan@sjcfl.us](mailto:mryan@sjcfl.us) with confirmation, a representative name, and email and phone contact information by July 1, 2019. If you are aware of other organizations that could contribute to the committee with representation, please feel free to make the suggestion and provide contact information. Committee members will begin receiving updates and additional information in July.

For more information regarding St. Johns County's 2020 Census initiative and the Complete Count Committee, please call Michael Ryan, St. Johns County Communications Director, at 904.209.0549. Mr. Ryan will also serve as the primary point of contact for the community and committee members for the duration of their service to the 2020 Census. Thank you for your time and careful consideration of this important opportunity.

Sincerely,




James K. Johns

Complete Count Committee Liaison

St. Johns County Board of County Commissioners

# MEMORANDUM

**TO:** Mayor George  
 Vice Mayor England  
 Commissioner Kostka  
 Commissioner Samora  
 Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 11, 2019

**SUBJECT:** Performance Evaluation of Police Chief and City Manager: Discussion of Process and Timetable

Usually, in July, you begin the process of evaluating the work performance of Chief Hardwick and the City Manager.

Attached is the performance appraisal form that has been used in the past. You can use it, or another form that you think will provide better guidance to the Chief and the City Manager for improving their work performance, or, as some Commissioners have done in the past, you can individually do a verbal review with the Chief and the Manager of their respective work performance during the previous year.

## ACTION REQUESTED

It is that you decide on the evaluation form you want to use, and the timetable for when the reviews are to be completed.

# CITY OF ST. AUGUSTINE BEACH

## PERFORMANCE APPRAISAL



**PERFORMANCE FACTORS** –Please mark the box next to the statement that most accurately describes the employee’s level of performance during the review period on each of the performance factors. Please provide a brief description for each rating in the space provided.

A rating of “*fully competent*” signifies that performance meets the expectations for the job. A “*superior*” rating is for performance that achieves the “*fully competent*” level and clearly goes beyond expectations as described in the ratings’ definitions. The rating explanation section is completed with relevant examples of work behavior. A “*performance needs improvement*” rating indicates a performance level below expectations.

1. **MANAGING WORK/ORGANIZATION AND PLANNING:** Ability to generate results through the effective allocation of resources, to identify tasks, determine methods/practices and administer assigned operations. Ability to plan, organize and set priorities for work, including ability to make work assignments, establish deadlines and communicate standards and expectations.

The *superior performer* effectively allocates and utilizes appropriate resources to achieve the expected results. He/she consistently engages in short- and long-range planning for self and the city/department, uses scheduling and staff assignments to achieve city/departmental and Commission goals, as well as staff development needs, while allowing flexibility to deal with unexpected results.

The *fully competent performer* participates in short- and long-range planning, develops plans for task accomplishment, schedules resources to meet deadlines, and clearly communicates standards and expectations. He/she leads the assigned unit through most tasks in an efficient manner, demonstrates good coordination of resources, develops efficient systems and practices for record keeping, cost control and improved work flow, and directs the efforts of the assigned unit to accomplish city, departmental and Commission goals.

*Performance needs improvement* if deadlines are missed due to lack of planning, organization or improper priorities; operations are marked by inefficient work flow or assigned unit achieves less than productive results from the resources used.

**RATING:**

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

2. **LEADERSHIP AND PROBLEM SOLVING:** Ability to generate productive results by influencing employees toward positive performance and the use of the skills that create positive work behaviors and attitudes. Ability to correct problems before they become serious, identify areas for potential problems, and take action to prevent them.

A *superior performer* displays exemplary work habits and reflects positive work behaviors, presents ideas positively and enthusiastically, encourages and rewards outstanding performance and positive attitudes, and carries out human resources policies in an impartial, unbiased manner. He/she develops preventive and productive systems for recognizing potential problem areas, analyzes the scope and causes of the problem and allocates resources toward creative, cost-effective solutions, and encourages such practices throughout the assigned area of responsibilities.

The *fully competent performer* encourages employees toward achievement and provides positive leadership through attitude and action. He/she anticipates potential problems, provides valuable feedback to employees about the cause and effect of actions, and develops plans to maintain sufficient resources.

*Performance needs improvement* if the department head/city manager does not direct or influence the activities or attitudes toward achieving results, or displays ineffective work habits. He/she only reacts to problems, or allows minor problems to become major ones before attempting to solve them.

RATING:

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

3. **PROFESSIONAL DEVELOPMENT:** Commitment to developments in the area of responsibilities, the development of effective management techniques, and the pursuit of increased knowledge and awareness of the fundamentals and new developments in the field.

The *superior performer* enthusiastically seeks new ways to increase managerial skills and is committed to remaining up-to-date on trends in his/her area of responsibilities. Active involvement or leadership in professional organizations at the local, state or national level.

The *fully competent performer* applies new developments pertaining to his/her area of responsibilities that clearly benefit the city, and participates in in-service and professional training as part of a professional growth program that benefits the city. Maintains membership in professional organizations.

*Performance needs improvement* if the department head/city manager seems uninterested or unaware of developments in the field, or does not accept new methods for becoming more effective in his/her area of responsibilities.

RATING:

- ☒ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

4. **ORGANIZATION COMMITMENT:** Ability to achieve compliance with, and commitment to, the organizational policies, procedures, practices and principles of the profession, and encourages subordinates to work on achieving departmental/organizational goals.

The *superior performer* enthusiastically endorses the organization's goals and objectives, and makes an extra effort to carry out decisions and policies in a manner that promotes organizational values. Encourages management style built on teamwork, and seeks additional responsibility in the interest of meeting organization goals.

The *fully competent performer* demonstrates strong support for organizational values and policies; encourages similar support from staff, and willingly implements decisions and policies; and keeps others in the organization appropriately informed.

*Performance needs improvement* if the department head/city manager does not fully implement the organization's and policies as determined by the Commission, and/or shows a lack of commitment to the achieving of them.

**RATING:**

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

**EXPLANATION/COMMENTS:**

5. **COMMUNICATION SKILLS AND POSITIVE INTERPERSONAL RELATIONSHIPS:** Ability to express ideas clearly both orally and in writing; to establish and maintain positive interpersonal relationships with employees as well as with other managers, citizens, and elected and appointed officials.

The *superior performer* organizes ideas well and is influential and highly effective in conveying the message and its tone. May be required to create reports or make presentations to the Commission, colleagues and citizens. He/she promotes open channels of communication that build mutual trust between employees, peers and managers. Management style is marked by commitment to team building and fairness within the department and the City organization.

The *fully competent performer* expresses ideas and information in a clear and organized manner, and achieves effective two-way exchanges of information. The employee is a good listener and encourages open communications and questions from others. He/she establishes and maintains harmonious and cooperative work relations, and emphasizes team work and good communications that are honest and forthright.

*Performer needs improvement* if verbal communications create conflict or misunderstanding, or written material is unclear and poorly organized. He/she makes promises beyond his/her scope of authority, or has difficulty remaining unbiased in decision making.



RATING:

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

6. **DECISION MAKING:** Ability to develop strategies and implement decisions that account for individual needs as well as broad organizational perspectives; make quality and fiscally sound decisions; and invite employee involvement in the decision making process.

The *superior performer* envisions innovative solutions to complex problems, maintains a broad point of view regarding the organization and community, and appropriately involves employees in the decision-making process and works with others to identify policy issues for consideration.

The *fully competent performer* exhibits decision making that balances narrow and broad range issues, exhibits financial awareness, considers the long-range implications when determining solutions, regularly provides for employee participation in decision making as needed, and seeks input from others when appropriate.

*Performer needs improvement* if he/she doesn't consider the effects of his/her decisions on individuals and/or the organization, or allows little or no employee participation in the making of decisions.

RATING:

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

7. **DELEGATION/EMPLOYEE RESPONSIBILITY:** Knowledge of the delegation process and ability to delegate responsibility and authority, and to identify suitable delegation opportunities that increase effectiveness and employee growth. Ability to encourage staff to assume responsibility and accountability for their jobs, while promoting employees' self-direction according to established goals and standards.

The *superior performer* has systematic plans for delegation, makes regular use of delegation as a staff development tool, and achieves employee involvement in the decisions making process by sharing appropriate responsibility and authority. He/she encourages employees towards self-direction, creativity and self-initiated review of their own work, and relies on management principles that hold subordinates accountable for work product.

The *fully competent performer* allows employees input into the decision making process, recognize opportunities for suitable delegation, uses good follow up techniques, and treats employees with respect. He/she encourages employees to review and correct their own work prior to completion, assumes employee accountability when evaluating work results, and makes certain that supervisors appropriately oversee the hiring, training, disciplining and evaluating of employees.

*Performer needs improvement* if divisional effectiveness is diminished by poor use of delegation, or by extreme over control to the detriment of staff development, and/or if employees are unwilling or unable to accept responsibility for work products.

**RATING:**

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

**EXPLANATION/COMMENTS:**

8. **ADMINISTRATION:** Ability to manage resources effectively while striving for organizational goals, and accepting responsibility and accountability for the actions of the assigned area.

The *superior performer* audits and evaluates the completion of projects in terms of quality, cost and time frame, and accepts responsibility for the actions and results of subordinates. Practices

reflect full knowledge of established policies. Recommends better approaches to provide City services at reduced costs.

The *fully competent performer* maintains effective function of assigned operations and property, is accountable for his/her own actions as well as the smooth functioning of the assigned area within the provision of established policies. Identifies ways to provide services at less cost, prepares budget and administers expenditures according to City guidelines.

*Performer needs improvement* if he/she makes excuses for poor performance, if administration is inefficient, or if the provisions of established policies and procedures are not applied.

**RATING:**

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

**EXPLANATION/COMMENTS:**

9. **ETHICS.** Impartiality in the performance of the job, including honesty and objectivity in decision making and communications, capacity to make decisions based on the best interests of the community, and to make realistic commitments within his/her scope of authority.

The *superior performer* functions as an exemplary public employee and inspires and rewards similar behavior in peers, supervisors and other employees.

The *fully competent performer* functions as a responsible public servant by presenting unbiased information and promises to the public, and making realistic commitments to follow through to citizens, Mayor, Commission, peers, fellow employees and others in the private/public sectors with whom the performer interacts. Manages in a professional manner in conformance with federal, state and local laws.

*Performer needs improvement* if he/she doesn't function as a responsible public servant by making decisions based on the best interests of the community, or by making commitments outside his/her scope of authority.

**RATING:**

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

**10. CITIZEN RESPONSIVENESS.** Responsiveness to citizens' actions and attitudes, and to citizen complaints or requests for information and/or action on problems.

The *superior performer* effectively institutes a policy establishing service to the citizens as a priority, and maintains an efficient policy for handling citizen requests/complaints that promote a favorable image of the City.

The *fully competent performer* works with staff to improve courtesy, timeliness and helpfulness to citizens, and stresses a positive problem-solving attitude in response to citizen requests/complaints.

*Performer needs improvement* if he/she ignores or neglect citizen requests/complaints, or allows staff to respond to requests/complaints with less than a courteous, problem-solving attitude.

RATING:

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

**MAJOR ACCOMPLISHMENTS:** List/describe the major accomplishments of the review period, including unexpected developments that were addressed, as well as any objectives that were not accomplished and cite the reasons.

**OVERALL PERFORMANCE RATING;**

The *superior performer* will not need improvement in any of the performance factor areas. In most areas, a superior rating was achieved. The superior rating should be reserved for only those employees whose performance clearly exceeds expectations.

The *fully competent performer* may be superior in some areas, but fully competent in most. The fully competent rating should be given to employees whose performance exceeds the minimum standards, but does not clearly exceed all expectations.

The *performer needs improvement* if he/she has not met the performance expectations for the job in the majority of the factors. The needs improvement rating should be given to employees who demonstrate the potential and willingness to improve, but whose current performance is below expectations.

OVERALL RATING FOR THE PERIOD:

- ☐ Superior
- ☐ Fully Competent
- ☐ Performance Needs Improvement

EXPLANATION/COMMENTS:

EMPLOYEE COMMENTS:


Signatures:

| Employee | Date |
|----------|------|
|----------|------|

Commission/City Manager \_\_\_\_\_ Date \_\_\_\_\_

**MEMORANDUM**

**TO:** Mayor George  
Vice Mayor England  
Commissioner Kostka  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** June 11, 2019

**SUBJECT:** Proposed Fiscal Year 2020 Budget: Scheduling Date for Special Meeting in Late July to Review Budget and Set the Tentative Millage

In June and July of each year, Melissa prepares the budget for next fiscal year, which begins on October 1<sup>st</sup>. The budget is then distributed to each of you about the middle of July.

Usually, at your July regular meeting, you set a date towards the end of July for a special meeting, at which you discuss the budget and set the tentative property tax millage for the upcoming fiscal year. The tentative millage must be sent to the Property Appraiser in early August, so that he can put it on the notice that is sent to the owner of every property in the City. Along with the tentative millage the notice has the date, time, and place of the first public hearing on the budget, which is usually held on the second Monday in September because the first Monday is the Labor Day holiday.

The day you schedule for your July special meeting is usually the last Monday of the month, which this year is July 29<sup>th</sup>. We ask that you set that date, or one close to it, for the special meeting, so that you can decide the tentative millage and it can be sent to the Property Appraiser before or shortly after August 1<sup>st</sup>.

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING  
JULY 1, 2019**

**CODE ENFORCEMENT/BUILDING/ZONING**

The report is attached as pages 1-2.

**COMPREHENSIVE PLANNING AND ZONING BOARD**

The minutes of the Board's May 21, 2019, meeting, are attached as pages 3-12.

**TREE BOARD/BEAUTIFICATION ADVISORY COMMITTEE**

The Board/Committee did not meet in June.

**POLICE DEPARTMENT**

Please see page 13.

**PUBLIC WORKS DEPARTMENT**

Please see pages 14-15.

**FINANCE/ADMINISTRATION**

The report from Ms. Melissa Burns, the City's Chief Financial Officer, is attached as pages 16-17.

**CITY MANAGER**

1. Complaints

A. Flooding on A Street, East of the Boulevard

The County recently repaved A Street from the state highway eastwards to the beach. Recent rains have shown that the section of A Street east of the Boulevard is flooding. The Public Works Director is working on a solution with the County.

2. Major Projects

A. Road/Sidewalk Improvements

1) Pedestrian Safety at Crosswalks on A1A Beach Boulevard

Residents have requested pedestrian flags at the 8<sup>th</sup> and 13<sup>th</sup> streets crosswalks. As the County owns the Boulevard, these requests were forwarded to it. The County staff replied that standards for crosswalks in the Traffic Engineering Manual state that the minimum distance to the nearest crosswalk is 300 feet and

that a crossing that comes between 100 and 300 feet from the nearest crosswalk must be documented by an engineering report. The County staff also reported that the volume of pedestrians crossing at each intersection does not justify a crosswalk.

Chief Hardwick and Bill Tredik, the Public Works Director, met in June with County staff about pedestrian safety improvements along the Boulevard. The County has agreed to allow crosswalks at 9<sup>th</sup> and D Streets.

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

There has been no action by the owners of the lots on 2<sup>nd</sup> Street west of 2<sup>nd</sup> Avenue to open that street. The owners would have to sign an agreement and pay in advance the costs to construct the utilities and the road, just as the owners of the lots adjacent to 8<sup>th</sup> Street between the Boulevard and 2<sup>nd</sup> Avenue did.

## 3) Sidewalk on A Street

A resident has suggested that a sidewalk is needed on A Street between the beach and the Boulevard because of the traffic and number of pedestrians and bicyclists along that section of A Street. The Public Works Director obtained a survey of this section of A Street. It appears that the right-of-way is wider along the north side of the street. The Director and the City Manager held a meeting on May 21<sup>st</sup> with the residents and property owners, to explain the project to them and learn whether they are in favor of it. Twelve persons attended. Most were not in favor of the sidewalk but asked that a speed bump be put on this section of A Street and that drainage improvements be done. As A Street is owned by the County, the Public Works Director will ask the County whether it will approve these proposals. At its June 12, 2018, meeting, the City Commission approved submitting the sidewalk and two other projects to the Tourist Development Council for funding by bed tax revenue. However, according to the County Administrator, Mr. Michael Wanchick, it is unlikely that bed tax funds for projects will be provided to our City and to St. Augustine. The City's Public Works Director, Mr. Bill Tredik, has suggested to the City Manager that instead of a sidewalk the shoulders on each side of this section of A Street be widened to provide more paved area for pedestrians and vehicles. Mr. Tredik and the City Manager will hold another town hall meeting with the residents and property owners along this section of A Street. One was held nearly two years ago and the residents/property owners were not in favor of the sidewalk.

## 4) Repaving and Restriping of A1A Beach Boulevard from A Street South to the Shopping Plaza

This project has been completed and no longer will be included in this Report.

## B. Beach Matters

### 1) Off-Beach Parking

In response to the Commission's request, the Planning Board has recommended a residential parking permit plan. Though discussion of the parking plan was on the agenda for the City Commission's June 5, 2017 meeting, the Commission decided to postpone the topic to a future joint meeting in the spring with the Planning Board. The Commission held a special meeting on Monday, March 19, 2018, with the Planning Board to discuss the parking plan. Mayor George at the meeting spoke of Gainesville's pay by phone parking system and suggested the City explore having a similar system. The Commission reviewed the information obtained from Gainesville at its April 2<sup>nd</sup> meeting and authorized the advertising of a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20<sup>th</sup> deadline.



At its continuation meeting, the Commission decided to let St. Augustine implement its pay-by-phone system first, which will likely happen early in 2019. St. Augustine is using one of the six vendors, Passport, that responded to the City's Request for Proposals. The County Administrator suggested to the City Manager that the County and the City should have the same pay-by-phone system because the pier park is in the City's limits. The County at that time was in the process of advertising for proposals for a parking management plan. However, the City Commission decided that the City should have the same system St. Augustine has because that city was further along in its plans to adopt a system. The Commission discussed the details about the pay-by-phone parking system offered by Passport Parking at its November 13<sup>th</sup> meeting and held a special meeting December 17, 2018. A representative from Passport, Ms. Kelsey Owens, explained the system and the City's Information Technical Manager, Mr. Anthony Johns, provided answers to the questions the Commission had raised at its November 13<sup>th</sup> meeting. The Commission made a number of decisions, such as agreeing that the per-hour parking fee will be 50 cents for residents, \$1.25 for St. Augustine residents, if that city allows St. Augustine Beach residents to park in St. Augustine for its discounted parking fee; and \$2.50 for non-residents. The Commission scheduled a special meeting on Tuesday, January 8, 2019, to review the proposed contract with Passport and consider an ordinance adopting the per-hour parking fees. However, at the meeting, the Commission decided that the City should be a partner with the County and use the same pay-to-park system that the County adopts for the pier park and other off-beach parking areas. The County received several responses to its Request for Proposals by the February 21<sup>st</sup> deadline. The County staff reviewed them on March 7<sup>th</sup> and recommended to the County Commission at its April 2<sup>nd</sup> meeting that the County staff negotiate with Republic Parking System. The County Commission approved this recommendation. At its April 29<sup>th</sup> meeting, the City Commission decided that the City staff is to be involved with the County staff in the negotiations with Republic.

Also, at its April 29<sup>th</sup> meeting, the City Commission made changes to a proposed ordinance to establish a residential parking permit program. That ordinance as well as one to amend the parking regulations in Chapter 19 of the City Code will be on the agenda for the Commission's June 10<sup>th</sup> meeting. To date, the residents of two streets west of the Boulevard, 13<sup>th</sup> and 14<sup>th</sup>, have requested the parking permit program, as have the residents in the 100 block of 10<sup>th</sup> Street between 2<sup>nd</sup> Avenue and the Boulevard.

In the meantime, Mayor George held a town hall meeting on Thursday, February 28<sup>th</sup>, at the Courtyard Marriott, from 5:30 p.m. to 7:00 p.m. Its purpose was to receive suggestions from the public about paid parking, how to protect the residential neighborhoods from becoming parking lots, and how to enforce the City's parking regulations. The City Commission then held a special meeting on Tuesday, March 5<sup>th</sup>, starting at 6 p.m., to discuss paid parking options with the residents. The Commission decided the following at that meeting:

- Hourly parking fee: \$2.00
- Discount for County residents: 50 cents
- St. Augustine Beach residents: no charge if resident registers at city hall for free parking
- Ocean Hammock Park: \$1 an hour
- Maximum fee per day: \$15
- Hours when paid parking would be in effect: 9 a.m. – 5 p.m.
- Days of year paid parking in effect: 365
- Paid parking locations: improved parking lots along A1A Beach Boulevard. No paid parking in residential areas, especially along 2<sup>nd</sup> Avenue.
- Parking areas shared with businesses: remain as unpaid areas

At its April 29<sup>th</sup> special meeting, the City Commission reviewed an ordinance for a Resident Only parking system, made changes to it, and asked the City Attorney to prepare a new draft, which will be reviewed at the June 10<sup>th</sup> regular meeting, and to prepare an ordinance to make changes to the parking regulations in Chapter 19 of the City Code. It also will be reviewed at the June 10<sup>th</sup> meeting.

Also, at the April 29<sup>th</sup> meeting, the Commission discussed a proposal to lease the vacant land south of the Marriott Hotel as a parking lot. The land is owned by the company that owns the Marriott. The owner has proposed that the City lease the land for 3-5 years and in lieu of rent pay the yearly taxes on the land. The six commercial lots that the City would use for parking would provide 102 parking spaces, include eight handicapped spaces. The costs to make the land suitable for parking would be about \$100,000. The Commission made no decision concerning the lease.

In the meantime, the County solicited proposals for a parking management plan. The County Commission at its April 2<sup>nd</sup> meeting approved the staff negotiating with Republic Parking. The City Commission at its April 29<sup>th</sup> meeting agreed that City staff should participate with the County in the negotiations, on the premise that having a unified parking plan for the County's pier parking lot and the City's paid parking areas would benefit the residents and visitors who use the lots. The City Manager has contacted Republic to set a date for a meeting with City staff.

### 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 for where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for \$5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of \$4.5 million. The City gave the Trust a down payment of \$1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded \$1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for \$1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill. What remains to be done are improvements to the Park, such as restrooms.

#### 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. The County purchased the property in 2005 for \$2.5 million. By written agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it. At this time, the City does not have the money to develop any trails or other amenities in the Park

D. Review of Comprehensive Plan/Land Development Regulations

Information about this topic is provided under Item 5.B, strategic plan update, below.

3. Construction in the City

As of Tuesday, June 20, 2019, there were 48 permits active for single-family residences in the City.

| SUBDIVISION      | ADDRESS                   | DATE PERMIT ISSUED |                         |
|------------------|---------------------------|--------------------|-------------------------|
| Anastasia Dunes  | 904 Sandy Beach Drive     | 04/06/2018         | Active permit #13872    |
|                  | 414 Ocean Forest Drive    | 12/31/2018         | Active permit #14344    |
|                  | 446 Ocean Forest Drive    | 07/24/2018         | Active permit #14064    |
|                  | 1017 Sea Forest Lane      | 08/21/2018         | Active permit #14116    |
|                  | 701 Ocean Gate Lane       | 10/05/2018         | Active permit #14198    |
|                  | 512 Ocean Forest Drive    | 10/09/2018         | Active permit #14205    |
| Anastasia Park   | 601 11 <sup>th</sup> St   | 07/27/2018         | Active permit #14072    |
|                  | 491 Pyrus Street          | 10/01.2018         | Active permit #14180    |
| Atlantic Beach   | 7 16 <sup>th</sup> Street | 07/05/2018         | Active permit #14035    |
| Chautauqua Beach | 4 5th Street              | 02/02/2017         | Active permit #13092    |
|                  | 4 8 <sup>th</sup> Street  | 04/13/2018         | Active permit #13888    |
|                  | 6 6 <sup>th</sup> Street  | 01/30/2019         | Active permit #14397    |
|                  | 17 6 <sup>th</sup> Street | 04/19/2019         | Active permit #P1914567 |
|                  | 4 12 <sup>th</sup> Street | 04/25/2019         | Active permit #P1914615 |
| Coquina Gables   | 313 B Street              | 07/05/2018         | Active permit #14034    |
|                  | 310 D Street              | 09/17/2018         | Active permit #14156    |
|                  | 401 B Street              | 10/08/2018         | Active permit #14200    |
|                  | 311 A Street              | 11/13/2018         | Active permit #14268    |
|                  | 6 F Street                | 11/14/2018         | Active permit #14270    |
| Kings Quarry     | 613 Old Beach Road        | 01/16/2019         | Active permit #14368    |

| <b>SUBDIVISION</b>     | <b>ADDRESS</b>              | <b>DATE PERMIT ISSUED</b> |                      |
|------------------------|-----------------------------|---------------------------|----------------------|
| <b>Lake Sienna</b>     | 132 Kings Quarry Lane       | 10/15/2018                | Active permit #14214 |
| <b>Linda Mar</b>       |                             |                           |                      |
| <b>Magnolia Dunes</b>  |                             |                           |                      |
| <b>Minorca</b>         | 134 14 <sup>th</sup> Street | 09/17/2018                | Active permit #14156 |
| <b>Ocean Oaks</b>      |                             |                           |                      |
| <b>Raintree</b>        |                             |                           |                      |
| <b>Sandpiper West</b>  | 103 Sandpiper Boulevard     | 02/04/2019                | Active permit #14404 |
| <b>Sea Colony</b>      | 612 Ocean Palm Way          | 02/01/2018                | Active permit #13740 |
|                        | 887 Ocean Palm Drive        | 07/17/2018                | Active permit #14053 |
|                        | 332 South Forest Dune Drive | 01/17/2019                | Active permit #14373 |
|                        | 892 Ocean Palm Way          | 02/07/2019                | Active permit #14417 |
| <b>Sea Grove</b>       | 744 Tides End Drive         | 10/15/2018                | Active permit #14215 |
|                        | 1308 Smiling Fish Lane      | 10/22/2018                | Active permit #14224 |
| <b>Sea Oaks</b>        |                             |                           |                      |
| <b>Sevilla Gardens</b> |                             |                           |                      |
| <b>The Ridge</b>       | 477 Ridgeway Road           | 09/10/2018                | Active permit #14138 |
|                        | 270 Ridgeway Road           | 10/02/2018                | Active permit #14193 |
|                        | 490 Ridgeway Road           | 10/02/2018                | Active permit #14194 |
|                        | 156 Ridgeway Road           | 01/04/2019                | Active permit #14352 |
|                        | 22 High Dune Drive          | 01/18/2019                | Active permit #14376 |
|                        | 48 High Dune Drive          | 01/23/2019                | Active permit #14382 |
|                        | 94 High Dune Drive          | 01/24/2019                | Active permit #14385 |

| SUBDIVISION            | ADDRESS                | DATE PERMIT ISSUED |                         |
|------------------------|------------------------|--------------------|-------------------------|
| <b>The Ridge Cont.</b> | 170 Ridgeway Road      | 03/15/2019         | Active permit #14483    |
|                        | 226 Ridgeway Road      | 03/15/2019         | Active permit #14484    |
|                        | 65 High Dune Drive     | 03/28/2019         | Active permit #14507    |
|                        | 55 High Dune Drive     | 04/17/2019         | Active permit #P1914552 |
|                        | 542 Ridgeway Road      | 04/25/2019         | Active permit #P1914613 |
|                        | 120 Ridgeway Road      | 04/29/2019         | Active permit #P1914634 |
|                        | 448 Ridgeway Road      | 05/08/2019         | Active permit #P1914682 |
|                        | 362 Ridgeway Road      | 05/10/2019         | Active permit #P1914698 |
|                        | 143 Ridgeway Road      | 06/07/2019         | Active permit #P1914846 |
|                        | 513 Ridgeway Road      | 06/18/2019         | Active permit #P1914892 |
| <b>Whispering Oaks</b> | 252 Big Magnolia Court | 08/30/2018         | Active permit # 14131   |
|                        | 208 Big Magnolia Court | 08/30/2018         | Active permit #14132    |

#### **Woodland**

Underlined address is a result of inspections not being performed in a 180-day period contrary to Chapter 1 of the Florida Building Code, in this event further review and actions are to take place as per the Florida Building Code.

#### **COMMERCIAL CONSTRUCTION**

Concerning the vacate property between 5<sup>th</sup> and 6<sup>th</sup> Streets on the east side of A1A Beach Boulevard: At its October 16, 2018, meeting, the Planning Board approved a variance to reduce the minimum lot size required for a mixed used development from 8,500 square feet to 6,195 square feet. A two-story building will be constructed on one lot. It will have commercial use on the ground floor and residential use on the second floor. The address will be 600 A1A Beach Boulevard. The building is now under construction.

The Planning Board approved a similar commercial/residential building at its January 15<sup>th</sup> meeting. The building's address will be 610 A1A Beach Boulevard.

At its March 20, 2018, meeting, the Planning Board held a concept review hearing on a proposal 4,960-foot commercial building on the east side of State Road A1A, between the Verizon and Savage Swimwear stores. The Planning Board reviewed the proposed final development plan at its November 20<sup>th</sup> meeting and recommended that the Commission approve the plan. The Commission approved the plan at its December 3<sup>rd</sup> meeting. A permit for the project hasn't been issued yet.

#### 4. Finance and Budget

##### A. Fiscal Year 2018 Budget

The next step concerning the FY 18 budget is the audit of it. The City's auditing firm, James Moore, began its field work in the City in October. It returned for final field work in January 2019. The audit report was submitted to the City Commission at the June 17<sup>th</sup> special meeting. This topic will no longer be included in this Report.

##### B. Fiscal Year 2019 Budget

The City Commission reviewed the proposed FY 19 budget at a special meeting on July 31, 2018, and approved a millage levy of 2.5000 mills, or \$2.50 for every \$1,000 of a property's assessed value. Employee health insurance and adjustments to employee pay were also discussed. At another special meeting on September 10<sup>th</sup>, the Commission reviewed medical insurance plans and costs again and by majority vote agreed again to the operating millage levy of 2.5000 mills. The Commission held a special meeting September 24, 2018, and lowered the operating millage to 2.3992 mills, or about \$2.40 for every \$1,000 of the assessed value of a property. This millage is the same that's been levied since Fiscal Year 2011. The City also approved a debt millage of 0.50 mills, or 50 cents for every \$1,000 of a property's assessed value. The debt millage provides money to pay the bond debt the City has for the purchase of the 16 acres of Ocean Hammock Park. The FY 19 budget went into effect on October 1, 2018.

May 31, 2019, marked the end of the eighth month of FY 19. In April, the City received what is likely the last payment, \$137,931, from property taxes as no money was received in May. As of April 30<sup>th</sup>, the City had received \$2,864,886 from property taxes. A year ago, April 30, 2018, the total received from property taxes was \$2,617,750. The increase is due to new homes that were completed in 2018 and to the upward trend in property values.

Overall, as of the end of the eighth month of the fiscal year, for its General Fund, the City has received \$4,879,000 and spent \$4,326,222 on operations and projects. The surplus of revenues over expenditures, \$552,778, is continuing to decline as there is no revenue from property taxes during the remaining months of the fiscal year. In April 2019, the surplus was \$849,459.

In the budget, \$400,000 was estimated as the revenue to be received from parking fees and \$106,368 was budgeted as the amount to be spent on parking enforcement. These figures were based on money being received in the spring and summer and nine months of expenditures for parking enforcement. Because implementation of the paid parking system has been delayed, the FY 19 General Fund budget will have to be adjusted. At its June 17<sup>th</sup> special meeting, the City Commission approved a budget resolution which transferred money from reserve funds to make up for the \$400,000 short fall. In future fiscal years, money will be restored to the reserve.

##### C. Vendor Checks

Please see pages 18-37.

##### D. Preparations for Fiscal Year 2020 Budget

The City's Chief Financial Officer, Ms. Melissa Burns, is preparing the proposed budget. It will be reviewed by the City Commission at a special meeting in late July. The Commission will set the date for the meeting at its July 1<sup>st</sup> regular meeting. At the special budget meeting, the Commission will set the tentative property tax millage for Fiscal Year 2020, which will begin on October 1, 2019.

## 5. Miscellaneous

### A. Permits for Upcoming Events

In June, the City Manager approved the following permits: a. WSMS Surf Art Camp from June 3 to August 8, 2019; b. the St. Johns County Bar Association Young Lawyers' Charity Cornhole event on June 15, 2019; c. the 5K Feel the Love race on September 7, 2019.

### B. Strategic Plan

The plan's six tier one objectives adopted by the Commission are: 1. establish a plan for evaluating various events and their impact on the quality of life; 2. review additional revenue sources, including fees, grants, taxes, public/private partnerships, bonds, etc.; 3. review and update City codes and their enforcement: parking, traffic and speed limits, solid waste and land development regulations; 4. advocate for continued funding for beach renourishment (state and federal sources); 5. Increase and improve citizen engagement; and 6. develop a City-wide traffic management plan.

All of the objectives, except the City-wide traffic management plan, have been achieved.

At its January 6, 2018, meeting, the City Commission discussed whether to hire again Mrs. Marilyn Crotty, the facilitator who helped the Commission develop the strategic plan in 2015. Ms. Crotty told the City Manager she would charge \$1,800 for a six-hour session to update the strategic plan. The Commission decided at its February meeting not to hire her, but to consider possibly updating the strategic plan later in 2018, after the adoption of changes to the Land Development Regulations had been completed. In August, the City Manager learned that Ms. Crotty has retired. The Commission decided at its January 7, 2019, meeting that it and the City staff would update the plan. The Commission agreed with the City Manager's suggestions for goals at its June 10<sup>th</sup> meeting and asked that the Planning Board and the Sustainability and Environmental Planning Advisory Committee be asked to provide their suggestions for the plan. These will be review by the Commission at its August 5<sup>th</sup> meeting.

### C. Comprehensive Plan Evaluation and Appraisal Report

Every seven years, Florida cities and counties must prepare the report. The City advertised a Request for Proposals. Only one response was received. Because its prices were so high, it had to be rejected. After the proposals had been opened, two Jacksonville planning firms said they were interested in doing the work. However, only one, Fleet and Associates, provided a written proposal. At its May 7<sup>th</sup> meeting, the Commission approved the hiring of Fleet and Associates. Mr. and Mrs. Fleet held a public hearing on June 26<sup>th</sup> and a workshop with the Planning Board and the public on July 17<sup>th</sup>. The Fleets presented the results of those two meetings to the Commission at its August 6<sup>th</sup> meeting. The next step was a workshop of the Commission with the Planning and Tree boards to review each policy and objective in the current Comprehensive Plan. This was held on October 17<sup>th</sup> with the planning consultant. The result was that the consultant prepared a revised draft of the Plan, which the Commission reviewed at a special meeting on January 8, 2019. The Comprehensive Planning and Zoning Board reviewed the plan at its February 19<sup>th</sup>

meeting and decided to continue its review at the Board's March 19<sup>th</sup> meeting. The Board is concerned that many of the proposed changes ceded too much authority to the County and other agencies. However, the Board's discussion was postponed to the Board's April 16<sup>th</sup> meeting because the Chair, Mrs. Jane West, was away on March 19<sup>th</sup>. At its April meeting, the Board discussed changes with the planning consultant, Ms. Janis Fleet, and recommended that she submitted to the City Commission the changes proposed by individual members of the Board. The Commission reviewed the those changes with Ms. Fleet at its June 10<sup>th</sup> meeting and directed that the discussion be continued to a special meeting on July 2<sup>nd</sup>, starting at 5:30 p.m.



# MEMO

City of St. Augustine Beach Building & Zoning Department

To: Max Royle, City Manager  
From: Brian Law, Building Official  
Date: 06-19-2019  
Re: Building and Zoning Department Monthly Report

## Trees:

1. 06-04-2019—7 Magnolia Dunes Circle  
Permit issued for removal of dying oak tree hazardous to structure
2. 06-12-2019—207 Azalea Court  
Permit issued for removal of oak tree hazardous to structure
3. 06-18-2019—63 Willow Drive  
Permit issued for removal of damaged oak tree hazardous to structure
4. 06-19-2019—9 Sunfish Drive  
Permit issued for removal of two oak trees hazardous to structure

## Planning and Zoning:

1. Planning and Zoning Board approved Variance File No. VAR 2019-11, for a variance for a rear yard setback reduction from 10 (ten) feet to 7 (seven) feet for a proposed pool screen enclosure addition to an existing single-family residence in a Planned Unit Development (PUD) on Lot 21, Seagrove Unit 1, at 525 Weeping Willow Lane, filed by Patrick P. and Susan M. Murphy, applicants.
2. Planning and Zoning Board recommended the City Commission approve Final Development File No. FD 2019-01, for modification to final development orders issued for Anastasia Dunes Subdivision, to allow a maximum of 50 (fifty) percent total impervious surface ratio coverage in Anastasia Dunes Units 1, 2, and 3, consisting of 138 single-family residential lots on approximately 72 acres in a low density residential land use district, filed by James G. Whitehouse, Esquire, St. Johns Law Group, agent for Anastasia Dunes Association Inc., Robert Dobson, Title President, applicant. The Board's recommendation to the City Commission to approve this final development modification application includes the stipulation that the current allowable lot coverage of 35 percent for residential properties be maintained and not increased, and is contingent upon the 20-plus acres currently designated as conservation land in this subdivision remaining intact, and if at any time any portion of this conservation acreage is modified to include impervious surface coverage, the modification to allow 50 (fifty) percent impervious surface coverage shall be rendered null and void.

## Code Enforcement:

1. Code Enforcement Board meeting held Wednesday, May 29, 2019, at 2:00 p.m. at City Hall to discuss compliance made by Pacifica Anastasia LLC and Atlantic Pacific Management Company, property management for Seaside Villas, to address multiple complaints and code

violations per the 2018 International Property Maintenance Code (IPMC) at Seaside Villas Condominiums, off Pope Road on Brigantine Court, Clipper Court and Schooner Court. Representatives from the condo association submitted supplemental information to the matrix submitted at the April 24, 2019 Code Enforcement Board detailing a work plan for correcting all documented violations and completing all necessary repairs in a prioritized, timely manner. The Board agreed, by general oral consensus, that progress is being made to correct code violations and upgrade the site, and asked staff to keep the Board updated on the permits that are being issued for repairs and renovations at Seaside Villas.

2. Site inspection of property conducted at 205 7<sup>th</sup> Street concerning an open window on the second floor this abandoned/derelict property, and it was discovered a squatter moved in the home with a bed, food and clothing despite the placard on the window advising no trespassing or entering the premises. Officer Donovan Green of the SAB Police Department was notified in order to gain documentation relative to criminal activity. On May 28, 2019, staff received a document of notification from the owner's legal guardianship attorney, who agreed to work with staff to remedy the code violations on this property and another property at 206 8<sup>th</sup> Street, which is owned by the same person for which the guardianship attorney has authorization to act. Notices of violation of structures unfit for human occupancy were sent to the owner pertaining to both properties stating that people were living at these dwellings without electricity and water, in clear violation of the 2018 IPMC 108.1.3. On June 11, 2019, staff received an email from the guardianship attorney stating she is working with a real estate attorney to evict the squatters properly and once this is done, they will hire a local contractor to inspect the properties and give estimates to fix them and then put them up for sale.
3. Code enforcement staff investigated and sent notices of violation to several properties being rented illegally as transient rentals (without proper licensing and application through the City).
4. Code enforcement staff investigated and sent notices of violation to several properties that were found to have motor vehicles, nonmotorized vehicles of any type and/or boats without valid and current license plates parked or stored other than in completely enclosed buildings.
5. Code enforcement staff investigated and sent notices of violation to several property owners for construction work done for reroofs, porches and decks, and pergolas without proper permits and for structures and/or landscaping put up in rights-of-way and/or blocking the vision clear visibility of rights-of-way and their intersections.

**Building:**

1. Panama Hattie's reconstruction is progressing as expected. The building has been energized, and the exterior site work has commenced. Sign has been installed on east side of building.
2. Shell Shack renovation is progressing as expected.
3. Construction of new donut shop on site of former Carriage Realty building at 400 A1A Beach Boulevard is progressing as expected.



## MINUTES

### PLANNING AND ZONING BOARD MEETING

TUESDAY, MAY 21, 2019, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

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#### I. CALL TO ORDER

Chairperson Jane West called the meeting to order at 6:00 p.m.

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Jane West, Vice-Chairperson Elise Sloan, Jeffrey Holleran, Hester Longstreet, Steve Mitherz, Roberta Odom, Senior Alternate Chris Pranis, Junior Alternate Dennis King.

BOARD MEMBERS ABSENT: Kevin Kincaid.

STAFF PRESENT: Building Official Brian Law, City Attorney James Wilson, Recording Secretary Lacey Pierotti, Police Officer David Jensen.

#### IV. APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF APRIL 16, 2019

Motion: to approve the minutes of the April 16, 2019 meeting. Moved by Mr. Holleran, seconded by Ms. West, passed 7-0 by unanimous voice-vote.

#### V. PUBLIC COMMENT

Tom Marsh, Palmetto Builders LLC, PMB 266, St. Augustine, Florida, 32080, gave a status update on the Oceans Thirteen project at 12 13<sup>th</sup> Street and presented a proposed modification of a reduction of a balcony on the exterior side of the building facing A1A Beach Boulevard.

Patricia McCully, 129 13<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, said she wants the builder to be careful with what is built because it's a sensitive piece of property with bikers and pedestrians.

Motion: to approve the proposed redesign and modification of the site plan as presented. Moved by Mr. Holleran, seconded by Ms. Sloan, passed 7-0 by unanimous voice-vote.

#### VI. NEW BUSINESS

- A. Land Use Variance File No. VAR 2019-08, to exceed the 40 (forty) percent maximum allowable impervious surface ratio coverage for proposed new construction of a pool and paver deck addition to an existing single-family residence in a low density residential land use district on Lot 2, Raintree Subdivision, at 26 Deanna Drive, Kirk S. and Cassidy R. Spencer, Applicants

Mr. Law said this house was built in 1990 on an odd-shaped lot. The applicants recently bought the property which is already nonconforming with the amount of concrete due to the shape of the lot. The driveway is very wide, so they're prepared to remove the concrete driveway and walkway and replace them with pavers that have a 6.8 percent permeability that will also be used for the pool deck and to replace the 321-square-foot concrete pad shown on their survey.

Cassidy Spencer, 26 Deanna Drive, St. Augustine Beach, Florida, 32080, applicant, said she and her family moved here from California seven to eight months ago and she'd never heard of impervious surface ratio before, so she's gotten quite an education from the City. The property hasn't been improved since it was originally built, and it has a minimal amount of green space in the back, so the best use for it with their two young children would be a pool. When they first heard about the issues of the impervious surface ratio they were willing to remove all the concrete and replace it with pavers, but this still didn't get them to the ratio needed. Their only option was to apply for variance due to the undue hardship of the impracticality of the shape of the lot.

Mr. Mitherz asked why they are not using pavers that have a 10 percent or greater permeability.

Ms. Spencer said her understanding when talking with the manufacturer is that those pavers aren't the best use for a driveway or a pool deck. The gap and the fill material will end up in the pool and blow up the pool pump. In addition, due to the grade of the driveway, these pavers tend to crack. The pavers they chose allow for percentage of permeability comparable to concrete.

Ms. West asked why the City has a paver requirement for 10 percent or greater permeability if this kind of paver is dysfunctional.

Mr. Law said permeability is based on the gap and the bedding material. The pavers proposed by the applicant provide a good amount of permeability, so you wouldn't expect to see water running off this driveway. He can't speak as to what the manufacturer told the applicant, but pavers with a 10.5 percent permeability have been used on about 30 properties in the Ridge, and many of these homeowners haven't been specifically happy with them because the 9-chip gravel is coming out and ending up in their shoes and houses. However, using pavers with a 10 percent or greater permeability was the only way they could have a pool and comply with impervious surface ratio.

Ms. Sloan said the driveway is huge and will be a lot of area to redo, and there won't be much yard left if a pool is added. However, the goal of permeability is to decrease the risk of flooding, and one of the questions asked on the variance application is whether the requested variance would have the effect of causing on or off-site flooding. She's familiar with Raintree Subdivision, which has quite a few homes with long and wide concrete driveways, which can cause problems.

Mr. Pranis said the applicant stated pavers with 10 percent or greater permeability wouldn't hold up and wouldn't be able to take the wear and tear on the driveway incline.

Ms. West asked if using the 6.8 percent permeable pavers by the pool and 10 percent permeable

pavers for the driveway would comply with the impervious surface ratio coverage allowance.

Mr. Law said no, they tried different ways to make the numbers work, but couldn't, due to the size of the driveway.

Ms. West said if the 321-square-foot concrete pad the applicant's camper is parked on was removed and the camper stored offsite, the extra edge of the driveway could be shaved off, and this would reduce the ratio with 10 percent permeable pavers to replace the concrete driveway.

Mr. Law said it would be problematic to get in and out. Removing the 321-square-foot concrete pad would help but wouldn't get them to the allowable ratio numbers needed without a variance.

Ms. West said the overriding issue here is setting a precedent in reducing impervious surface ratio.

Ms. Longstreet said the house was built in 1990, so it predates current City Code, and therefore is grandfathered. However, she's concerned with setting a precedent.

Mr. Law said it is a grandfathered, nonconforming lot, but to expand this nonconforming status, a variance is required. Granting the variance would be beneficial because removing all the concrete will improve the lot and make the property look better than it does now.

Patricia McCully, 129 13<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, said her only concern is with the flooding and all the pools going in, as pools retain a lot of water.

Mr. Pranis said he thinks the hardship is the lot, which is one giant sheet of impermeability. Putting pavers in is going to help tremendously even it doesn't get them to that magical number.

Mr. Mitherz said it would help if the 321-square-foot concrete pad were removed.

**Motion:** to approve the granting of the variance based on the undue hardship of the lot configuration, subject to the removal of all concrete onsite to be replaced with the 6.8 percent permeable pavers that will also be used for the pool deck, per the testimony of the applicant.

**Moved by:** Mr. Holleran, **seconded by** Mr. Mitherz, **passed 7-0** by unanimous voice-vote.

- B. Land Use Variance File No. VAR 2019-09, for an exception to Ordinance No. 98-17, Appendix A, Supplemental Criteria for Community Appearance Standards, to allow two new storefront fabric banner displays with full color digital print decoration at Guy Harvey Resort, in a commercial land use district at 860 A1A Beach Boulevard, Larry E. Collier, Agent for St. Augustine Resorts Inc., Applicant

Mr. Law said protrusions stick out on the on the north and south exterior sides of Guy Harvey Resort, and this is where the applicant proposes to put digital prints of marine life. Appendix A basically states exterior walls should be lackluster and not contain areas illuminated by murals or other areas designed or intended to attract attention, so therefore a variance is required.

Larry Collier, agent for St. Augustine Resorts Inc. and Guy Harvey Oceanfront Resort, 860 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, applicant, said as they went through the process of renovating this building, two huge lusterless walls on the north and south sides were

tagged as an opportunity to portray depictions of marine life art, which is one of Guy Harvey's specialties to engage the community. The facility has many local artists represented in the lobby, and the hardship for this variance is that denying it would deprive the community of this public art, which has no advertising value, as it does not tell people to eat, drink or sleep here. This is as close as they could come to hanging two Guy Harvey paintings on the side of the building. They explored multiple options and studied wind loads, and the banners they propose to put up have been done with great success on the west coast. The banners are perforated and designed to take the wind load, like the ones at the Jacksonville Jaguars football stadium. A five-year life span is anticipated for the banners, which will be replaced with new colorful images when they fade.

Ms. Longstreet asked if they will be able to take the banners down in the event of a hurricane.

Mr. Collier said no, but if a hurricane takes them down, they will be able to put new ones up.

Mr. Mitherz asked why they are so large, and if people will be able to see them from the beach.

Mr. Collier said they are smaller than originally planned because of the wind loads, but they are still large because they will be hung on large walls. He anticipates people will be able to see them from the beach, so instead of seeing a huge beige wall, they'll see a beautiful sea turtle or a large fish. Guy Harvey is a talented artist but even he doesn't try to compete with mother nature.

Mr. Pranis asked staff why these banners don't fall under City Code regulations for signage.

Mr. Law said they're not really signs but banners, and fall under murals or wall treatments, which are addressed in Ordinance No. 98-17, Appendix A, of the Community Appearance Standards.

Ms. Longstreet said with the artist's signature on them, they look like billboards, because Guy Harvey is also the name of the resort.

Ms. Sloan said most artists sign their names smaller in a corner of the mural or painting, but this signature is literally 13 feet tall.

Mr. Collier said the name of the resort is Guy Harvey Oceanfront Resort. He'll have a hard time telling Guy Harvey that the only way he can do this is change the way he signs his art, as anyone familiar with his artwork knows that his signature is very prominent and never small.

Ms. Sloan said she's dismayed that Ordinance No. 98-17 forbids murals and paintings because it is a great way to improve urbanization and promote art. She asked what the Board's options are for approving this variance, because she doesn't think it has much to do with hardship.

Mr. Wilson said this is an old ordinance and he's curious as to how the mural part would stand up in court based on the decisions he's seen since this was written, though something painted on the side of a building versus a fabric are different kinds of wall treatments. It's his understanding when you start prohibiting murals that don't fit under the sign code on commercial buildings, you're probably going to lose the battle in court, as that seems to be the current theme.

Ms. West asked who made the decision to trip this out of the sign code criteria and into the Community Appearance Standards for wall treatments. She's a huge fan of this facility and has

had brunch there and seen the artwork and the atmosphere. She loves these murals but thinks the size of the signature puts them into the category of a sign. This seems to be a slippery slope whether it's a sign or a mural, especially since the signature is also the name of the resort.

Mr. Pranis said he just pulled up some images and found a smaller signature on the bottom right hand corner, so it is a slippery slope with a sign versus an art mural wall treatment.

Ms. Longstreet said yes, especially because it can be seen from the beach. She doesn't want to set a precedent for billboards.

Martin Cohen, 850 A1A Beach Boulevard Unit 26, St. Augustine Beach, Florida, 32080, submitted a petition signed by 190 Augustine Beach residents who oppose this variance. Art is in the mind of the beholder, and in his opinion, a 27-foot-by-38-foot banner is not art. He thinks it is totally out of character for St. Augustine Beach, which they don't want to become like Daytona Beach. These banners will be visible from the beach, which is more advertising, and he's concerned if the fabric would hold up in a hurricane. He thinks it is best said by Susan Welch in the letter she wrote stating she does not see this as an improvement to our beautiful beach area and this sets a precedent. How could you grant this without having future similar variances applied for? He's lived here almost 20 years and has seen many changes, most of which have not enhanced the beauty of this most pristine coastal area. Many of the changes involving variances and zoning laws are made for a reason, and unless a safety issue or some other serious situation requires a variance, variances should simply not be granted. He asked the Board to please try to keep this lovely stretch of beach from being any more developed, touristy or congested than it already is.

Stephanie McEnany, 4536 Golf Ridge Drive, Elkton Florida, 32033, said she represents and is the rental manager for St. Augustine Ocean & Racquet Resort, 880 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080. Many of the names on the petition opposing this variance are from residents of St. Augustine Ocean & Racquet Club, as they already get the bar and music noise and if the banners are not completely secured to the building there is going to be that movement from the flapping sounds. The banners are beautiful, but they are enormous and loud and distract from what they consider as peaceful, and they are advertising for Guy Harvey.

Brian Gundersdorf, 110 8<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, said the applicant said Guy Harvey has these two huge lusterless walls they'd like to put these banners up on, but this solution to the fundamental problem of lusterless walls isn't desirable to the 190 people who signed the petition in opposition. He suggested finding another solution to add architectural detail.

Mr. Pranis asked if there plans to have lights on the banners at night.

Mr. Collier said no, the banners will be totally non-illuminated, and they should not flap, as an engineer was hired to address this. There are people sleeping on the back side of the walls where the banners will be, and it wouldn't be conducive to hotel operations to have them hitting and flapping up against the wall on the other side of the most valuable, oceanfront rooms in the resort.

Ms. West said there is no hardship aside from what the applicant said about the walls lacking luster, which is a requirement of the code of the ordinance, which says wall treatments should be lusterless and shall not be illuminated. The walls are currently compliant with code, but the variance seeks to get out of this code and put up banners that will make the walls noncompliant.

Mr. Collier said they were surprised by that code and wanted to be upfront with everything and if nothing else, this will start a dialogue that may result in better wording in the ordinance. As far as setting a precedent goes, if someone came in with a request to put up another piece of art, he thinks it would be a great precedent to set. A lot of data shows shows public art enhances those living in the environment, and it also increases property values. He hopes this dialogue doesn't end or die here, as the way to put public art in St. Augustine Beach is on their door step. There's no reason to fear it, public art in the way the community desires it to be is here.

Mr. Wilson said he thinks this code was a response to Alvin's Island, considering the date the Alvin's Island building was built and the adoption of the ordinance in 1998. The Commission may want to decide if they want to revisit this ordinance to allow these types of things or not.

Mr. Collier said he'd like the Board to approve this, but his secondary goal is to begin a dialogue to reword that ordinance to make it doable for everyone who wants public art in the community.

Ms. Longstreet said the Beautification Advisory Committee/Tree Board is supposed to be the City's art in public spaces review board, but it hasn't done anything with this and maybe needs to speak to the Commission about changing the ordinance to allow murals and paintings. She has a problem with the 13-foot signature of Guy Harvey and with that also being the name of the resort, along with it becoming a billboard and advertisement that can be seen from the beach.

Mr. Holleran said he likes the resort but doesn't think it need something that massive, the property could be beautified with something other than these big murals. One of the reasons he's on this Board is because he doesn't want to see things like this, with all this color, be put up.

Mr. Mitherz said he thinks the banners are way too large, something smaller could be put up, as he doesn't want to see anything that when big walking on the beach. He thinks this is the Board's purview, and the Beautification Advisory Committee/Tree Board's involvement isn't necessary.

Ms. Sloan said she likes Guy Harvey's art and conservation work but there isn't a hardship here from what's on the application and what she's heard. She agrees with her fellow Board members that they have a job here to not allow big billboards and the neighboring community is against this. The 190 signatures in opposition speak out loud and clear. The Board has often been influenced by three or four people but with that many community residents against it, she can't support the variance request for the banners as they are designed.

Mr. Pranis said a lot of this has to do with what's considered art compared to a billboard. He thinks the Board needs to be careful with this, because if they grant this variance, the precedent will be set, and someone might come in six months from now with an application for something the applicant says is art but looks more like a billboard.

Ms. West said she agrees and doesn't think this meets the criteria for the issuance of a variance.

**Motion:** to deny the variance based on lack of hardship and great opposition from the public community. **Moved** by Ms. Sloan, **seconded** by Mr. Holleran, **passed 7-0** by unanimous voice-vote.



- C. Land Use Variance File No. VAR 2019-09, for reduction of the rear yard setback requirement of 25 (twenty-five) feet to 10 (ten) feet, for proposed new construction of a roofed open-air patio and pergola addition to an existing single-family residence in a low density residential land use district on Lot 12, Overby & Gargan Unplatted Subdivision, at 24 Versaggi Drive, Tracy Morris, Agent for Sidney J. Morris, Applicant

Mr. Law said a variance granted in 1999 to allow an existing roof structure on this property to be built on one side of the house, and the applicant wants to duplicate this structure on the other side. This house has undergone a massive renovation to update it and included in this application's submittal documents is a site plan showing two driveways. The City recently passed an ordinance limiting the width of residential driveways to 18 feet with 5-foot-by-5-foot apron flares on either side. There are no driveways poured at this time, but two driveways are shown on the site plan. The building code has no objection to the requested rear yard setback reduction.

Tracy Morris, 24 Versaggi Drive, St. Augustine Beach, Florida, 32080, agent for applicant, said this variance is being sought to replicate the existing structure, which extends out 11 feet, on the other side of the house. For aesthetic reasons, they'd also like to put in a pergola which will extend out a little more, so a rear yard setback reduction to 10 feet is requested to utilize the backyard in a way that is conducive to their lifestyle. There is no shade in the back, which is a problem with their health issues, and the requested variance will have minimal impact on their neighbors.

Ms. Odom said there was an email included in the Board's packet information from a neighbor who opposes this variance.

Ms. Longstreet asked what the foundation material for the open-air arbor will be.

Ms. Morris said concrete is planned at this time, because they don't have a problem with exceeding the impervious surface ratio coverage. Pervious pavers will be used for the driveway.

Mr. Mitherz asked if the existing structure is 16 feet high.

Ms. Morris said it peaks at 15 feet high.

Susan McDonnell, 3 Manatee Court, St. Augustine Beach, Florida, 32080, said her home is adjacent to the north side of the applicant's lot and would be the property most affected by the proposed construction. She has no objection to what's proposed as everything they've done to date has been a major improvement. Her only concerns are the grading of the lot, so she's not burdened with excessive storm water run-off, and also that the applicant's yard needs some landscaping.

Ms. West said she's struggling with the undue hardship to again reduce the rear yard setback.

Ms. Sloan said a variance was already approved for the other side and it doesn't make sense to not even it out. Mr. Law's staff memo sums it up nicely that if the Board grants this variance all construction and improvements should be subject to compliance with impervious surface ratio and lot coverage regulations for low density residential land use districts per City Code.

Mr. Mitherz said he doesn't think because a structure was allowed on one side the other side should be granted a variance for the same, along with an even greater variance for the pergola.

Ms. West said she thinks what's proposed looks very attractive, but she can't be inconsistent on previous decisions the Board made for similar circumstances and doesn't see an undue hardship.

Ms. Odom said the difference between a previously denied variance was that the applicant wanted to enclose the structure, while this one is an open-air arbor.

**Motion:** to approve the variance subject to the use of pervious pavers and including Mr. Law's recommendations per his staff memo dated May 9, 2019. **Moved** by Ms. Longstreet, **seconded** by Ms. Sloan, **passed 4-3** by roll-call vote, with Ms. Odom, Ms. Sloan, Mr. Holleran, and Ms. Longstreet assenting, and Ms. West, Mr. Pranis and Mr. Mitherz dissenting.

- D. Conditional Use File No. CU 2019-03, for a conditional use permit for proposed new construction of 5 (five) single-family residences on Lots 5, 7, 8, 9, and 10, Block 15, Chautauqua Beach Subdivision, in a commercial land use district at 104 7<sup>th</sup> Street, James G. Whitehouse, Esquire, St. Johns Law Group, Agent for MSB Hotels I LLC, Applicant

Mr. Law said this is a conditional use application to construct five residence on commercial lots. The Board is required to review this application and make a recommendation to the City Commission to grant or deny the conditional use with any terms the Board would like to impose.

Ms. West said for the record, Mr. Holleran excused himself from the meeting and Mr. King, as a Board alternate, is filling in for Mr. Holleran for the rest of the meeting.

James Whitehouse, St. John's Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for applicant, said he's here to ask for a conditional use permit for the middle five lots on this block on 7<sup>th</sup> Street. The front lots running west off A1A Beach Boulevard, Lots 1, 3, 4 and 6, are owned by A1A Auto Center and are north of the Courtyard by Marriott. Lots 11, 12, 13 and 15 are zoned medium density residential, which allows single-family residences. He knows there is an intent to preserve commercial zoning along the Boulevard, but these lots are west of the Boulevard, don't have a lot of visibility, and lack access because they're located behind commercial endeavors that are already developed. As can be seen on the aerial map, there is commercial development along the Boulevard but behind that are residential structures two blocks to the north and this continues the next few blocks to the south. This has been the trend of development along the Boulevard, so he's asking on behalf of the applicant to continue with this trend. The application includes a letter from the managing director of Coldwell Banker Premier Properties who states how these lots are very constrained as far as commercial uses.

Ms. West disclosed ex parte communication with Mr. Whitehouse on this application.

Mr. Mitherz said asked why the applicant doesn't apply to change the zoning of these lots to medium density residential, which would allow construction of single-family homes on them.

Mr. Whitehouse said under the Land Development Regulations and Comprehensive Plan, a conditional use is an allowed use for residential construction in commercial zoning, and this is an easier application process, as a hardship doesn't have to be shown demonstrating that commercial use on this property isn't viable.

Ms. Longstreet said there is a large cedar tree on this parcel and asked what will happen to it.

Mr. Whitehouse said they are just here to apply for the conditional use and if any other variances or applications are required to save or remove this tree or for anything else, they'll have to come back before the Board. However, this is not part of this conditional use permit application.

Mr. King asked what the buffer requirements would be between the auto repair shop and residential structures, if this conditional use application is granted to allow them to be built.

Mr. Law said if this is approved by the Commission, there will be no buffer requirements because the lots will still be zoned commercial. They get no protection because they chose to build residential in a commercial land use zone.

Mr. Whitehouse said they intend to put buffers between the commercial uses and the residences, as they want to sell these houses, but they just don't know the configuration of the buffers yet.

Ms. Sloan said several years ago someone came before this Board asking to develop a small hotel on commercial lots along the Boulevard, but the consensus of the community was against that. If this Board and the Commission are not going to allow a small hotel on commercial lots, then they need to let the property owners develop them for something else.

Mr. Mitherz asked if these houses will be used as transient rentals.

Mr. Whitehouse said it's his understanding the applicant wants to build single-family homes on these lots.

Brian Gundersdorf, 110 8<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, said his house is the only house that will have a view of this construction. He's concerned about the tree and not sure how construction can be done on these lots with the tree. He agrees something needs to be built on this parcel because the property is not being cared for and it has become overgrown.

Ms. West asked if the applicant intends to build residential structures in a planned area or lot by lot and then sell them off.

Mr. Whitehouse said he wishes he had those answers but at this time he doesn't. He thinks proposed single-family homes are a better use and more appropriate than what's there now.

**Motion:** to recommend to the City Commission approval of a conditional use permit to allow construction of five single-family residences on five lots in a commercial land use district as requested by the applicant. **Moved** by Ms. Sloan, **seconded** by Ms. Odom, **passed 5-2** by roll-call vote, with Ms. West, Ms. Sloan, Mr. Pranis, Mr. King, and Ms. Odom assenting, and Ms. Longstreet and Mr. Mitherz dissenting.

## **VII. OLD BUSINESS**

There was no old business.

## **VIII. BOARD COMMENT**

Ms. West asked why the City requests pavers that don't work be installed to comply with

impervious surface ratio coverage.

Mr. Law said they can't listen to one applicant's statement that came from a competing manufacturing company. All last year he wanted to get rid of all exceptions and increase allowable impervious surface ratio coverage. Property owners in low density residential land use districts are strictly being prohibited from adding pools, so something had to be done. To address this, he recommended the City increase impervious surface ratio to 60 percent, get rid of all exceptions, and allow nothing above this. Another suggestion would be to look into allowing a 300- to 400-square-foot exception to allow pools in low density residential land use districts.

Ms. West agreed they need to work to find a solution and consider different criteria and/or exceptions for low density versus medium density residential land use districts.

Mr. Mitherz asked who Embassy Suites is appealing the lawsuit over the waterslide to.

Mr. Wilson said they applied for a rehearing which will go back for reconsideration by the same judge. This won't be set for hearing until sometime in September.

Mr. Mitherz said he couldn't find anything on the City's website about the proposed Comprehensive Plan amendments.

Mr. Law said it's been taken off the website due to accessibility issues.

**IX. ADJOURNMENT**

The meeting was adjourned at 8:31 p.m.

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Jane West, Chairperson

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Lacey Pierotti, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122.)

## **COMMISSION REPORT**

**June 2019**

**TO:** MAYOR/COMMISSIONERS

**FROM:** ROBERT A. HARDWICK, CHIEF OF POLICE

**DEPARTMENT STATISTICS – May 28<sup>th</sup> to June 17<sup>th</sup>, 2019**

**CALLS FOR SERVICE 780**

**OFFENSE REPORTS 52**

**CITATIONS ISSUED 94**

**LOCAL ORDINANCE CITATIONS 22**

**DUI 3**

**TRAFFIC WARNINGS 332**

**TRESSPASS WARNINGS 8**

**ANIMAL COMPLAINTS 7**

**ARRESTS 21**

- 3 DUI
- 1 Liquor Possession under 21
- 4 Possession of Marijuana
- 1 Possession of Methamphetamine
- 4 Driving w/ License Suspended/ Revoked
- 2 Probation Violation
- 1 Possession Counterfeited DL/ID
- 1 Grand Theft of Motor Vehicle
- 2 Control Substance without Prescription
- 1 Fraud- Defraud Innkeeper
- 1 Trespassing

### **ANIMAL CONTROL:**

- St. Johns County Animal Control handled seven complaints in St. Augustine Beach area.

### **MONTHLY ACTIVITIES:**

- New Officers sworn in at the St. Johns River State College Criminal Justice Graduation.

## MEMORANDUM

Date: June 19, 2019  
To: Max Royle, City Manager  
From: Bill Tredik, P.E., Public Works Director  
Subject: Monthly Report

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### **Maintenance Activities**

**Rights-of-way and Parkettes** –Rights-of-way and parkettes require enhanced maintenance during summer months, including an increase in mowing frequency. Public Works adjusts its work scheduling seasonally to accommodate this need. Public Works has also begun seasonal trimming of trees within the City rights-of-way to facilitate the access of larger vehicles and sanitation trucks.

**Parks** – Maintenance of City parks is ongoing, with Splash Park, Ocean Hammock Park, and public restrooms at 10<sup>th</sup> Street and A Street seeing increased seasonal and holiday use. Public Works is providing additional weekend staff coverage to keep up with the increased demand.

**Buildings** – Maintenance of City buildings and grounds is ongoing.

**Fleet** – The Public Works Department continues to do minor fleet maintenance on our larger trucks, heavy equipment and regular work trucks, thus reducing outside repair costs.

### **Capital Improvements**

**Mickler Boulevard Ditch Drainage Improvements [CONSTRUCTION]** – The City has a contract with A.W.A. Contracting Co. to construct the project, which includes piping over 1,000 feet of the Mickler Blvd. Ditch from Pope Road to just north of 16<sup>th</sup> Street. Work began in May. Vegetation removal along the proposed pipeline is near complete, and installation of the pipe and drainage structures will commence shortly. The project is scheduled to be complete in October 2019.

**Mizell Pond Outfall Improvements (HMGP Project No. 4283-88-R) [DESIGN]** – The project includes repairing and improving the damaged weir, replacing stormwater pumps and improving the downstream conveyance. Design is approaching 60% complete. A pre-application with the St. Johns River Water Management District is being scheduled for early July, with submittal of the permit application following. Design is scheduled to be complete this year, with construction commencing upon completion of permitting and approval of design. In the interim, Public Works operates the existing pump station to maintain water levels in the pond.

**3<sup>rd</sup> Alley Ditch Drainage Improvements [DESIGN]** – The 3<sup>rd</sup> Alley Ditch Drainage Improvements will pipe approximately 450 feet of existing ditch west of the 2<sup>nd</sup> Avenue right-of-way and east of Sea Oaks Subdivision. This project will address localized stormwater flooding and reduce long term drainage maintenance requirements. Design is approaching 60% complete. A pre-application meeting with St. Johns River Water Management District is to be scheduled for early July with permit application following. Construction is planned for FY19-20, pending budgetary approval.

### **Sustainability & Environmental Planning Advisory Committee Projects**

**Urban Forestry Management Plan** – The Public Works Department is working with Legacy Arborist Services on the development of the Urban Forestry Management Plan, as approved by the City Commission on May 6, 2019. The plan aims to provide guidance in the management of the City's tree canopy. Completion of the preliminary plan is anticipated by August 1<sup>st</sup>, with the final plan due by August 30<sup>th</sup>. A preliminary presentation of compiled data and plan progress will occur at the July 11<sup>th</sup> Sustainability & Environmental Planning Advisory Committee Meeting.

**Decorative Painting of Waste Receptacles** – The first group of decorative receptacles was placed at select locations in May. One additional decorative can was received – and placed into service – in June. Additional receptacles will be placed into service upon their completion.

### **Streets / Rights of Way**

**Pedestrian Safety** – Public Works continues to coordinate with the Police Department and St. Johns County to determine how to best increase pedestrian safety along A1A Beach Boulevard.

**Lighting** – Public Works met with FPL to select existing poles for the installation of streetlights along S.R. A1A, from City Hall south to Madrid Street. Seven (7) locations were identified and FPL is developing preliminary plans for these installations. Upon receipt of the preliminary plans, the City will submit to FDOT for approval, after which final plans will be developed by FPL, and a modification to the City/FPL streetlight agreement – to account for the 7 new lights – will be prepared. Installation of the new lights is anticipated to occur in late summer to early fall.

**Signage** – The Public Works Department has continued to work to increase public safety by installing no parking signs at various locations to prevent narrow access points from being blocked by vehicles. Public Works is also placing resident only parking signs in appropriate areas upon request.

**North Florida Transportation Planning Organization (TPO)** – The Public Works Director attended the June 5<sup>th</sup> TPO's Technical Coordinating Committee (TCC). TPOTCC meetings are normally held the 1<sup>st</sup> Wednesday of every month except January and July.

### **Events**

**Beach Blast Off** – Initial planning for the annual Beach Blast Off will begin in July.

### **Hurricane Preparedness**

**Beach Ramp Protection** – The Public Works Department has procured beach quality sand to be able to quickly close off beach ramps and vulnerable areas in the event of a storm surge. A portion of the sand will be stockpiled at Public Works, with the remainder to be delivered directly to the vulnerable area if needed.

**Monthly Hurricane Preparedness Meetings** – Public works is participating in monthly hurricane preparedness meetings at the St. Johns County EOC.

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

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**TO:** MAX ROYLE, CITY MANAGER  
**FROM:** MELISSA BURNS, CFO *MB*  
**SUBJECT:** MONTHLY REPORT  
**DATE:** 6/19/2019

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### Finance

The implementation of the new modules of the financial software is now complete. There will be some "tweaks" now and then, but for the most part all modules are up and running. Online payments can now be made for citations, building permitting items, commercial solid waste and business tax receipts.

I attended the Florida Government Finance Officers Association (FGFOA) annual conference where in addition to learning a lot, sat for three of the five exams for the Certified Government Finance Officer (CGFO) designation, and was sworn in as the newest board member for a three-year term. This is exciting, that the association now has representation not only from northeast Florida but from a small local government.

Preparation for the FY20 budget has begun. For the first meeting at the end of July, more information will be included than in prior years in order to facilitate a smooth budget process this year.

### Communications and Events

The results of the Citizen Survey will be presented at the July Commission meeting.

Preparation for Beach Blast Off has begun, the vendor for the Beer/Wine concession has been secured, negotiations with possible bands continues, and sponsorships are being sought after.

Ms. Walker is now a board director of both the South Beaches Council of the St. Johns County Chamber of Commerce and the Enterprising Women's Leadership Institute. Both will serve to enhance the image of the City of St. Augustine Beach, in addition to providing excellent networking opportunities.



### Technology

The remaining budgeted purchases have been completed and are in the process of being installed. These purchases include a new computer for the Public Works Director, 2 new laptops for the Police Department, and equipment to enhance the network at the Public Works Department.

An RFP for Closed Captioning services closed on June 17<sup>th</sup> and one proposal was received. The IT staff is currently preparing a report/recommendation to present to the Commission.

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11:31 AM

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Range of Checking Accts: First to Last Range of Check Dates: 05/01/19 to 05/31/19  
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

| Check #        | Check Date | Vendor                                  | Amount Paid | Charge Account                | Account Type | Reconciled/Void Contract | Ref Num  |
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| PO #           | Item       | Description                             |             |                               |              |                          | Seq Acct |
| 001TDOPERATING |            |   |             |                               |              |                          |          |
| 41891          | 05/09/19   | AFLAC005 AFLAC                          |             |                               |              | 05/31/19                 | 1441     |
| 19-01346       | 2          | AFLAC INS PREMIUMS                      | 403.06      | 001-229-2100                  | G/L          |                          | 116 1    |
|                |            |   |             | Insurance-Other Employee Paid |              |                          |          |
| 41892          | 05/09/19   | AMERIC10 AMERICAN CROSSROADS APPAREL CO |             |                               |              | 05/31/19                 | 1441     |
| 19-01314       | 1          | SHIRTS-BLDG/COMMISSION                  | 60.00       | 001-2400-524-5210             | Expenditure  |                          | 31 1     |
|                |            |   |             | PROT INSPECTIONS              |              |                          |          |
| 19-01314       | 2          | SHIRTS-BLDG/COMMISSION                  | 34.00       | 001-1100-511-5210             | Expenditure  |                          | 32 1     |
|                |            |   |             | LEGISLATIVE                   |              |                          |          |
| 19-01349       | 1          | UNIFORM SHIRTS                          | 319.00      | 001-1900-519-5210             | Expenditure  |                          | 79 1     |
|                |            |   |             | OTHER GOVERNMENTAL            |              |                          |          |
| 19-01349       | 2          | UNIFORM SHIRTS                          | 34.00       | 001-1100-511-5210             | Expenditure  |                          | 80 1     |
|                |            |   |             | LEGISLATIVE                   |              |                          |          |
|                |            |   | 447.00      |                               |              |                          |          |
| 41893          | 05/09/19   | BOZAR010 BOZARD FORD COMPANY            |             |                               |              | 05/31/19                 | 1441     |
| 19-01315       | 1          | BRAKES #103                             | 251.11      | 001-2100-521-4630             | Expenditure  |                          | 33 1     |
|                |            |   |             | LAW ENFORCEMENT               |              |                          |          |
| 19-01317       | 1          | REPLACE MIRROR, PM #123                 | 356.30      | 001-2100-521-4630             | Expenditure  |                          | 35 1     |
|                |            |   |             | LAW ENFORCEMENT               |              |                          |          |
| 19-01340       | 1          | TIRE #106                               | 16.00       | 001-2100-521-4630             | Expenditure  |                          | 68 1     |
|                |            |   |             | LAW ENFORCEMENT               |              |                          |          |
|                |            |   | 623.41      |                               |              |                          |          |
| 41894          | 05/09/19   | CINDY005 CINDY WALKER                   |             |                               |              | 05/31/19                 | 1441     |
| 19-01365       | 1          | MILEAGE REIMB                           | 22.04       | 001-1300-513-4020             | Expenditure  |                          | 103 1    |
|                |            |   |             | FINANCE                       |              |                          |          |
| 41895          | 05/09/19   | COQUI005 COQUINA LAW GROUP PA           |             |                               |              | 05/31/19                 | 1441     |
| 19-01311       | 1          | LEGAL FEES-APRIL                        | 3,000.00    | 001-1300-513-3100             | Expenditure  |                          | 28 1     |
|                |            |   |             | FINANCE                       |              |                          |          |
| 19-01312       | 1          | LEGAL FEES-MARCH                        | 3,000.00    | 001-1300-513-3100             | Expenditure  |                          | 29 1     |
|                |            |   |             | FINANCE                       |              |                          |          |
|                |            |   | 6,000.00    |                               |              |                          |          |
| 41896          | 05/09/19   | CRAFT010 CRAFT'S TROPHIES & AWARDS INC  |             |                               |              | 05/31/19                 | 1441     |
| 19-01313       | 1          | NAME PLATE                              | 12.00       | 001-1100-511-4990             | Expenditure  |                          | 30 1     |
|                |            |   |             | LEGISLATIVE                   |              |                          |          |
| 41897          | 05/09/19   | CROWN020 CROWN SHREDDING LLC            |             |                               |              | 05/31/19                 | 1441     |
| 19-01316       | 1          | DOCUMENT DISPOSAL                       | 154.16      | 001-1100-511-4970             | Expenditure  |                          | 34 1     |
|                |            |   |             | LEGISLATIVE                   |              |                          |          |
| 41898          | 05/09/19   | DEBOR010 Deborah K. Christopher         |             |                               |              | 05/31/19                 | 1441     |
| 19-01334       | 1          | 15 HOURS @ \$30/HR                      | 450.00      | 001-2100-521-3400             | Expenditure  |                          | 55 1     |
|                |            |   |             | LAW ENFORCEMENT               |              |                          |          |

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| PO #           | Item       | Description                            |             |   |              |                          | Ref Seq Acct |
| 001TDOPERATING |            |  |             | Continued                                   |              |                          |              |
| 41899          | 05/09/19   | DGGTA010 DGG UNIFORMS & WORK APPAREL   |             |   |              | 05/31/19                 | 1441         |
| 19-01344       | 1          | POLO'S UNIFORMS                        | 183.00      | 001-2100-521-5210<br>LAW ENFORCEMENT        | Expenditure  |                          | 75 1         |
| 41900          | 05/09/19   | DRTOW010 DR TOWNSEND & ASSOCIATES P.A. |             |   |              | 05/31/19                 | 1441         |
| 19-01339       | 1          | PYSCH REVIEW-NEW HIRE-KUBART           | 225.00      | 001-2100-521-4930<br>LAW ENFORCEMENT        | Expenditure  |                          | 67 1         |
| 41901          | 05/09/19   | ENTER005 ENTERPRISE FM TRUST           |             |   |              | 05/31/19                 | 1441         |
| 19-01358       | 1          | VEHICLE LEASE                          | 486.42      | 001-2100-521-4431<br>LAW ENFORCEMENT        | Expenditure  |                          | 87 1         |
| 41902          | 05/09/19   | FIRST060 FIRST COAST MULCH             |             |   |              | 05/31/19                 | 1441         |
| 19-01300       | 1          | SPLASH PARK MULCH 2019                 | 1,520.00    | 001-7200-572-5290<br>PARKS AND REC          | Expenditure  |                          | 20 1         |
| 41903          | 05/09/19   | FIRST070 FIRST BANKCARD                |             |   |              | 05/09/19 VOID            | 0            |
| 41904          | 05/09/19   | FIRST070 FIRST BANKCARD                |             |   |              | 05/09/19 VOID            | 0            |
| 41905          | 05/09/19   | FIRST070 FIRST BANKCARD                |             |   |              | 05/09/19 VOID            | 0            |
| 41906          | 05/09/19   | FIRST070 FIRST BANKCARD                |             |   |              | 05/31/19                 | 1441         |
| 19-01115       | 1          | VEHICLE FLASHLIGHTS                    | 370.47      | 001-2100-521-5230<br>LAW ENFORCEMENT        | Expenditure  |                          | 1 1          |
| 19-01124       | 1          | BACKGROUND CHECK-PW DIRECTOR           | 6.24        | 001-1900-519-5290<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 2 1          |
| 19-01124       | 2          | BACKGROUND CHECK-PW DIRECTOR           | 6.96        | 001-3400-534-5290<br>GARBAGE                | Expenditure  |                          | 3 1          |
| 19-01124       | 3          | BACKGROUND CHECK-PW DIRECTOR           | 10.80       | 001-131-1000<br>Due From Road & Bridge Fund | G/L          |                          | 4 1          |
| 19-01128       | 1          | ARBOR DAY STUFF                        | 97.91       | 001-7200-572-4833<br>PARKS AND REC          | Expenditure  |                          | 5 1          |
| 19-01142       | 1          | AWARD-THOMPSON                         | 250.00      | 001-2100-521-5290<br>LAW ENFORCEMENT        | Expenditure  |                          | 6 1          |
| 19-01152       | 1          | PERMIT TECH STUDY GUIDES               | 111.95      | 001-2400-524-5430<br>PROT INSPECTIONS       | Expenditure  |                          | 7 1          |
| 19-01186       | 1          | AMAZON-EVIDENCE                        | 109.99      | 001-2100-521-5290<br>LAW ENFORCEMENT        | Expenditure  |                          | 8 1          |
| 19-01204       | 1          | CONSTANT CONTACT                       | 80.00       | 001-1300-513-4990<br>FINANCE                | Expenditure  |                          | 9 1          |
| 19-01205       | 1          | hp printer ink                         | 40.99       | 001-1300-513-5100<br>FINANCE                | Expenditure  |                          | 10 1         |
| 19-01208       | 1          | EVIDENCE, SHOES-PARRISH                | 49.95       | 001-2100-521-5210<br>LAW ENFORCEMENT        | Expenditure  |                          | 11 1         |
| 19-01208       | 2          | EVIDENCE, SHOES-PARRISH                | 28.25       | 001-2100-521-5290<br>LAW ENFORCEMENT        | Expenditure  |                          | 12 1         |
| 19-01237       | 1          | PAYROLL STAMP                          | 20.98       | 001-1300-513-5100<br>FINANCE                | Expenditure  |                          | 13 1         |
| 19-01243       | 1          | PARTS FOR CORDS                        | 9.99        | 001-2400-524-5290<br>PROT INSPECTIONS       | Expenditure  |                          | 14 1         |

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| PO #           |            | Item Description                        |             |                             |              |                          |         |         |      |
| 001TDOPERATING |            |   |             | Continued                   |              |                          |         |         |      |
| 41906          |            | FIRST BANKCARD                          |             | Continued                   |              |                          |         |         |      |
| 19-01248       | 1          | VOLUNTEER LUNCHEON                      | 176.00      | 001-2100-521-5240           | Expenditure  |                          | 15      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01249       | 1          | FLOOR MATS                              | 207.90      | 001-2100-521-5230           | Expenditure  |                          | 16      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01250       | 1          | EVENTS                                  | 199.99      | 001-2100-521-5290           | Expenditure  |                          | 17      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01271       | 1          | TELECOMMUNICATIONS                      | 210.00      | 001-2100-521-5240           | Expenditure  |                          | 18      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01276       | 1          | HOTEL-SCHOOL-CLINE                      | 378.00      | 001-2100-521-4000           | Expenditure  |                          | 19      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01304       | 1          | FACC CONFERENCE                         | 350.00      | 001-1300-513-5430           | Expenditure  |                          | 21      | 1       |      |
|                |            |   |             | FINANCE                     |              |                          |         |         |      |
| 19-01308       | 1          | MADD AWARDS BANQUET                     | 150.00      | 001-2100-521-5290           | Expenditure  |                          | 25      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01335       | 1          | EMBASSY SUITES-CONF-ASHLOCK             | 115.00      | 001-2100-521-4000           | Expenditure  |                          | 56      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01369       | 1          | REFUND OVERCHG-FGFOA                    | 10.00       | 001-1300-513-4000           | Expenditure  |                          | 107     | 1       |      |
|                |            |   |             | FINANCE                     |              |                          |         |         |      |
| 19-01372       | 1          | KILO FOOD                               | 106.99      | 001-2100-521-4640           | Expenditure  |                          | 108     | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01373       | 1          | WYNDHAM HOTEL-TRAINING                  | 327.00      | 001-2100-521-4000           | Expenditure  |                          | 109     | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 19-01374       | 1          | WYNDHAM HOTEL-TRAINING                  | 327.00      | 001-2100-521-4000           | Expenditure  |                          | 110     | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
|                |            |   | 3,732.36    |                             |              |                          |         |         |      |
| 41907          | 05/09/19   | FLAGL030 FLAGLER CARE CENTER            |             |                             |              | 05/31/19                 | 1441    |         |      |
| 19-01360       | 1          | DRUG TEST/PHYSICAL                      | 28.60       | 001-1900-519-5290           | Expenditure  |                          | 97      | 1       |      |
|                |            |   |             | OTHER GOVERNMENTAL          |              |                          |         |         |      |
| 19-01360       | 2          | DRUG TEST/PHYSICAL                      | 31.90       | 001-3400-534-5290           | Expenditure  |                          | 98      | 1       |      |
|                |            |   |             | GARBAGE                     |              |                          |         |         |      |
| 19-01360       | 3          | DRUG TEST/PHYSICAL                      | 49.50       | 001-131-1000                | G/L          |                          | 99      | 1       |      |
|                |            |   |             | Due From Road & Bridge Fund |              |                          |         |         |      |
|                |            |   | 110.00      |                             |              |                          |         |         |      |
| 41908          | 05/09/19   | FLEPI005 FLEPIOA                        |             |                             |              | 05/31/19                 | 1441    |         |      |
| 19-01336       | 1          | PIO CONFERENCE-HARRELL/CARSWEL          | 960.00      | 001-2100-521-5430           | Expenditure  |                          | 57      | 1       |      |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |         |         |      |
| 41909          | 05/09/19   | FLORI170 FLORIDA JANITOR & PAPER SUPPLY |             |                             |              | 05/31/19                 | 1441    |         |      |
| 19-01326       | 1          | CLEANING SUPPLIES                       | 229.45      | 001-1900-519-5290           | Expenditure  |                          | 50      | 1       |      |
|                |            |   |             | OTHER GOVERNMENTAL          |              |                          |         |         |      |
| 19-01357       | 1          | CLEANING SUPPLIES                       | 186.19      | 001-1900-519-5290           | Expenditure  |                          | 86      | 1       |      |
|                |            |   |             | OTHER GOVERNMENTAL          |              |                          |         |         |      |
|                |            |   | 415.64      |                             |              |                          |         |         |      |
| 41910          | 05/09/19   | FLORI250 FLORIDA POWER & LIGHT COMPANY  |             |                             |              | 05/31/19                 | 1441    |         |      |
| 19-01324       | 1          | ELECTRICITY                             | 24.42       | 001-7200-572-4310           | Expenditure  |                          | 42      | 1       |      |
|                |            |   |             | PARKS AND REC               |              |                          |         |         |      |
| 19-01324       | 2          | ELECTRICITY                             | 33.22       | 001-7200-572-4310           | Expenditure  |                          | 43      | 1       |      |
|                |            |   |             | PARKS AND REC               |              |                          |         |         |      |

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| PO #           | Item                          | Description                           |             |   |              |                          |         |         |      |
| 001TDOPERATING |                               |                                       | Continued   |   |              |                          |         |         |      |
| 41910          | FLORIDA POWER & LIGHT COMPANY | Continued                             |             |   |              |                          |         |         |      |
| 19-01324       | 3                             | ELECTRICITY                           | 669.54      | 001-2100-521-4310<br>LAW ENFORCEMENT        | Expenditure  |                          | 44      | 1       |      |
| 19-01324       | 4                             | ELECTRICITY                           | 527.54      | 001-1900-519-4310<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 45      | 1       |      |
| 19-01324       | 5                             | ELECTRICITY                           | 351.70      | 001-2400-524-4310<br>PROT INSPECTIONS       | Expenditure  |                          | 46      | 1       |      |
| 19-01324       | 6                             | ELECTRICITY                           | 72.71       | 001-1900-519-4310<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 47      | 1       |      |
| 19-01324       | 7                             | ELECTRICITY                           | 81.10       | 001-3400-534-4310<br>GARBAGE                | Expenditure  |                          | 48      | 1       |      |
| 19-01324       | 8                             | ELECTRICITY                           | 125.84      | 001-131-1000<br>Due From Road & Bridge Fund | G/L          |                          | 49      | 1       |      |
|                |                               |                                       | 1,886.07    |   |              |                          |         |         |      |
| 41911          | 05/09/19                      | FLORI460 FLORIDA NATIONAL GUARD ARMOY |             |   |              | 05/31/19                 | 1441    |         |      |
| 19-01305       | 1                             | CLEAN UP FEES                         | 150.00      | 001-2100-521-5240<br>LAW ENFORCEMENT        | Expenditure  |                          | 22      | 1       |      |
| 41912          | 05/09/19                      | FLORI465 FLORIDA DEPARTMENT OF STATE  |             |   |              | 05/31/19                 | 1441    |         |      |
| 19-01309       | 1                             | RECORDS TRAINING                      | 90.00       | 001-2100-521-5430<br>LAW ENFORCEMENT        | Expenditure  |                          | 26      | 1       |      |
| 41913          | 05/09/19                      | FOPLO005 FOP LODGE 113                |             |   |              | 05/31/19                 | 1441    |         |      |
| 19-01382       | 1                             | MEMBERSHIP DUES                       | 14.00       | 001-229-1000<br>Miscellaneous Deductions    | G/L          |                          | 114     | 1       |      |
| 41914          | 05/09/19                      | GALLS010 GALLS AN ARAMARK COMPANY     |             |   |              | 05/31/19                 | 1441    |         |      |
| 19-01318       | 1                             | UNIFORM-PARRISH                       | 68.99       | 001-2100-521-5210<br>LAW ENFORCEMENT        | Expenditure  |                          | 36      | 1       |      |
| 19-01319       | 1                             | UNIFORM PANTS-CLINE                   | 76.45       | 001-2100-521-5210<br>LAW ENFORCEMENT        | Expenditure  |                          | 37      | 1       |      |
|                |                               |                                       | 145.44      |   |              |                          |         |         |      |
| 41915          | 05/09/19                      | GTDIS005 GT DISTRIBUTORS              |             |   |              | 05/31/19                 | 1441    |         |      |
| 19-01307       | 1                             | NEW HIRE EQUIPMENT                    | 49.38       | 001-2100-521-5210<br>LAW ENFORCEMENT        | Expenditure  |                          | 24      | 1       |      |
| 41916          | 05/09/19                      | HAGAN020 HAGAN ACE HARDWARE           |             |   |              | 05/31/19                 | 1441    |         |      |
| 19-01331       | 1                             | TEST KIT                              | 16.99       | 001-7200-572-5290<br>PARKS AND REC          | Expenditure  |                          | 52      | 1       |      |
| 19-01332       | 1                             | MURIATIC ACID                         | 23.36       | 001-7200-572-5290<br>PARKS AND REC          | Expenditure  |                          | 53      | 1       |      |
| 19-01353       | 1                             | DOOR STOP/REPAIRS                     | 10.98       | 001-1900-519-4610<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 83      | 1       |      |
| 19-01375       | 1                             | MURIATIC ACID,ICE MACH REPAIR         | 23.36       | 001-7200-572-5290<br>PARKS AND REC          | Expenditure  |                          | 111     | 1       |      |
| 19-01375       | 2                             | MURIATIC ACID,ICE MACH REPAIR         | 7.74        | 001-1900-519-4610<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 112     | 1       |      |
|                |                               |                                       | 82.43       |   |              |                          |         |         |      |

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| 001TD    | OPERATING  |   | Continued   |                       |              |                          |              |
| 41917    | 05/09/19   | HOMED010 HOME DEPOT                     |             |                       |              | 05/31/19                 | 1441         |
| 19-01351 | 1          | REPAIRS-FENCE PW                        | 76.88       | 001-1900-519-4610     | Expenditure  |                          | 81 1         |
|          |            |   |             | OTHER GOVERNMENTAL    |              |                          |              |
| 19-01352 | 1          | STAPLE GUN                              | 110.97      | 001-1900-519-5230     | Expenditure  |                          | 82 1         |
|          |            |   |             | OTHER GOVERNMENTAL    |              |                          |              |
|          |            |   | 187.85      |                       |              |                          |              |
| 41918    | 05/09/19   | INDIA010 INDIANHEAD BIOMASS SERVICES    |             |                       |              | 05/31/19                 | 1441         |
| 19-01343 | 1          | DISPOSAL                                | 502.23      | 001-3400-534-4940     | Expenditure  |                          | 74 1         |
|          |            |   |             | GARBAGE               |              |                          |              |
| 41919    | 05/09/19   | INNOV015 INNOVATIVE CREDIT SOLUTIONS    |             |                       |              | 05/31/19                 | 1441         |
| 19-01364 | 1          | NEW HIRE KUBART                         | 17.00       | 001-2100-521-4930     | Expenditure  |                          | 102 1        |
|          |            |   |             | LAW ENFORCEMENT       |              |                          |              |
| 41920    | 05/09/19   | INSTI010 INSTITUTE OF POLICE TECHNOLOGY |             |                       |              | 05/31/19                 | 1441         |
| 19-01363 | 1          | training                                | 495.00      | 001-2100-521-5430     | Expenditure  |                          | 101 1        |
|          |            |   |             | LAW ENFORCEMENT       |              |                          |              |
| 41921    | 05/09/19   | INTER065 INTERNATIONAL CODE COUNCIL     |             |                       |              | 05/31/19                 | 1441         |
| 19-01361 | 1          | MEMBERSHIP                              | 180.00      | 001-2400-524-5420     | Expenditure  |                          | 100 1        |
|          |            |   |             | PROT INSPECTIONS      |              |                          |              |
| 41922    | 05/09/19   | MELVI010 MELVIN'S REPAIR SHOP           |             |                       |              | 05/31/19                 | 1441         |
| 19-01355 | 1          | HYD HOSE-REPAIR #77                     | 172.60      | 001-3400-534-4630     | Expenditure  |                          | 85 1         |
|          |            |   |             | GARBAGE               |              |                          |              |
| 41923    | 05/09/19   | NATIO020 NATIONAL ASSOC OF TOWN WATCH   |             |                       |              | 05/31/19                 | 1441         |
| 19-01306 | 1          | NNO BANNER                              | 201.00      | 001-2100-521-5240     | Expenditure  |                          | 23 1         |
|          |            |   |             | LAW ENFORCEMENT       |              |                          |              |
| 41924    | 05/09/19   | NATIO090 NATIONWIDE RETIREMENT SOLUTION |             |                       |              | 05/31/19                 | 1441         |
| 19-01383 | 1          | DEFERRED COMP                           | 1,689.52    | 001-235-0000          | G/L          |                          | 115 1        |
|          |            |   |             | Deferred Compensation |              |                          |              |
| 41925    | 05/09/19   | PALMC005 PALM COAST GARAGE DOOR &       |             |                       |              | 05/31/19                 | 1441         |
| 19-01348 | 1          | REPAIR TO FRONT GATE                    | 56.00       | 001-1900-519-4610     | Expenditure  |                          | 78 1         |
|          |            |   |             | OTHER GOVERNMENTAL    |              |                          |              |
| 41926    | 05/09/19   | PUBLI020 PUBLIX                         |             |                       |              | 05/31/19                 | 1441         |
| 19-01380 | 1          | SUPPLIES                                | 10.93       | 001-1900-519-5290     | Expenditure  |                          | 113 1        |
|          |            |   |             | OTHER GOVERNMENTAL    |              |                          |              |
| 41927    | 05/09/19   | RAYST010 RAYS TIRE AND SERVICE CENTER I |             |                       |              | 05/31/19                 | 1441         |
| 19-01310 | 1          | LMTV-SAFETY INSP/DIAGOSTICS             | 1,334.20    | 001-2100-521-4630     | Expenditure  |                          | 27 1         |
|          |            |   |             | LAW ENFORCEMENT       |              |                          |              |
| 41928    | 05/09/19   | SJRSC005 SJRSC                          |             |                       |              | 05/31/19                 | 1441         |
| 19-01333 | 1          | COLLEGE SPONSORSHIP                     | 1,151.84    | 001-2100-521-5430     | Expenditure  |                          | 54 1         |
|          |            |   |             | LAW ENFORCEMENT       |              |                          |              |

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| PO #           | Item       | Description                       |             |                               |              |                          |         |         |      |
| 001TDOPERATING |            |                                   | Continued   |                               |              |                          |         |         |      |
| 41928          | SJRSC      | Continued                         |             |                               |              |                          |         |         |      |
| 19-01345       | 1          | LEO ACADEMY SPONSORSHIP-KUBART    | 1,151.84    | 001-2100-521-5430             | Expenditure  |                          | 76      | 1       |      |
|                |            |                                   |             | LAW ENFORCEMENT               |              |                          |         |         |      |
|                |            |                                   | 2,303.68    |                               |              |                          |         |         |      |
| 41929          | 05/09/19   | SMITH010 SMITH BROS. PEST CONTROL |             |                               |              | 05/31/19                 | 1441    |         |      |
| 19-01342       | 1          | PEST CONTROL                      | 25.00       | 001-1900-519-4610             | Expenditure  |                          | 69      | 1       |      |
|                |            |                                   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 19-01342       | 2          | PEST CONTROL                      | 52.00       | 001-1900-519-4610             | Expenditure  |                          | 70      | 1       |      |
|                |            |                                   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 19-01342       | 3          | PEST CONTROL                      | 30.00       | 001-1900-519-4610             | Expenditure  |                          | 71      | 1       |      |
|                |            |                                   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 19-01342       | 4          | PEST CONTROL                      | 52.00       | 001-1900-519-4610             | Expenditure  |                          | 72      | 1       |      |
|                |            |                                   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 19-01342       | 5          | PEST CONTROL                      | 25.00       | 001-1900-519-4610             | Expenditure  |                          | 73      | 1       |      |
|                |            |                                   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
|                |            |                                   | 184.00      |                               |              |                          |         |         |      |
| 41930          | 05/09/19   | SUNLI010 SUN LIFE FINANCIAL       |             |                               |              | 05/31/19                 | 1441    |         |      |
| 19-01359       | 1          | LIFE INSURANCE PREMIUMS           | 4.57        | 001-1200-512-2300             | Expenditure  |                          | 88      | 1       |      |
|                |            |                                   |             | EXECUTIVE                     |              |                          |         |         |      |
| 19-01359       | 2          | LIFE INSURANCE PREMIUMS           | 73.28       | 001-1300-513-2300             | Expenditure  |                          | 89      | 1       |      |
|                |            |                                   |             | FINANCE                       |              |                          |         |         |      |
| 19-01359       | 3          | LIFE INSURANCE PREMIUMS           | 14.20       | 001-1500-515-2300             | Expenditure  |                          | 90      | 1       |      |
|                |            |                                   |             | COMP PLANNING                 |              |                          |         |         |      |
| 19-01359       | 4          | LIFE INSURANCE PREMIUMS           | 38.11       | 001-1900-519-2300             | Expenditure  |                          | 91      | 1       |      |
|                |            |                                   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 19-01359       | 5          | LIFE INSURANCE PREMIUMS           | 198.31      | 001-2100-521-2300             | Expenditure  |                          | 92      | 1       |      |
|                |            |                                   |             | LAW ENFORCEMENT               |              |                          |         |         |      |
| 19-01359       | 6          | LIFE INSURANCE PREMIUMS           | 31.60       | 001-2400-524-2300             | Expenditure  |                          | 93      | 1       |      |
|                |            |                                   |             | PROT INSPECTIONS              |              |                          |         |         |      |
| 19-01359       | 7          | LIFE INSURANCE PREMIUMS           | 42.50       | 001-3400-534-2300             | Expenditure  |                          | 94      | 1       |      |
|                |            |                                   |             | GARBAGE                       |              |                          |         |         |      |
| 19-01359       | 8          | LIFE INSURANCE PREMIUMS           | 65.95       | 001-131-1000                  | G/L          |                          | 95      | 1       |      |
|                |            |                                   |             | Due From Road & Bridge Fund   |              |                          |         |         |      |
| 19-01359       | 9          | LIFE INSURANCE PREMIUMS           | 8.00        | 001-229-2100                  | G/L          |                          | 96      | 1       |      |
|                |            |                                   |             | Insurance-Other Employee Paid |              |                          |         |         |      |
|                |            |                                   | 476.52      |                               |              |                          |         |         |      |
| 41931          | 05/09/19   | TAYL0020 TAYLOR RENTAL            |             |                               |              | 05/31/19                 | 1441    |         |      |
| 19-01329       | 1          | TABLES-ARBOR DAY                  | 102.60      | 001-7200-572-4833             | Expenditure  |                          | 51      | 1       |      |
|                |            |                                   |             | PARKS AND REC                 |              |                          |         |         |      |
| 19-01354       | 1          | AUGER RENTAL                      | 54.00       | 001-1900-519-4610             | Expenditure  |                          | 84      | 1       |      |
|                |            |                                   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
|                |            |                                   | 156.60      |                               |              |                          |         |         |      |
| 41932          | 05/09/19   | THEBA005 THE BANCORP BANK         |             |                               |              | 05/31/19                 | 1441    |         |      |
| 19-01366       | 1          | LEASE VEHICLE #128                | 389.49      | 001-2100-521-4431             | Expenditure  |                          | 104     | 1       |      |
|                |            |                                   |             | LAW ENFORCEMENT               |              |                          |         |         |      |

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| PO #           | Item       | Description                             |                 |   |              |                          | Ref Seq Acct |
| 001TDOPERATING |            |   | Continued       |   |              |                          |              |
| 41933          | 05/09/19   | VERIZ010 VERIZON WIRELESS               |                 |   |              | 05/31/19                 | 1441         |
| 19-01368       | 1          | CELL PHONES                             | 829.69          | 001-2100-521-4100<br>LAW ENFORCEMENT          | Expenditure  |                          | 106 1        |
| 41934          | 05/09/19   | WRIGH010 WRIGHT NATIONAL FLOOD          |                 |   |              | 05/31/19                 | 1441         |
| 19-01321       | 1          | FLOOD INS-CITY HALL                     | 412.51          | 001-1900-519-4520<br>OTHER GOVERNMENTAL       | Expenditure  |                          | 38 1         |
| 19-01321       | 2          | FLOOD INS-CITY HALL                     | 1,707.49        | 001-155-0000<br>Prepaid Items                 | G/L          |                          | 39 1         |
| 19-01322       | 1          | FLOOD INS-BLDG C                        | 346.48          | 001-1900-519-4520<br>OTHER GOVERNMENTAL       | Expenditure  |                          | 40 1         |
| 19-01322       | 2          | FLOOD INS-BLDG C                        | 1,436.52        | 001-155-0000<br>Prepaid Items                 | G/L          |                          | 41 1         |
|                |            |   | <u>3,903.00</u> |   |              |                          |              |
| 41935          | 05/10/19   | FIREW010 FIREWORKS BY SANTORE INC.      |                 |   |              | 05/31/19                 | 1442         |
| 19-01384       | 1          | NYE Fireworks Show                      | 25,000.00       | 001-7200-572-4829<br>PARKS AND REC            | Expenditure  |                          | 11 1         |
| 41936          | 05/23/19   | 312PA005 312 PAWN                       |                 |   |              | 05/31/19                 | 1444         |
| 19-01480       | 1          | SHIPMENT-WEAPON-CASE 19-264             | 18.36           | 001-2100-521-4930<br>LAW ENFORCEMENT          | Expenditure  |                          | 115 1        |
| 41937          | 05/23/19   | ACEAM005 ACE AMERICAN INSURANCE CO      |                 |   |              | 05/31/19                 | 1444         |
| 19-01473       | 1          | STATUTORY INS                           | 138.00          | 001-2100-521-4530<br>LAW ENFORCEMENT          | Expenditure  |                          | 109 1        |
| 41938          | 05/23/19   | ADVAN010 ADVANCED DISPOSAL              |                 |   |              | 05/31/19                 | 1444         |
| 19-01387       | 1          | RECYCLE SERVICES APR 2019               | 12,302.92       | 001-3400-534-4940<br>GARBAGE                  | Expenditure  |                          | 20 1         |
| 41939          | 05/23/19   | ADVAP010 ADVANCED AUTO PARTS            |                 |   |              | 05/31/19                 | 1444         |
| 19-01407       | 1          | HEAD LIGHT-106                          | 10.49           | 001-2100-521-5230<br>LAW ENFORCEMENT          | Expenditure  |                          | 31 1         |
| 19-01408       | 1          | BULB TAIL LIGHT-#112                    | 8.99            | 001-2100-521-4630<br>LAW ENFORCEMENT          | Expenditure  |                          | 32 1         |
|                |            |   | <u>19.48</u>    |   |              |                          |              |
| 41940          | 05/23/19   | AMERI060 AMERICAN HERITAGE LIFE INSURAN |                 |   |              |                          | 1444         |
| 19-01405       | 1          | DENTAL INS                              | 29.56           | 001-229-2100<br>Insurance-Other Employee Paid | G/L          |                          | 29 1         |
| 41941          | 05/23/19   | BETTY010 BETTY GRIFFIN HOUSE            |                 |   |              |                          | 1444         |
| 19-01449       | 1          | REFUND EVENT BOND                       | 300.00          | 001-220-0000<br>Deposits for Events           | G/L          |                          | 79 1         |
| 41942          | 05/23/19   | BOZAR010 BOZARD FORD COMPANY            |                 |   |              | 05/31/19                 | 1444         |
| 19-01413       | 1          | veh repair-lights #129                  | 255.64          | 001-2100-521-4630<br>LAW ENFORCEMENT          | Expenditure  |                          | 37 1         |
| 19-01414       | 1          | VEH REPAIR-SEAT ASSY #125               | 363.19          | 001-2100-521-4630<br>LAW ENFORCEMENT          | Expenditure  |                          | 38 1         |



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| 001TDOPERATING |                     |   | Continued   |                               |              |                          |         |         |      |
| 41942          | BOZARD FORD COMPANY | Continued                               |             |                               |              |                          |         |         |      |
| 19-01464       | 1                   | REPAIR #106                             | 493.42      | 001-2100-521-4630             | Expenditure  |                          | 96      | 1       |      |
|                |                     |   |             | LAW ENFORCEMENT               |              |                          |         |         |      |
|                |                     |   | 1,112.25    |                               |              |                          |         |         |      |
| 41943          | 05/23/19            | BUGOU010 BUG OUT SERVICE INC            |             |                               |              | 05/31/19                 | 1444    |         |      |
| 19-01462       | 1                   | YARD PEST CONTROL                       | 189.00      | 001-1900-519-3400             | Expenditure  |                          | 94      | 1       |      |
|                |                     |   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 41944          | 05/23/19            | BURNE010 BURNEY'S SEPTIC TANK SERVICE   |             |                               |              | 05/31/19                 | 1444    |         |      |
| 19-01463       | 1                   | SEPTIC TANK SVC                         | 300.00      | 001-1900-519-4610             | Expenditure  |                          | 95      | 1       |      |
|                |                     |   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 41945          | 05/23/19            | CANON010 CANON FINANCIAL SERVICES       |             |                               |              | 05/31/19                 | 1444    |         |      |
| 19-01452       | 1                   | COPIER LEASE                            | 125.00      | 001-2400-524-4430             | Expenditure  |                          | 81      | 1       |      |
|                |                     |   |             | PROT INSPECTIONS              |              |                          |         |         |      |
| 19-01452       | 2                   | COPIER LEASE                            | 65.79       | 001-2400-524-4700             | Expenditure  |                          | 82      | 1       |      |
|                |                     |   |             | PROT INSPECTIONS              |              |                          |         |         |      |
| 19-01452       | 3                   | COPIER LEASE                            | 125.00      | 001-2100-521-4430             | Expenditure  |                          | 83      | 1       |      |
|                |                     |   |             | LAW ENFORCEMENT               |              |                          |         |         |      |
| 19-01452       | 4                   | COPIER LEASE                            | 68.74       | 001-2100-521-4700             | Expenditure  |                          | 84      | 1       |      |
|                |                     |   |             | LAW ENFORCEMENT               |              |                          |         |         |      |
| 19-01452       | 5                   | COPIER LEASE                            | 125.00      | 001-1300-513-4430             | Expenditure  |                          | 85      | 1       |      |
|                |                     |   |             | FINANCE                       |              |                          |         |         |      |
| 19-01452       | 6                   | COPIER LEASE                            | 48.99       | 001-1300-513-4700             | Expenditure  |                          | 86      | 1       |      |
|                |                     |   |             | FINANCE                       |              |                          |         |         |      |
| 19-01467       | 1                   | COPIER LEASE                            | 47.84       | 001-1900-519-4430             | Expenditure  |                          | 97      | 1       |      |
|                |                     |   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 19-01467       | 2                   | COPIER LEASE                            | 53.36       | 001-3400-534-4430             | Expenditure  |                          | 98      | 1       |      |
|                |                     |   |             | GARBAGE                       |              |                          |         |         |      |
| 19-01467       | 3                   | COPIER LEASE                            | 82.80       | 001-131-1000                  | G/L          |                          | 99      | 1       |      |
|                |                     |   |             | Due From Road & Bridge Fund   |              |                          |         |         |      |
| 19-01467       | 4                   | COPIER LEASE                            | 8.14        | 001-131-1000                  | G/L          |                          | 100     | 1       |      |
|                |                     |   |             | Due From Road & Bridge Fund   |              |                          |         |         |      |
| 19-01467       | 5                   | COPIER LEASE                            | 4.70        | 001-1900-519-5100             | Expenditure  |                          | 101     | 1       |      |
|                |                     |   |             | OTHER GOVERNMENTAL            |              |                          |         |         |      |
| 19-01467       | 6                   | COPIER LEASE                            | 5.24        | 001-3400-534-5100             | Expenditure  |                          | 102     | 1       |      |
|                |                     |   |             | GARBAGE                       |              |                          |         |         |      |
|                |                     |   | 760.60      |                               |              |                          |         |         |      |
| 41946          | 05/23/19            | CLERK020 CLERK OF CIRCUIT COURT         |             |                               |              |                          | 1444    |         |      |
| 19-01406       | 1                   | CLERK FEES-APR 2019                     | 60.00       | 001-2100-521-5290             | Expenditure  |                          | 30      | 1       |      |
|                |                     |   |             | LAW ENFORCEMENT               |              |                          |         |         |      |
| 41947          | 05/23/19            | COLON010 COLONIAL SUPPLEMENTAL INSURANC |             |                               |              | 05/31/19                 | 1444    |         |      |
| 19-01422       | 1                   | SUPPLEMENTAL INS                        | 623.58      | 001-229-2100                  | G/L          |                          | 52      | 1       |      |
|                |                     |   |             | Insurance-Other Employee Paid |              |                          |         |         |      |
| 41948          | 05/23/19            | COMCA015 COMCAST                        |             |                               |              | 05/31/19                 | 1444    |         |      |
| 19-01419       | 1                   | CABLE NEWS                              | 66.73       | 001-2100-521-5290             | Expenditure  |                          | 48      | 1       |      |
|                |                     |   |             | LAW ENFORCEMENT               |              |                          |         |         |      |

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| 001TDOPERATING |            | Continued                               |             |                             |              |                          |              |
| 41949          | 05/23/19   | CONST010 CONSTANTINE ENGINEERING        |             |                             |              | 05/31/19                 | 1444         |
| 19-00217       | 5          | SEA OATS PLANTING-100423.01             | 1,288.98    | 001-7200-572-6330           | Expenditure  |                          | 1 1          |
|                |            |   |             | PARKS AND REC               |              |                          |              |
| 19-00217       | 6          | SEA OATS PLANTING-100423.01             | 2,782.62    | 001-7200-572-6330           | Expenditure  |                          | 2 1          |
|                |            |   |             | PARKS AND REC               |              |                          |              |
|                |            |   | 4,071.60    |                             |              |                          |              |
| 41950          | 05/23/19   | CSAB-030 CSAB - POLICE EDUCATION FUND   |             |                             |              | 05/31/19                 | 1444         |
| 19-01474       | 1          | PE FROM FINES APR 2019                  | 129.23      | 001-351-500                 | Revenue      |                          | 110 1        |
|                |            |   |             | Court Fines                 |              |                          |              |
| 41951          | 05/23/19   | DANAS010 DANA SAFETY SUPPLY             |             |                             |              | 05/31/19                 | 1444         |
| 19-01476       | 1          | PATROL LITES                            | 191.09      | 001-2100-521-4630           | Expenditure  |                          | 112 1        |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |              |
| 19-01477       | 1          | PATROL LITES 129                        | 167.82      | 001-2100-521-4630           | Expenditure  |                          | 113 1        |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |              |
|                |            |   | 358.91      |                             |              |                          |              |
| 41952          | 05/23/19   | DATAW005 DATAWORKS PLUS                 |             |                             |              | 05/31/19                 | 1444         |
| 19-01131       | 1          | RAPID ID DEVICE SOFTWARE                | 3,428.00    | 001-2100-521-6490           | Expenditure  |                          | 3 1          |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |              |
| 41953          | 05/23/19   | EVIDE010 EVIDENT CRIME SCENE PRODUCTS   |             |                             |              |                          | 1444         |
| 19-01416       | 1          | EVIDENCE COLLECTION                     | 73.65       | 001-2100-521-5230           | Expenditure  |                          | 40 1         |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |              |
| 41954          | 05/23/19   | FEDER005 FEDERAL EASTERN INTERNATIONAL  |             |                             |              | 05/31/19                 | 1444         |
| 19-01478       | 1          | NAME TAG                                | 10.00       | 001-2100-521-5210           | Expenditure  |                          | 114 1        |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |              |
| 41955          | 05/23/19   | FERGU010 FERGUSON ENTERPRISES, INC.     |             |                             |              | 05/31/19                 | 1444         |
| 19-01484       | 1          | SHOWER VALVES                           | 28.79       | 001-7200-572-4620           | Expenditure  |                          | 118 1        |
|                |            |   |             | PARKS AND REC               |              |                          |              |
| 41956          | 05/23/19   | FLAGL030 FLAGLER CARE CENTER            |             |                             |              | 05/31/19                 | 1444         |
| 19-01397       | 1          | AGENCY DRUG SCREEN                      | 513.00      | 001-2100-521-5250           | Expenditure  |                          | 27 1         |
|                |            |   |             | LAW ENFORCEMENT             |              |                          |              |
| 19-01421       | 1          | DRUG SCREEN-PW                          | 10.40       | 001-1900-519-5290           | Expenditure  |                          | 49 1         |
|                |            |   |             | OTHER GOVERNMENTAL          |              |                          |              |
| 19-01421       | 2          | DRUG SCREEN-PW                          | 11.60       | 001-3400-534-5290           | Expenditure  |                          | 50 1         |
|                |            |   |             | GARBAGE                     |              |                          |              |
| 19-01421       | 3          | DRUG SCREEN-PW                          | 18.00       | 001-131-1000                | G/L          |                          | 51 1         |
|                |            |   |             | Due From Road & Bridge Fund |              |                          |              |
|                |            |   | 553.00      |                             |              |                          |              |
| 41957          | 05/23/19   | FLORI170 FLORIDA JANITOR & PAPER SUPPLY |             |                             |              | 05/31/19                 | 1444         |
| 19-01389       | 1          | CLEANING SUPPLIES                       | 81.09       | 001-1900-519-5290           | Expenditure  |                          | 22 1         |
|                |            |   |             | OTHER GOVERNMENTAL          |              |                          |              |
| 19-01440       | 1          | CLEANING SUPPLIES                       | 188.52      | 001-1900-519-5290           | Expenditure  |                          | 69 1         |
|                |            |   |             | OTHER GOVERNMENTAL          |              |                          |              |
|                |            |   | 269.61      |                             |              |                          |              |

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| 001TDOPERATING |            |   | Continued   |  |              |                          |              |
| 41958          | 05/23/19   | FLORI455 FLORIDA EQUIPMENT              |             |  |              | 05/31/19                 | 1444         |
| 19-01486       | 1          | GAS PUMP HANDLE                         | 87.17       | 001-1900-519-4610<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 120 1        |
| 41959          | 05/23/19   | FOPLO005 FOP LODGE 113                  |             |  |              |                          | 1444         |
| 19-01483       | 1          | MEMBERSHIP FEES                         | 14.00       | 001-229-1000<br>Miscellaneous Deductions | G/L          |                          | 117 1        |
| 41960          | 05/23/19   | FRANK020 FRANKIE HAMMONDS               |             |  |              | 05/31/19                 | 1444         |
| 19-01411       | 1          | TUITION REIMB                           | 300.00      | 001-2100-521-5430<br>LAW ENFORCEMENT     | Expenditure  |                          | 35 1         |
| 41961          | 05/23/19   | HAGAN020 HAGAN ACE HARDWARE             |             |  |              | 05/31/19                 | 1444         |
| 19-01391       | 1          | EYE SCREW                               | 2.59        | 001-1900-519-5290<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 23 1         |
| 19-01447       | 1          | BOLTS FOR REPAIRS- #77                  | 7.74        | 001-3400-534-4630<br>GARBAGE             | Expenditure  |                          | 75 1         |
| 19-01455       | 1          | REPAIRS TO #77,BLANK KEYS               | 2.19        | 001-1900-519-5290<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 88 1         |
| 19-01455       | 2          | REPAIRS TO #77,BLANK KEYS               | 6.24        | 001-3400-534-4630<br>GARBAGE             | Expenditure  |                          | 89 1         |
| 19-01455       | 3          | REPAIRS TO #77,BLANK KEYS               | 3.59        | 001-1900-519-4610<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 90 1         |
|                |            |   | 22.35       |  |              |                          |              |
| 41962          | 05/23/19   | HICKS101 HICK'S LAND CLEARING & INCINER |             |  |              | 05/31/19                 | 1444         |
| 19-01392       | 1          | DISPOSAL FEES                           | 780.00      | 001-3400-534-4940<br>GARBAGE             | Expenditure  |                          | 24 1         |
| 41963          | 05/23/19   | HOMED010 HOME DEPOT                     |             |  |              | 05/31/19                 | 1444         |
| 19-01443       | 1          | WEATHERSHIELD-PD                        | 7.76        | 001-1900-519-4610<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 72 1         |
| 19-01444       | 1          | INSULATION-BLDG                         | 176.38      | 001-1900-519-4610<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 73 1         |
| 19-01446       | 1          | DRILL BIT/BLADES-REP #77                | 18.94       | 001-3400-534-5230<br>GARBAGE             | Expenditure  |                          | 74 1         |
| 19-01487       | 1          | BLDG C & FURN REPAIR PWD                | 36.86       | 001-1900-519-4610<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 121 1        |
| 19-01489       | 1          | VAC FOR CITY HALL                       | 168.00      | 001-1900-519-5230<br>OTHER GOVERNMENTAL  | Expenditure  |                          | 122 1        |
|                |            |   | 407.94      |  |              |                          |              |
| 41964          | 05/23/19   | INSTI010 INSTITUTE OF POLICE TECHNOLOGY |             |  |              | 05/31/19                 | 1444         |
| 19-01367       | 1          | TRAINING-BASIC IA-PADGETT               | 795.00      | 001-2100-521-5430<br>LAW ENFORCEMENT     | Expenditure  |                          | 7 1          |
| 19-01395       | 1          | INTERNAL AFFAIRS TRAINING-ABEL          | 795.00      | 001-2100-521-5430<br>LAW ENFORCEMENT     | Expenditure  |                          | 25 1         |
| 19-01470       | 1          | TRAINING-HAMMONDS                       | 795.00      | 001-2100-521-5430<br>LAW ENFORCEMENT     | Expenditure  |                          | 107 1        |
|                |            |   | 2,385.00    |  |              |                          |              |

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| 41965    | 05/23/19    | JACKI005 JACKIE PARRISH                 |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01412 | 1           | TUITION REIMB                           | 300.00          | 001-2100-521-5430<br>LAW ENFORCEMENT          | Expenditure  |                          | 36      | 1       |      |
| 41966    | 05/23/19    | LEGAL005 LEGALSHIELD                    |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01468 | 1           | PREPAID LEGAL                           | 15.95           | 001-229-2100<br>Insurance-Other Employee Paid | G/L          |                          | 103     | 1       |      |
| 41967    | 05/23/19    | LVHIE010 L.V. HIERS INC.                |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01386 | 1           | 314 GALS UNLD, 438 GALS DIESEL          | 754.10          | 001-141-0000<br>Inventories - Fuel            | G/L          |                          | 18      | 1       |      |
| 19-01386 | 2           | 314 GALS UNLD, 438 GALS DIESEL          | 1,152.47        | 001-141-0000<br>Inventories - Fuel            | G/L          |                          | 19      | 1       |      |
| 19-01423 | 1           | 158 GALS UNLD, 560 GALS DIESEL          | 390.64          | 001-141-0000<br>Inventories - Fuel            | G/L          |                          | 53      | 1       |      |
| 19-01423 | 2           | 158 GALS UNLD, 560 GALS DIESEL          | 1,480.53        | 001-141-0000<br>Inventories - Fuel            | G/L          |                          | 54      | 1       |      |
|          |             |   | <u>3,777.74</u> |   |              |                          |         |         |      |
| 41968    | 05/23/19    | MELIS010 MELISSA BURNS                  |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01471 | 1           | MILEAGE REIMB VEHICLE                   | 486.04          | 001-1300-513-4020<br>FINANCE                  | Expenditure  |                          | 108     | 1       |      |
| 41969    | 05/23/19    | MELVI010 MELVIN'S REPAIR SHOP           |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01441 | 1           | HOSES FOR REPAIRS #77                   | 110.56          | 001-3400-534-4630<br>GARBAGE                  | Expenditure  |                          | 70      | 1       |      |
| 19-01460 | 1           | HYD HOSE REPAIR #77                     | 178.22          | 001-3400-534-4630<br>GARBAGE                  | Expenditure  |                          | 93      | 1       |      |
|          |             |   | <u>288.78</u>   |   |              |                          |         |         |      |
| 41970    | 05/23/19    | MORET010 MORE THAN INK                  |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01434 | 1           | ENVELOPES                               | 135.00          | 001-1300-513-4700<br>FINANCE                  | Expenditure  |                          | 65      | 1       |      |
| 41971    | 05/23/19    | NATIO090 NATIONWIDE RETIREMENT SOLUTION |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01482 | 1           | DEFERRED COMP                           | 1,689.52        | 001-235-0000<br>Deferred Compensation         | G/L          |                          | 116     | 1       |      |
| 41972    | 05/23/19    | ORIEN010 ORIENTAL TRADING CO., INC.     |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01409 | 1           | NNO SUPPLIES                            | 449.50          | 001-2100-521-5240<br>LAW ENFORCEMENT          | Expenditure  |                          | 33      | 1       |      |
| 41973    | 05/23/19    | PEOPL005 PEOPLEREADY FLORIDA INC        |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01475 | 1           | TEMP LABOR                              | 654.36          | 001-3400-534-3400<br>GARBAGE                  | Expenditure  |                          | 111     | 1       |      |
| 41974    | 05/23/19    | PINC005 PINCH A PENNY                   |                 |   |              |                          | 1444    |         |      |
| 19-01442 | 1           | PVC VALVE=SPLASH PARK                   | 105.98          | 001-7200-572-4620<br>PARKS AND REC            | Expenditure  |                          | 71      | 1       |      |

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| PO #           | Item       | Description                             |                 |   |              |                          |         |         |      |
| 001TDOPERATING |            |   | Continued       |   |              |                          |         |         |      |
| 41975          | 05/23/19   | PIPPR010 PIP PRINTING                   |                 |   |              |                          | 1444    |         |      |
| 19-01417       | 1          | BUSINESS CARDS                          | 57.00           | 001-2100-521-4100<br>LAW ENFORCEMENT        | Expenditure  |                          | 41      | 1       |      |
| 41976          | 05/23/19   | PRIMA005 PRI MANAGEMENT GROUP           |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01415       | 1          | MPR TRAINING-HARRELL/PARRISH            | 390.00          | 001-2100-521-5430<br>LAW ENFORCEMENT        | Expenditure  |                          | 39      | 1       |      |
| 41977          | 05/23/19   | ROTO-010 ROTO-ROOTER OF ST. AUGUSTINE   |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01439       | 1          | REPAIR-CLOGGED SINK PW                  | 392.89          | 001-1900-519-4610<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 68      | 1       |      |
| 41978          | 05/23/19   | SAFET020 SAFETY PRODUCTS, INC.          |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01388       | 1          | GLOVES                                  | 289.50          | 001-3400-534-5290<br>GARBAGE                | Expenditure  |                          | 21      | 1       |      |
| 41979          | 05/23/19   | SANFO005 SANFORD AND SON AUTO PARTS INC |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01438       | 1          | TRANS FILTERS #75/STOCK                 | 437.54          | 001-3400-534-4630<br>GARBAGE                | Expenditure  |                          | 67      | 1       |      |
| 19-01454       | 1          | LG TAP DIE-TOOL                         | 286.99          | 001-3400-534-5230<br>GARBAGE                | Expenditure  |                          | 87      | 1       |      |
|                |            |   | <u>724.53</u>   |   |              |                          |         |         |      |
| 41980          | 05/23/19   | SMITH010 SMITH BROS. PEST CONTROL       |                 |   |              |                          | 1444    |         |      |
| 19-01451       | 1          | PEST CONTROL-ANTS-CITY HALL             | 185.00          | 001-1900-519-4610<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 80      | 1       |      |
| 41981          | 05/23/19   | SOUTH065 SOUTHERN MONUMENT CO           |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01485       | 1          | BRICK                                   | 40.00           | 001-7200-572-5290<br>PARKS AND REC          | Expenditure  |                          | 119     | 1       |      |
| 41982          | 05/23/19   | STAUG110 ST AUGUSTINE RECORD            |                 |   |              | 05/31/19                 | 1444    |         |      |
| 19-01211       | 1          | P&Z MEETING                             | 134.63          | 001-1500-515-4810<br>COMP PLANNING          | Expenditure  |                          | 4       | 1       |      |
| 19-01251       | 1          | PUB HEARING VAC ALLEY                   | 76.29           | 001-1300-513-4810<br>FINANCE                | Expenditure  |                          | 5       | 1       |      |
| 19-01265       | 1          | CODE ENF MTG AD                         | 71.80           | 001-2400-524-4810<br>PROT INSPECTIONS       | Expenditure  |                          | 6       | 1       |      |
| 19-01371       | 1          | PZB VAR AD                              | 175.02          | 001-1500-515-4810<br>COMP PLANNING          | Expenditure  |                          | 8       | 1       |      |
| 19-01448       | 1          | EMPL AD-MAINT WORKER                    | 184.34          | 001-1900-519-5290<br>OTHER GOVERNMENTAL     | Expenditure  |                          | 76      | 1       |      |
| 19-01448       | 2          | EMPL AD-MAINT WORKER                    | 205.61          | 001-3400-534-5290<br>GARBAGE                | Expenditure  |                          | 77      | 1       |      |
| 19-01448       | 3          | EMPL AD-MAINT WORKER                    | 319.05          | 001-131-1000<br>Due From Road & Bridge Fund | G/L          |                          | 78      | 1       |      |
|                |            |   | <u>1,166.74</u> |   |              |                          |         |         |      |
| 41983          | 05/23/19   | STJOH110 ST. JOHNS COUNTY SOLID WASTE   |                 |   |              |                          | 1444    |         |      |
| 19-01404       | 1          | DISPOSAL FEES                           | 13,684.27       | 001-3400-534-4940<br>GARBAGE                | Expenditure  |                          | 28      | 1       |      |

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| PO #            | Item       | Description                             |             |                                   |              |                          | Seq Acct |
| 001TDOOPERATING |            |   | Continued   |                                   |              |                          |          |
| 41984           | 05/23/19   | STJOH140 ST. JOHNS COUNTY UTILITY DEPAR |             |                                   |              | 05/31/19                 | 1444     |
| 19-01385        | 1          | WATER SERVICE                           | 69.33       | 001-7200-572-4320                 | Expenditure  |                          | 9 1      |
|                 |            |   |             | PARKS AND REC                     |              |                          |          |
| 19-01385        | 2          | WATER SERVICE                           | 165.96      | 001-7200-572-4320                 | Expenditure  |                          | 10 1     |
|                 |            |   |             | PARKS AND REC                     |              |                          |          |
| 19-01385        | 3          | WATER SERVICE                           | 448.28      | 001-7200-572-4320                 | Expenditure  |                          | 11 1     |
|                 |            |   |             | PARKS AND REC                     |              |                          |          |
| 19-01385        | 4          | WATER SERVICE                           | 168.43      | 001-2100-521-4320                 | Expenditure  |                          | 12 1     |
|                 |            |   |             | LAW ENFORCEMENT                   |              |                          |          |
| 19-01385        | 5          | WATER SERVICE                           | 63.94       | 001-1900-519-4320                 | Expenditure  |                          | 13 1     |
|                 |            |   |             | OTHER GOVERNMENTAL                |              |                          |          |
| 19-01385        | 6          | WATER SERVICE                           | 71.31       | 001-3400-534-4320                 | Expenditure  |                          | 14 1     |
|                 |            |   |             | GARBAGE                           |              |                          |          |
| 19-01385        | 7          | WATER SERVICE                           | 110.66      | 001-131-1000                      | G/L          |                          | 15 1     |
|                 |            |   |             | Due From Road & Bridge Fund       |              |                          |          |
| 19-01385        | 8          | WATER SERVICE                           | 163.34      | 001-1900-519-4320                 | Expenditure  |                          | 16 1     |
|                 |            |   |             | OTHER GOVERNMENTAL                |              |                          |          |
| 19-01385        | 9          | WATER SERVICE                           | 108.90      | 001-2400-524-4320                 | Expenditure  |                          | 17 1     |
|                 |            |   |             | PROT INSPECTIONS                  |              |                          |          |
|                 |            |   | 1,370.15    |                                   |              |                          |          |
| 41985           | 05/23/19   | TODDS010 TODD SMITH                     |             |                                   |              | 05/31/19                 | 1444     |
| 19-01396        | 1          | COLLEGE REIMB                           | 1,279.20    | 001-2100-521-5430                 | Expenditure  |                          | 26 1     |
|                 |            |   |             | LAW ENFORCEMENT                   |              |                          |          |
| 19-01410        | 1          | PER DIEM CASE #19-263                   | 10.00       | 001-2100-521-4930                 | Expenditure  |                          | 34 1     |
|                 |            |   |             | LAW ENFORCEMENT                   |              |                          |          |
|                 |            |   | 1,289.20    |                                   |              |                          |          |
| 41986           | 05/23/19   | UNITE020 UNITED HEALTHCARE INSURANCE CO |             |                                   |              | 05/31/19                 | 1444     |
| 19-01433        | 1          | INSURANCE PREMIUMS                      | 611.23      | 001-1200-512-2300                 | Expenditure  |                          | 55 1     |
|                 |            |   |             | EXECUTIVE                         |              |                          |          |
| 19-01433        | 2          | INSURANCE PREMIUMS                      | 8,057.29    | 001-1300-513-2300                 | Expenditure  |                          | 56 1     |
|                 |            |   |             | FINANCE                           |              |                          |          |
| 19-01433        | 3          | INSURANCE PREMIUMS                      | 934.53      | 001-1500-515-2300                 | Expenditure  |                          | 57 1     |
|                 |            |   |             | COMP PLANNING                     |              |                          |          |
| 19-01433        | 4          | INSURANCE PREMIUMS                      | 5,037.06    | 001-1900-519-2300                 | Expenditure  |                          | 58 1     |
|                 |            |   |             | OTHER GOVERNMENTAL                |              |                          |          |
| 19-01433        | 5          | INSURANCE PREMIUMS                      | 16,832.55   | 001-2100-521-2300                 | Expenditure  |                          | 59 1     |
|                 |            |   |             | LAW ENFORCEMENT                   |              |                          |          |
| 19-01433        | 6          | INSURANCE PREMIUMS                      | 2,217.89    | 001-2400-524-2300                 | Expenditure  |                          | 60 1     |
|                 |            |   |             | PROT INSPECTIONS                  |              |                          |          |
| 19-01433        | 7          | INSURANCE PREMIUMS                      | 5,622.07    | 001-3400-534-2300                 | Expenditure  |                          | 61 1     |
|                 |            |   |             | GARBAGE                           |              |                          |          |
| 19-01433        | 8          | INSURANCE PREMIUMS                      | 7,664.59    | 001-229-2000                      | G/L          |                          | 62 1     |
|                 |            |   |             | Health Insurance-Employee Portion |              |                          |          |
| 19-01433        | 9          | INSURANCE PREMIUMS                      | 4,338.90    | 001-229-2100                      | G/L          |                          | 63 1     |
|                 |            |   |             | Insurance-Other Employee Paid     |              |                          |          |
| 19-01433        | 10         | INSURANCE PREMIUMS *                    | 8,742.20    | 001-131-1000                      | G/L          |                          | 64 1     |
|                 |            |   |             | Due From Road & Bridge Fund       |              |                          |          |
|                 |            |   | 60,058.31   |                                   |              |                          |          |

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| Check #                 | Check Date      | Vendor                                | Amount Paid | Charge Account              | Account Type       | Reconciled/Void Contract | Ref Num | Ref Seq | Acct |
|-------------------------|-----------------|---------------------------------------|-------------|-----------------------------|--------------------|--------------------------|---------|---------|------|
| PO #                    | Item            | Description                           |             |                             |                    |                          |         |         |      |
| 001TDOPERATING          |                 |                                       | Continued   |                             |                    |                          |         |         |      |
| 41987                   | 05/23/19        | USBAN005 US BANK VOYAGER FLEET SYS    |             |                             |                    | 05/31/19                 | 1444    |         |      |
| 19-01435                | 1               | MONTHLY FUEL                          | 5,135.27    | 001-2100-521-5220           | Expenditure        |                          | 66      | 1       |      |
|                         |                 |                                       |             | LAW ENFORCEMENT             |                    |                          |         |         |      |
| 41988                   | 05/23/19        | VERIZ010 VERIZON WIRELESS             |             |                             |                    | 05/31/19                 | 1444    |         |      |
| 19-01469                | 1               | CELL PHONES                           | 137.81      | 001-2400-524-4100           | Expenditure        |                          | 104     | 1       |      |
|                         |                 |                                       |             | PROT INSPECTIONS            |                    |                          |         |         |      |
| 19-01469                | 2               | CELL PHONES                           | 232.53      | 001-3400-534-4100           | Expenditure        |                          | 105     | 1       |      |
|                         |                 |                                       |             | GARBAGE                     |                    |                          |         |         |      |
| 19-01469                | 3               | CELL PHONES                           | 232.54      | 001-131-1000                | G/L                |                          | 106     | 1       |      |
|                         |                 |                                       |             | Due From Road & Bridge Fund |                    |                          |         |         |      |
|                         |                 |                                       | 602.88      |                             |                    |                          |         |         |      |
| 41989                   | 05/23/19        | WAL-M010 WAL-MART STORE#01-0579       |             |                             |                    | 05/31/19                 | 1444    |         |      |
| 19-01458                | 1               | OFFICE SUPPLIES                       | 172.13      | 001-1900-519-5100           | Expenditure        |                          | 91      | 1       |      |
|                         |                 |                                       |             | OTHER GOVERNMENTAL          |                    |                          |         |         |      |
| 19-01458                | 2               | OFFICE SUPPLIES                       | 0.61        | 001-1900-519-5100           | Expenditure        |                          | 92      | 1       |      |
|                         |                 |                                       |             | OTHER GOVERNMENTAL          |                    |                          |         |         |      |
|                         |                 |                                       | 172.74      |                             |                    |                          |         |         |      |
| 41990                   | 05/23/19        | WINDS005 WINDSTREAM                   |             |                             |                    | 05/31/19                 | 1444    |         |      |
| 19-01418                | 1               | PHONES/INTERNET                       | 696.06      | 001-1300-513-4100           | Expenditure        |                          | 42      | 1       |      |
|                         |                 |                                       |             | FINANCE                     |                    |                          |         |         |      |
| 19-01418                | 2               | PHONES/INTERNET                       | 1,450.12    | 001-2100-521-4100           | Expenditure        |                          | 43      | 1       |      |
|                         |                 |                                       |             | LAW ENFORCEMENT             |                    |                          |         |         |      |
| 19-01418                | 3               | PHONES/INTERNET                       | 319.03      | 001-2400-524-4100           | Expenditure        |                          | 44      | 1       |      |
|                         |                 |                                       |             | PROT INSPECTIONS            |                    |                          |         |         |      |
| 19-01418                | 4               | PHONES/INTERNET                       | 87.01       | 001-1900-519-4100           | Expenditure        |                          | 45      | 1       |      |
|                         |                 |                                       |             | OTHER GOVERNMENTAL          |                    |                          |         |         |      |
| 19-01418                | 5               | PHONES/INTERNET                       | 145.01      | 001-3400-534-4100           | Expenditure        |                          | 46      | 1       |      |
|                         |                 |                                       |             | GARBAGE                     |                    |                          |         |         |      |
| 19-01418                | 6               | PHONES/INTERNET                       | 203.01      | 001-131-1000                | G/L                |                          | 47      | 1       |      |
|                         |                 |                                       |             | Due From Road & Bridge Fund |                    |                          |         |         |      |
|                         |                 |                                       | 2,900.24    |                             |                    |                          |         |         |      |
| Checking Account Totals |                 |                                       | <u>Paid</u> | <u>Void</u>                 | <u>Amount Paid</u> | <u>Amount Void</u>       |         |         |      |
|                         | Checks:         | 97                                    | 3           | 181,452.04                  | 0.00               |                          |         |         |      |
|                         | Direct Deposit: | 0                                     | 0           | 0.00                        | 0.00               |                          |         |         |      |
|                         | Total:          | 97                                    | 3           | 181,452.04                  | 0.00               |                          |         |         |      |
| 002IMPACTFEES           |                 |                                       |             |                             |                    |                          |         |         |      |
| 1568                    | 05/31/19        | STJOH020 ST JOHNS COUNTY FINANCE DEPT |             |                             |                    |                          | 1445    |         |      |
| 19-01522                | 1               | IMPACT FEES-MAY 2019                  | 46,652.70   | 001-208-0000                | G/L                |                          | 1       | 1       |      |
|                         |                 |                                       |             | Due to Other Governments    |                    |                          |         |         |      |
| Checking Account Totals |                 |                                       | <u>Paid</u> | <u>Void</u>                 | <u>Amount Paid</u> | <u>Amount Void</u>       |         |         |      |
|                         | Checks:         | 1                                     | 0           | 46,652.70                   | 0.00               |                          |         |         |      |
|                         | Direct Deposit: | 0                                     | 0           | 0.00                        | 0.00               |                          |         |         |      |
|                         | Total:          | 1                                     | 0           | 46,652.70                   | 0.00               |                          |         |         |      |

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| Check #   | Check Date     | Vendor                       | Reconciled/Void | Ref Num      |
|---|----------------|------------------------------|-----------------|--------------|
| PO #  | Item           | Description                  | Contract        | Ref Seq Acct |
| Amount Paid   | Charge Account | Account Type                 |                 |              |
| 101TDBANKRDRG   |                |                              |                 |              |
| 20399   | 05/09/19       | ADVAP010 ADVANCED AUTO PARTS | 05/31/19        | 1440         |
| 19-01327  | 1              | REPAIRS TO #66               |                 | 16 1         |
|   |                | 25.75 101-4100-541-4630      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01377  | 1              | REPAIRS #57                  |                 | 23 1         |
|   |                | 18.39 101-4100-541-4630      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
|   |                | 44.14                        |                 |              |
| 20400 05/09/19 BUILD015 BUILDERS STAINLESS.COM        |                |                              |                 |              |
| 19-01379  | 1              | PARTS-BENCHES                | 05/31/19        | 1440         |
|   |                | 77.00 101-4100-541-5310      | Expenditure     | 25 1         |
|   |                | ROADS & BRIDGES              |                 |              |
| 20401 05/09/19 FLORI250 FLORIDA POWER & LIGHT COMPANY |                |                              |                 |              |
|   |                |                              | 05/09/19 VOID   | 0            |
| 20402 05/09/19 FLORI250 FLORIDA POWER & LIGHT COMPANY |                |                              |                 |              |
| 19-01325  | 1              | ELECTRICITY                  | 05/31/19        | 1440         |
|   |                | 11.44 101-4100-541-4310      | Expenditure     | 1 1          |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 2              | ELECTRICITY                  |                 | 2 1          |
|   |                | 41.32 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 3              | ELECTRICITY                  |                 | 3 1          |
|   |                | 11.84 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 4              | ELECTRICITY                  |                 | 4 1          |
|   |                | 15.14 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 5              | ELECTRICITY                  |                 | 5 1          |
|   |                | 18.84 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 6              | ELECTRICITY                  |                 | 6 1          |
|   |                | 339.39 101-4100-541-4310     | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 7              | ELECTRICITY                  |                 | 7 1          |
|   |                | 11.44 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 8              | ELECTRICITY                  |                 | 8 1          |
|   |                | 14.24 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 9              | ELECTRICITY                  |                 | 9 1          |
|   |                | 22.13 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 10             | ELECTRICITY                  |                 | 10 1         |
|   |                | 53.51 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 11             | ELECTRICITY                  |                 | 11 1         |
|   |                | 396.38 101-4100-541-4310     | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 12             | ELECTRICITY                  |                 | 12 1         |
|   |                | 26.34 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 13             | ELECTRICITY                  |                 | 13 1         |
|   |                | 31.22 101-4100-541-4310      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 14             | ELECTRICITY                  |                 | 14 1         |
|   |                | 4,490.91 101-4100-541-5320   | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
| 19-01325  | 15             | ELECTRICITY                  |                 | 15 1         |
|   |                | 94.70 101-4100-541-5320      | Expenditure     |              |
|   |                | ROADS & BRIDGES              |                 |              |
|   |                | 5,578.84                     |                 |              |
| 20403 05/09/19 HAGAN020 HAGAN ACE HARDWARE            |                |                              |                 |              |
| 19-01376  | 1              | NEW KEY #66                  | 05/31/19        | 1440         |
|   |                | 4.38 101-4100-541-4630       | Expenditure     | 22 1         |
|   |                | ROADS & BRIDGES              |                 |              |



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| Check #        | Check Date | Vendor                            | Amount Paid | Charge Account    | Account Type | Reconciled/Void Contract | Ref Num      |
|----------------|------------|-----------------------------------|-------------|-------------------|--------------|--------------------------|--------------|
| PO #           | Item       | Description                       |             |                   |              |                          | Ref Seq Acct |
| 101TDBANKRDBRG |            |                                   | Continued   |                   |              |                          |              |
| 20404          | 05/09/19   | HOMED010 HOME DEPOT               |             |                   |              | 05/31/19                 | 1440         |
| 19-01330       | 1          | STRIPING                          | 53.96       | 101-4100-541-5310 | Expenditure  |                          | 18 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 19-01350       | 1          | TOOLS                             | 94.98       | 101-4100-541-5230 | Expenditure  |                          | 20 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
|                |            |                                   | 148.94      |                   |              |                          |              |
| 20405          | 05/09/19   | SIGNS010 SIGNS NOW                |             |                   |              | 05/31/19                 | 1440         |
| 19-01378       | 1          | TRK DECALS #57,68                 | 6.00        | 101-4100-541-4630 | Expenditure  |                          | 24 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 20406          | 05/09/19   | SRMCO005 SRM CONCRETE             |             |                   |              | 05/31/19                 | 1440         |
| 19-01328       | 1          | LIMESTONE                         | 240.00      | 101-4100-541-5310 | Expenditure  |                          | 17 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 20407          | 05/09/19   | STAUG090 ST AUGUSTINE POWER HOUSE |             |                   |              | 05/31/19                 | 1440         |
| 19-01356       | 1          | MOWER REPAIR                      | 206.81      | 101-4100-541-4620 | Expenditure  |                          | 21 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 20408          | 05/09/19   | THELA020 THE LAKE DOCTORS         |             |                   |              | 05/31/19                 | 1440         |
| 19-01347       | 1          | WATER MGT SERVICES                | 595.00      | 101-4100-541-3400 | Expenditure  |                          | 19 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 20409          | 05/23/19   | ADVAP010 ADVANCED AUTO PARTS      |             |                   |              | 05/31/19                 | 1443         |
| 19-01390       | 1          | BATTERIES-22                      | 91.27       | 101-4100-541-4630 | Expenditure  |                          | 2 1          |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 20410          | 05/23/19   | BUGOU010 BUG OUT SERVICE INC      |             |                   |              | 05/31/19                 | 1443         |
| 19-01461       | 1          | YARD PEST CONTROL                 | 350.00      | 101-4100-541-3400 | Expenditure  |                          | 10 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 20411          | 05/23/19   | HAGAN020 HAGAN ACE HARDWARE       |             |                   |              | 05/31/19                 | 1443         |
| 19-01456       | 1          | LOCKS                             | 276.26      | 101-4100-541-5230 | Expenditure  |                          | 6 1          |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 19-01490       | 1          | REPIRATORS,PARTS FOR WELL         | 6.16        | 101-4100-541-5270 | Expenditure  |                          | 12 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 19-01490       | 2          | REPIRATORS,PARTS FOR WELL         | 14.99       | 101-4100-541-5290 | Expenditure  |                          | 13 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
|                |            |                                   | 297.41      |                   |              |                          |              |
| 20412          | 05/23/19   | HOMED010 HOME DEPOT               |             |                   |              | 05/31/19                 | 1443         |
| 19-01445       | 1          | PAINT/BATTERIES-BENCHES           | 64.82       | 101-4100-541-5310 | Expenditure  |                          | 3 1          |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 19-01457       | 1          | BOXING TAPE, WRENCH               | 11.25       | 101-4100-541-5290 | Expenditure  |                          | 7 1          |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 19-01457       | 2          | BOXING TAPE, WRENCH               | 14.97       | 101-4100-541-5230 | Expenditure  |                          | 8 1          |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
| 19-01488       | 1          | FORD E KEY FOR TRK 68             | 69.99       | 101-4100-541-5230 | Expenditure  |                          | 11 1         |
|                |            |                                   |             | ROADS & BRIDGES   |              |                          |              |
|                |            |                                   | 161.03      |                   |              |                          |              |

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|-------------------------|------------|---|-------------|-------------------|--------------------|--------------------------|----------|
| PO #                    | Item       | Description                             |             |                   |                    |                          | Seq Acct |
| 101TDBANKRDBRG          |            |   | Continued   |                   |                    |                          |          |
| 20413                   | 05/23/19   | PIPPR010 PIP PRINTING                   |             |                   |                    |                          | 1443     |
| 19-01459                | 1          | BUSINESS CARDS                          | 67.00       | 101-4100-541-5100 | Expenditure        |                          | 9 1      |
|                         |            |   |             | ROADS & BRIDGES   |                    |                          |          |
| 20414                   | 05/23/19   | SANFO005 SANFORD AND SON AUTO PARTS INC |             |                   |                    | 05/31/19                 | 1443     |
| 19-01453                | 1          | BATTERY-#62                             | 146.56      | 101-4100-541-4630 | Expenditure        |                          | 4 1      |
|                         |            |   |             | ROADS & BRIDGES   |                    |                          |          |
| 19-01453                | 2          | BATTERY-#62                             | 18.00       | 101-4100-541-4630 | Expenditure        |                          | 5 1      |
|                         |            |   |             | ROADS & BRIDGES   |                    |                          |          |
|                         |            |   | 128.56      |                   |                    |                          |          |
| 20415                   | 05/23/19   | TAYL0060 TAYLOR TREE SERVICES           |             |                   |                    | 05/31/19                 | 1443     |
| 19-01299                | 1          | REMOVE TREES-POPE/OAK RD                | 800.00      | 101-4100-541-5310 | Expenditure        |                          | 1 1      |
|                         |            |   |             | ROADS & BRIDGES   |                    |                          |          |
| Checking Account Totals |            |   | <u>Paid</u> | <u>Void</u>       | <u>Amount Paid</u> | <u>Amount Void</u>       |          |
|                         |            | Checks:                                 | 16          | 1                 | 8,796.38           | 0.00                     |          |
|                         |            | Direct Deposit:                         | 0           | 0                 | 0.00               | 0.00                     |          |
|                         |            | Total:                                  | 16          | 1                 | 8,796.38           | 0.00                     |          |
| Report Totals           |            |   | <u>Paid</u> | <u>Void</u>       | <u>Amount Paid</u> | <u>Amount Void</u>       |          |
|                         |            | Checks:                                 | 114         | 4                 | 236,901.12         | 0.00                     |          |
|                         |            | Direct Deposit:                         | 0           | 0                 | 0.00               | 0.00                     |          |
|                         |            | Total:                                  | 114         | 4                 | 236,901.12         | 0.00                     |          |

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| Totals by Year-Fund |       |              |               |           |            |
|---------------------|-------|--------------|---------------|-----------|------------|
| Fund Description    | Fund  | Expend Total | Revenue Total | G/L Total | Total      |
| GENERAL FUND        | 9-001 | 147,641.89   | 129.23        | 80,333.62 | 228,104.74 |
| ROAD & BRIDGE FUND  | 9-101 | 8,796.38     | 0.00          | 0.00      | 8,796.38   |
| Total of All Funds: |       | 156,438.27   | 129.23        | 80,333.62 | 236,901.12 |

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Check Register By Check Date

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| Totals by Fund      |      |                   |               |                  |                   |
|---------------------|------|-------------------|---------------|------------------|-------------------|
| Fund Description    | Fund | Expend Total      | Revenue Total | G/L Total        | Total             |
|                     | 001  | 147,641.89        | 129.23        | 80,333.62        | 228,104.74        |
| ROAD & BRIDGE FUND  | 101  | 8,796.38          | 0.00          | 0.00             | 8,796.38          |
| Total of All Funds: |      | <u>156,438.27</u> | <u>129.23</u> | <u>80,333.62</u> | <u>236,901.12</u> |

June 17, 2019  
11:31 AM

CITY OF ST. AUGUSTINE BEACH  
Breakdown of Expenditure Account Current/Prior Received/Prior Open

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| Fund Description    | Fund  | Current           | Prior Rcvd  | Prior Open  | Paid Prior  | Fund Total        |
|---------------------|-------|-------------------|-------------|-------------|-------------|-------------------|
| GENERAL FUND        | 9-001 | 147,641.89        | 0.00        | 0.00        | 0.00        | 147,641.89        |
| ROAD & BRIDGE FUND  | 9-101 | 8,796.38          | 0.00        | 0.00        | 0.00        | 8,796.38          |
| Total of All Funds: |       | <u>156,438.27</u> | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> | <u>156,438.27</u> |

## PENDING ACTIVITIES AND PROJECTS

Revised June 19, 2019

1. **PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER.** The reviews by individual Commissioners for 2018 have been completed. The Commission will be asked in July 2019 to prepare their respective reviews in advance of the adoption of the Fiscal Year 2020 budget.
2. **LAND DEVELOPMENT REGULATIONS.** The next change is an ordinance to allow building and related fees to be adopted by resolution. The ordinance had a first reading at the Commission's April 1<sup>st</sup> meeting and its first public hearing and second reading at the Commission's May 6<sup>th</sup> meeting. The second public hearing and final reading was held at the Commission's June 10<sup>th</sup> meeting, when the ordinance was passed on its third and final reading. The resolution setting the fees was approved at that meeting.
3. **COUNTY PIER PARK.** Mayor George has by letter asked the County Administrator to keep the City informed of plans to renovate the park. In early October, Mr. Wanchick in an email listed four Parks and Recreation Department projects: Fiscal Year 2019 impact fees to be used for Pier Shop expansion; deferred maintenance will be done on pier structural/maintenance improvements, including replacement of three beams and wood components; the tennis courts at Ron Parker Park will be replaced; and there'll be routine maintenance on access points to the beach. In early March, the County Beach Services Division provided this update:
  - a. Pier shop expansion: Construction Services and Purchasing departments are coordinating the completion of this project. Engineering is working on drawings; then proposals and pricing will be submitted from contractors. There is no firm timeline for this project.
  - b. Improvements to the pier: Construction Services and Purchasing are coordination the completion of this project. There is no firm timeline for this project.
  - c. Replacing Ron Parker Park tennis courts: Construction Services and Purchasing are coordinating the completion of this project.
  - d. Routine maintenance at beach access points: Maintenance has been done at 1<sup>st</sup>, 2<sup>nd</sup>, 7<sup>th</sup>, D, and F streets. The County is working with the Florida Department of Environmental Protection on what can be permitted to repair the retaining wall at the Pope Road access. What can be done will be subject to budget considerations based on the complexity of the repair. At the A Street access, the County is reviewing on to provide better and safer pedestrian access.
4. **UPDATING STRATEGIC PLAN.** The plan was adopted in the spring of 2015. At its January 6, 2018, meeting, the City Commission discussed whether to hire a facilitator to help update the plan. The Commission decided to delay the updating until it had adopted the changes to the Land Development Regulations. As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking infrastructure. The Commission discussed the topic at its June 10<sup>th</sup> meeting. The City Manager is to ask the Planning Board and the Sustainability and Environmental

Planning Advisory Committee for their suggestions for strategic plan goals and bring the matter back to the Commission at its August 5th meeting.

5. **PARKING PLAN.** An outcome of the City Commission's joint meeting on March 19<sup>th</sup> with the Comprehensive and Zoning Board is the exploration of a pay-by-phone parking system. Mayor George informed the Commission of Gainesville's use of the technology. The Commission discussed Gainesville's system at its April 2<sup>nd</sup> meeting, and directed the City staff to prepare and advertise a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20<sup>th</sup> deadline. The City staff reviewed them and met with St. Augustine's parking enforcement staff, as that city is interested in having a similar system and has been exploring the matter longer than our City has. Initially, the City Commission said it favored both cities having the same system St. Augustine is adopting, which is a system offered by a company called Passport Labs. With that system, a person uses a smart phone app to pay to park. However, at a special meeting on January 8, 2019, the Commission learned that St. Johns County planned to advertise for paid parking proposals in January with the possible implementation of paid parking at the pier and other County beach parking lots in April 2019. The City Commission decided to change direction and adopt the same paid parking system that the County adopts. The Commission believes this would be less confusing for residents and visitors.

In the meantime, the City Commission has adopted an ordinance to raise the fine for illegal parking from \$20 to \$75, to set the fine for illegal parking in a handicapped space at \$250, and to authorize the City Manager to put parking regulation signs on City streets. The Commission considered adopting regulations for a residential parking permit plan but decided on a trial basis to have Resident Only signs posted on 13<sup>th</sup> and 14<sup>th</sup> Streets west of the Boulevard, where the residents have requested the signs.

The Commission held a special meeting on January 8<sup>th</sup> for public comment on the proposal to have paid parking. Nearly all the persons who spoke were not in favor of the proposal.

At the Commission's February 4<sup>th</sup> meeting, there were two parking-related topics. One was an ordinance on final reading to allow for the establishment of parking meter zones; the second was to be a discussion of residential parking permits. The Commission decided to delay action on both topics and to hold a special meeting on Tuesday, March 5<sup>th</sup>, with residents to discuss the residents' proposed solutions for how to protect residential neighborhoods from parking by beach visitors. At the Commission's April 1<sup>st</sup> meeting, the Commission decided to hold a special meeting on April 29<sup>th</sup>, to discuss the parking management plan submitted by the County, and to pass on first reading the ordinance to establish the resident only parking system and ordinance to adopt changes to the City's parking regulations.

At the County Commission's April 2<sup>nd</sup> meeting, by majority vote it authorized the County staff to enter into negotiations with Republic Parking for a parking management plan with proposed parking fees of \$5 a day and \$50 for the year. On April 15<sup>th</sup>, Commissioner Samora, the City's Chief Financial Officer, Ms. Melissa Burns, and the City Manager met with the County Administrator, Mr. Michael Wanchick, and the County's Director of the Office of Management and Budget, Mr. Jesse Dunn, to discuss how the City could be involved in the negotiations with Republic so that both the City and the County

would have one parking management plan. The City Manager later sent the locations and numbers of public parking spaces that could be included in the Republic plan. The City's total number of possible paid parking spaces is 152. The City Manager in a subsequent email reminded Mr. Dunn to include City staff in the negotiations with Republic. However, as that meeting wasn't arranged, the Manager contacted Republic for a meeting with City staff. In April, Mr. Dunne informed the Manager that the County likely would implement its paid parking plan in March 2020.

In the meantime, the City Commission at its April 29, 2019, reviewed a proposed ordinance to establish a residential parking permit system, made changes to the ordinance and asked the City Attorney to have a final draft for the June 10th regular meeting. The ordinance and one to amend the parking regulations in Chapter 19 of the City Code were adopted on final reading at that meeting.

Also, at the April 29th meeting, the Commission discussed the possibility of leasing the vacant property between 4th and 5th Streets on the west side of the Boulevard, south of the Marriott Hotel. It is owned by the company that owns the Marriott. The owner proposes a 3 or 5-year lease with the City paying yearly the property taxes on the six lots that would be used for parking. The taxes currently are over \$13,410. It would cost about \$100,000 to make the property suitable for 104 parking spaces. The Commission made no decision concerning the lease.

6. JOINT MEETING WITH THE COUNTY COMMISSION. No date in 2019 has yet been proposed by either Commission for a joint meeting.
7. STATE-MANDATED COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT. At its January 6, 2018, Commission meeting, the City Manager explained the report that is mandated for cities and counties every seven years, and whether it can be done by a consultant or a staff planner. The Commission agreed to have a request for proposals prepared for planning services with a provision in it requiring full disclosure of any actual or potential conflicts of interest or any appearance thereof. The City advertised for proposals. One was received, but the amount of money requested was so far above what the City could afford that the City Manager sought proposals from other sources. Two firms replied. At its May 7<sup>th</sup> meeting, the Commission approved the hiring of Fleet and Associates to do the report. The consultant held a public meeting on the Comprehensive Plan on Tuesday, June 26, 2018, at 6:00 p.m. Three citizens and one Commissioner attended. The consultant met with the Comprehensive Planning and Zoning Board at its July 17<sup>th</sup> meeting, and provided the results of the two meetings to the City Commission at its August 6<sup>th</sup> meeting. The Commission met with the planning consultants, Fleet and Associates, plus members of the Planning and Tree Boards at a workshop on October 17<sup>th</sup> to review Ms. Fleet's changes to the policies in the current Comprehensive Plan. At its November 13<sup>th</sup> meeting, the Commission decided not to hold a special meeting in late November to review the draft of the plan. At its December 17<sup>th</sup> special meeting, the Commission decided to hold a special meeting on January 8, 2019, to review with the planning consultant the proposed changes to the Comprehensive Plan. On January 8<sup>th</sup>, Ms. Fleet went through the proposed changes with the Commission. Public comment was provided as well. The Planning Board reviewed the proposed changes at its February 19<sup>th</sup> meeting and decided to continue a review of the changes at the Board's March 19<sup>th</sup> meeting. However, at the request of the Board's Chair, Mrs. Jane West, and the planning consultant, Ms. Janis Fleet, the Board's review of the changes has been postponed to its April 16<sup>th</sup>



meeting. At that meeting, the Planning Board approved the submission to the Commission of the changes proposed by its members. The Commission reviewed those changes at its June 10<sup>th</sup> meeting and decided to continue the review at a special meeting on Tuesday, July 2<sup>nd</sup>, which will start at 5:30 p.m.

8. **UPDATING PERSONNEL MANUAL.** The City Clerk and Chief Financial officer have reviewed the Manual for possible changes and forwarded the draft to the City Manager. The Commission will need to schedule a meeting, possibly sometime 2019, to discuss the changes.
9. **RECREATION PROGRAMS.** The Deputy City Clerk has prepared a summary of the recreation programs that are available to the youth of St. Augustine Beach. She is working with the IT staff to have links to the summary on the City's website and Facebook page. The City Manager has asked one of the Assistant County Administrators whether the City could subsidize some of the County's programs or provide monetary aid to help low income youth in the City participate in some of the programs. No response has been received.
10. **CROSSWALKS AND PEDESTRIAN SAFETY.** City residents have asked that the pedestrian safety flag system on A1A Beach Boulevard be provided at 13<sup>th</sup> and 8<sup>th</sup> streets. At this time, the County Road and Bridge Department reports that because the number of pedestrian crossings at these intersections is low, the flag system cannot be justified.

At the Commission's May 6<sup>th</sup> meeting, Ms. Wanda Forrest of the North Florida Transportation Organization presented the TPO's five-year transportation improvements plan for northeast Florida. The Commission asked her for the TPO's help for pedestrian safety improvements on the Boulevard. She said she could bring the request to the attention of her Executive Director. Chief Hardwick has since been in contact by email with the TPO about possible improvements.

Chief Hardwick and the Public Works Director, Bill Tredik, in June met with County staff to discuss pedestrian safety improvements on the Boulevard. Chief Hardwick reported at the Commission's June 11<sup>th</sup> continuation meeting that the County has proposed putting new crosswalks at 9<sup>th</sup> and D Streets.

11. **NEW REVENUE SOURCES:**

- A. **FRANCHISE FEE FOR SOLID WASTE HAULERS.** The Chief Financial Officer, Ms. Melissa Burns, proposed to the City Commission at its November 13<sup>th</sup> meeting that the City charge this fee. The discussion concerned the staff finding out how many solid waste haulers operate in the City, the staff investigating how the County enforces its solid waste franchise fee, whether the City should charge the same, having the same fee for demolition waste haulers, etc. Ms. Burns did a presentation at the Commission's December 3<sup>rd</sup> meeting. The Commission decided it needed more information, which Ms. Burns presented at the Commission's March 4, 2019, regular meeting. That meeting had to be continued to March 5<sup>th</sup>, when the Commission asked the City Attorney to prepare an ordinance. That was presented to the Commission at a special meeting on June 17<sup>th</sup>, when the ordinance was passed on first reading. It will have a public hearing and final reading at the Commission's August 5<sup>th</sup> meeting.

- B. NON-AD VALOREM ASSESSMENT FOR COLLECTION OF HOUSEHOLD WASTE, RECYCLING AND YARD TRASH. For several years, the City has levied a yearly assessment of \$74 per residence that is on the property tax bill residents receive each November. The \$74 pays the costs to disposal of household wastes, etc. The proposed additional assessment will pay the costs to collect the wastes. The Commission at its June 17<sup>th</sup> meeting discussed the proposal and asked for more information. The topic will be on the agenda for the Commission's August 5<sup>th</sup> meeting.
12. STREETLIGHTS ALONG STATE ROAD A1A. The City's new Public Works Director, Bill Tredik, has taken the lead on this project.
13. STREETLIGHT FOR ENTRANCE TO BEACH ACCESS WALKWAY. A resident has requested that a light be put at the entrance on A1A Beach Boulevard. On January 29<sup>th</sup>, the Acting Public Works Director and the City Manager met with representatives from Florida Power and Light. The company will change the lighting as part of the conversion of the Boulevard streetlighting to LED lights.
14. LED STREETLIGHTS. FPL representatives presented a proposal to the Commission at its June 10<sup>th</sup> meeting to change the lights throughout the City to LED lights. The Commission decided it needed more information from FPL.
15. CITIZEN SURVEY. The City's Communications and Events Coordinator proposed to the Commission at its March 5<sup>th</sup> meeting that the survey be done to find out what the Commission and its appointed boards could do better to communicate with and serve the citizens, and to find out what the citizens value most about the City. The survey will be on the City's website and distributed by its Facebook page and newsletter in April. The survey will stop in May, the results will be tabulated in June and presented to the Commission at its July 1, 2019, meeting.
16. CITY ATTORNEY SEARCH. City Attorney James Wilson announced his intention to resign at the Commission's April 1<sup>st</sup> meeting. At its April 29<sup>th</sup> special meeting, the Commission reviewed a draft of a Request for Proposals, made some changes to it, and provided suggestions to the City staff where to advertise the RFP. Deadline for responses to the RFP will be Friday, May 31, 2019, at 4:00 p.m. The City received two applications, one from Cape Coral on Florida's southwest coast, the other from Gainesville. At its June 17<sup>th</sup> special meeting, the Commission discussed the proposals received but selected neither one. The current City Attorney, Mr. James Wilson of the Coquina Law Group, will provide a proposal for the Commission to review at its July 1<sup>st</sup> meeting.
17. EQUIPMENT TO MAKE STREAMING OF CITY MEETINGS COMPLIANT WITH THE AMERICANS WITH DISABILITIES ACT. At its April 29<sup>th</sup> special meeting, the City Commission reviewed three options with the Information Technology Manager Anthony Johns, and because of their significant costs, decided that the City should advertise a Request for Proposals. The IT staff drafted the terms and the RFP was advertised in May with the deadline of June 17<sup>th</sup>. One bid was received from Swagit Productions of Dallas, Texas. The upfront cost of the equipment is \$25,660, with a yearly cost of \$46,620 for the service. The IT staff will present a report to the City Commission at its July 1<sup>st</sup> meeting.
18. REQUEST FOR SUBSIDY FOR SUNSHINE BUS SYSTEM. In early April, the City Manager received a letter from the County Administrator, Mr. Michael Wanchick, informing him of an annual shortfall in the Sunshine Bus system's budget of \$550,000. The shortfall is due to reduction in federal funding,

increased operating costs, and increase in the cost of liability insurance. Mr. Wanchick also informed the Manager the average number of passengers using the bus system to get to and from St. Augustine Beach was 3,400 a month. Based on that ridership, he asked that the City consider providing a subsidy in Fiscal Year 2020 of \$49,000. A similar request was made to St. Augustine for a higher subsidy based on higher ridership to and from that City. On May 7<sup>th</sup>, the City's Chief Financial Officer, Ms. Melissa Burns, and the City Manager met with Mr. Wanchick, representatives from St. Augustine's staff, and from the Sunshine Bus system. Ms. Becky Yanni, Director of the system, spoke to the City Commission at its June 10<sup>th</sup> meeting. The Commission asked for more information, which the County has said it would provide. This topic may be on the agenda for the Commission's August 5<sup>th</sup> meeting.