



AGENDA

REGULAR CITY COMMISSION MEETING

MONDAY, NOVEMBER 4, 2019 AT 6:00 P.M.

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

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 SPECIAL FINAL BUDGET MEETING ON SEPTEMBER 23, 2019 AND REGULAR COMMISSION MEETING ON OCTOBER 7, 2019
- V. ADDITIONS OR DELETIONS OF THE AGENDA
- VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- VII. PRESENTATIONS
 - A. Interview of Candidate, Mr. Raymond Lovett, for Appointment as Senior Alternate to the Code Enforcement Board
 - B. Presentation of Programs by Representatives from the North Florida Green Chamber of Commerce
- VIII. PUBLIC COMMENTS
- IX. COMMISSIONER COMMENTS
- X. PUBLIC HEARINGS
 1. Conditional Use Permit: Request for Permit for a Day Care/Pre-Kindergarten Private School at 4001 State Road A1A (Danielle Gwiazda of Island Prep LLC, Applicant) (Presenter: Brian Law, Building Official)
- XI. CONSENT
 2. Budget Resolutions 19-11 - 19- 12, for Adjustments to the Fiscal Year 2019 Budget
- XII. OLD BUSINESS

3. Changes to the Land Development Regulations: Consideration of Recommendations from the Comprehensive Planning and Zoning Board (Presenter: Brian Law, Building Official)
4. Solid Waste: Continuation of Discussion re: the Non-Ad Valorem Assessment, Commercial Service and Related Matters (Presenter: Patricia Douylliez, Finance Director)
5. Dockless Scooters, E-Bicycles and Bicycles: Review of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)
6. Legal Services: Discussion of Criteria for Evaluating Applicants for City Attorney (Presenter: Max Royle, City Manager)
7. For-Profit Events in City: Review of Proposed Policy (Presenter: Cindy Walker, Communication and Events Coordinator)
8. Police Chief and City Manager: Review of Annual Performance Evaluations by Mayor and Commissioners

XIII. NEW BUSINESS

9. River-to-Sea Loop Multi-Use Regional Trail: Resolution 19-11, to State City's Support of Preferred Alignment (Presenter: Bill Tredik, Public Works Director)
10. Climate Change Survey: Request by Sustainability and Environmental Planning Advisory Committee for Approval to Post (Presenters: Members of the Committee)
11. Bus Stop Shelters and Benches: Presentation of Proposal from Fuel Media Holdings (Presenters: Josh Cockrell and Patrick Mency)
12. Rules of Civility for Public Participation: Request by Mayor George to Discuss
13. Repealing the Preemption of Local Laws Regarding the Use or Sale of Single-Use Plastic Bags and Polystyrene Materials: Consideration of Resolution 19-12 (Presenter: Mayor George)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **HOLIDAYS.** There are two in November: a. Monday, November 11, 2019, Veterans Day, CITY OFFICES CLOSED. There will be no pickup of household waste. b. Thursday and Friday, November 28 and 29, 2019, Thanksgiving Day and the day after Thanksgiving. CITY OFFICES CLOSED BOTH DAYS. There will be no pickup of household waste and recyclables on Thursday, November 28th. Thursday's recyclables pickup will be done on Friday, November 29th along with Thursday and Friday's normal schedule of household waste pickup service.
2. **VETERANS DAY COMMEMORATION.** It will be held on Monday, November 11, 2019, at Lakeside Park, south of the police station. The ceremony will begin at 3 p.m.
3. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** It will hold its monthly meeting on Thursday, November 14, 2019, at 6:00 p.m. in the Commission meeting room at city hall.

4. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, November 19, 2019, at 6:00 p.m. in the Commission meeting room. Topics on the agenda may include: a. conditional use permit for outside seating at the former Coquina Beach Surf Club, 451 A1A Beach Boulevard; b. conditional use permit to construct eight single-family residences in the commercial land use district between E and F Streets, west of A1A Beach Boulevard; c. request for flexible setbacks to save oak trees at site for new house, 47 Lee Drive in the Ocean Walk subdivision; d. concept review for Phase II, 42 additional rooms, at the Embassy Suites, 300 A1A Beach Boulevard; and e. request for variance to allow chickens for emotional support at 313 A Street.

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.



MINUTES

SPECIAL FINAL BUDGET CITY COMMISSION MEETING

MONDAY, SEPTEMBER 23, 2019 AT 5:30 P.M.

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

I. CALL TO ORDER

Mayor George called the meeting to order at 5:30 p.m.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

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

Commissioner Samora was absent.

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

City Attorney Wilson was absent.

IV. PUBLIC HEARING FOR FISCAL YEAR 2020 BUDGET

- A. Ordinance 19-14, Final Reading, to Adopt Millage for FY 2020 (Presenter: Max Royle, City Manager)

Mayor George introduced Item IV.A. and advised the public that this item was to adopt the millage and then asked City Manager Royle to lead the discussion.

City Manager Royle advised that the discussion on the budget started in July when the Commission set the millage at 2.60, which is 14.57% over the roll back rate of 2.2694. He continued that on September 9th the Commission did a second review of the budget and the millage was lowered for first reading of the ordinance to 2.50 mills, which is 10.16% over roll back. He commented that staff is prepared to take the Commission's guidance whether to stay with the 2.50 mills or go lower. He explained that Commissioner Samora did send him, which he forwarded to the Commission, an email that he was comfortable with the 2.5 mills, but if the Commission wants to go to 2.45 mills, he would suggest waiting on the A Street project. He explained that Commissioner Samora advised that 2.45 was acceptable but not desirable because it lowers the contingency. He then explained that City Attorney Wilson was not here to read the ordinances.

Mayor George advised that she would read the ordinances. She commented that she would like to meet the core needs of the budget and had some suggestions. She explained that there needs to be enough money in the budget for hurricane impacts, needed projects, and to refurbish the

reserves. She commented that she wanted to bring the millage to 2.3992 and suggested having a discussion with the Commission on what they would propose and then she could take public comments. She started the discussion explaining that when talking with staff, she would suggest cutting the following items: 1) cutting the salary and benefits for an officer who is on military duty for six month while he is gone, which is \$33,877.87; 2) removing the computer improvements from the Police budget, which is \$35,000; 3) delaying the A Street drainage and sidewalk project and wait to see if St. Johns County would do that project since it is a beach access, which is \$60,000. She remarked that in order to get to the 2.3992 millage, there is another \$7,000 that the Commission needs to decrease in the budget. She suggested skimming the pavement projects in order to decrease the budget by \$7,000. She advised that paving needs to be done; however, \$7,000 out of \$215,000 budget could be done. She explained that if the City receives the FEMA reimbursements this year, the City could use that money. She then asked whether the City Manager needs to subscribe to the International City Manager's Association (ICMA) dues for \$1,000.

City Manager Royle advised that ICMA sends a bi-weekly newsletter, a monthly magazine, and a monthly ethical newsletter on manager's cases that have been heard, which are beneficial. He explained that he doesn't go to the conferences because of the expense; however, the information provided is valuable to him as a City Manager.

Mayor George asked if it was redundant information from the Florida City Manager's Association. She advised that she would defer to City Manager Royle's recommendation, but didn't know if it was beneficial to the organization.

City Manager Royle advised that ICMA was beneficial and he could supply Mayor George with information on ICMA.

Mayor George asked Public Works Director if he could cut \$8,000 from his paving projects to get to the 2.3992 millage rate.

Public Works Director Tredik advised that he could remove \$8,000 worth of paving, but the question would be whether the projects could be all completed with the \$8,000 cut. He explained that Mickler Boulevard needs paving due to cracking and 11th Street project needs to have the soil recompacted because it needed excavating for the piping. He explained that there is money for various locations that is necessary during the year, but that could be trimmed. He commented that he has change orders he is proposing at the October Regular Commission meeting to replace some of the sidewalk on Mickler Boulevard, which will cost \$20,000. He explained that he does not want to have half of the sidewalk new and the other half in disrepair.

Mayor George asked if he left a margin of error of 5 – 10 percent on the projects. She advised that she is looking for a 3 – 4 percent deduction in the projects.

Public Works Director Tredik advised that it could be possible, but until the pricing is given, he would not know.

Commissioner Rumrell asked Police Chief Hardwick if the computers are necessary and whether it would give a lag time in public safety. He explained that he would like to leave in the paving money but take out the Public Works facility conceptual design plans and commented that he believes the public would get more use out of paving, sidewalks, drainage and better roads. He explained that he was not trying to stop the Public Works facility forever but would like to keep the roads maintained. He explained that he would help contact other cities to get plans for the facility.

Police Chief Hardwick explained that the computer improvement line item came from the IT Department, which was on IT Department's rotation for the Police Department. He commented that the computers in the Police Department are fine, but this was based on parts and warranties of the existing computers. He remarked that he was asked to cut them out of the budget, and he did but if they break down he would have get loaners from other agencies.

Mayor George advised that she didn't ask Police Chief Hardwick to remove the computers but asked what if anything could be removed.

Police Chief Hardwick advised that that was his only capital improvement project except the server.

Commissioner Rumrell asked if St. Johns County can pay for the Nights of Lights.

City Manager Royle advised that the \$25,000 for the Nights of Lights is paid by the City from St. Johns County Tourist Development Council.

Commissioner Rumrell agreed with Mayor George regarding A Street project could wait.

Mayor George agreed with Commissioner Rumrell on the paving. She explained that the money could be moved around and if the Public Works facility conceptual plans come in lower than expected, then the remainder of the money could be moved into paving and vice versa.

City Manager Royle advised that he could only do that with the Commission's approval.

Mayor George advised that it would be fiscally irresponsible if we do not show where the trimming was in the budget and the Commission could move money from one account to another if bids come in for more money.

Vice Mayor England advised that she was for the cuts but was concerned about building up the reserves. She explained that she has talked to the IT Department and there are vendors that she would like to talk to, like Civic Plus, Edmonds, etc., to improve the IT Department software to make the City more efficient. She commented that the Commission needs to start putting away money in reserves to bring the IT Department up to date. She explained that the cost savings Mayor George has suggested are great, but keeping the millage rate the same will not build the reserves to maintain the City.

Mayor George advised that there were no reductions in the reserves. She explained that raising the millage would increase the money and that could be put in the reserves. She advised that staff did not budget for the reserves and their recommendation was to replenish the reserves in the other categories, not in regard to the \$136,000 suggested to cut. She suggested that once the FEMA money comes in, it can be moved into the projects needed.

Vice Mayor England suggested building up reserves for the Public Works Department for some of the salaries, for air conditioning in the Public Works facility, and other items that are needed. She commented that the cuts should be made but she needs to have a better comfort level before keeping the millage the same.

Mayor George asked Vice Mayor England if she was proposing to move the money from the cuts to the Public Works facility.

Vice Mayor England advised in the future the City needs to do the following: 1) a new Master Drainage Plan; 2) there are immediate drainage issues that need fixing; 3) the need for money for hurricanes; and 4) the need for more efficient software for the IT Department. She advised that

that was her concern in keeping the millage the same. She explained that if the millage remains the same all the Commission is doing is getting by and not saving for improvements and repairs.

Mayor George advised that the IT expenses have grown over the years and subscriptions to the software have increased per user. She commented that a server is \$150,000 and doesn't understand why it costs so much.

Vice Mayor England advised that the City should not piece meal the IT equipment but should investigate integrated vendors like Civic Plus, Edmonds, or Tyler. She explained that money needs to be put aside to get upgraded integrated systems. She asked to invest in the IT Department in the future.

Mayor George explained that the IT Department has been redefined and the City is making an investment. She agreed with doing a full evaluation of the software in order to be more efficient.

Commissioner Kostka commented that there has been good feedback in this discussion. She asked City Manager Royle what the last information from the ICMA subscription was implemented at the City.

City Manager Royle advised he could not recall.

Commissioner Kostka asked since the budget was so tight, could he give that up for a year.

City Manager Royle advised yes.

Commissioner Kostka suggested that ICMA subscription be cancelled. She explained that she also was concerned that the total salaries and benefits exceeds the proposed tax revenue by over \$1 million. She commented that she has never been in business where labor costs are higher than proceeds. She explained that the City didn't get here overnight, and the Commission made a commitment to the employees about a step program, but it was never discussed after that. She explained that this was the third year where she worked on the budget with no salary caps. She commented that every employee for the last ten years has received an increase in pay, whether it was the step program or CPI or some years both. She remarked that the Commission is cutting the benefits to the community and charging the community more. She asked that the step increase be eliminated for the City Manager and would like to donate half her salary for the upcoming year to the Public Works Department because that department has the most need and has been neglected the most. She suggested cuts of \$3,200 of her salary, \$1,000 cut from ICMA, and the City Manager's step increase, which would come out to approximately \$6,000. She suggested this upcoming year to focus on how long the step program would be in effect as well as the benefit package. She commented that Commissioner Snodgrass advised that the City would give benefits if the City could afford them and it maybe that time where we couldn't afford to do as much. She explained that the City's needs should come first, which includes the employees, but there is a bigger picture than just the City's employees.

Vice Mayor England advised that there are salary ranges for each position, and she has asked staff if anyone is over the range and staff has advised no. She explained that Finance Director Douylliez will be putting the percentage of where each employee is at in their salary.

Finance Director Douylliez advised that currently there is one employee who will be reaching their maximum salary next year.

Vice Mayor England advised that she wanted to make sure there was no misconception that any employee is getting paid in excess of what their position allows.

Mayor George advised that it is a great idea to cap the City Manager's position and doubt if he would leave the City over the \$2,400 increase.

City Manager Royle agreed.

Mayor George advised that if Commissioner Kostka wants to donate half her salary, that would be fine; however, she did not think that others would have to feel obligated to do so. She explained that she puts in a lot of hours on the Commission and gets paid about \$2 an hour. She commented that the Commission pays taxes and donates their time.

Commissioner Kostka advised that she would like to stand by her comment and wasn't suggesting that any other Commissioner do the same. She explained that she feels it would be the right thing for her to do.

Vice Mayor England advised that some of the Commissioners donate in other ways like Christmas parties and other City events.

Commissioner Kostka said that she wants it earmarked for the Public Works Department.

Public Works Director Tredik advised there are plenty of places to use that money.

Commissioner Kostka agreed that we need to replenish the reserves, but we also are charging the citizens for the debt fund and she is opposed to raising the taxes more than necessary.

Mayor George recapped the deductions as: 1) \$35,000 for the Police computers; 2) \$60,000 for the A Street sidewalk project; 3) \$33,877.87 for benefits and salary for the Police employee on military leave; 4) \$1,000 for ICMA subscription; 5) \$2,424 for City Manager step increase; 6) 3,294.42 earmarked for the Public Works Department; and 7) \$2,000 for paving on the Public Works facility conceptual design. She explained that keeps the City at 2.3992 millage rate.

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

Eric Devita, 28 Oceanside Circle, St. Augustine Beach, FL, commented that he loves the City and thanked the Commission on their work to do justice for the tax payers.

Michelle Martin, PRIA representative, 220 S. Ridgewood Avenue, Daytona Beach, FL, advised that PRIA will save the City \$7,500 on insurance if they are selected.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, requested to add in the budget \$5,200 increase for the City Manager because he is doing two jobs. He then asked the Commission to have a private company pick up the solid waste disposal and collection.

Sally Marks, 334 South Ocean Trace, St. Augustine Beach, FL, asked what she is getting that is better than she would get from St. Johns County. She commented that the City just duplicates St. Johns County services.

Mayor George asked Ms. Marks to follow up with any questions to City Manager Royle. She explained that the City did not want to dissolve the Police Department in 2014 because there is a high response rate in a short amount of time. She advised that citizens could participate in the ordinances to distinguish the City from the County.

Jim Sutherland, 50 Ocean Wood Drive, St. Augustine Beach, FL, asked whether the City is going to fill in any more drainage ditches for six figures.

Mayor George advised that she believed that the drainage ditches have been completed.

Public Works Director advised that 3rd Lane ditch will be done next year for \$100,000.

Mr. Sutherland disagreed with filling in the drainage ditches.

City Manager Royle advised that most of the money for the ditches came from road impact fees, not the General Fund. He explained that road impact fees can only be spent on capital projects, not salaries or repairs.

Mayor George closed the Public Comments section and asked for any further Commission discussion. Being none, Mayor George read Ordinance 19-14 in its entirety and then made a motion.

Motion: to adopt the millage at 2.3992 for the fiscal year 19-20. **Moved by** Mayor George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item IV.B.

- B. Ordinance 19-15, Final Reading, to Adopt FY 2020 Budget (Presenter: Max Royle, City Manager)

Mayor George read Ordinance 19-15 in its entirety.

Mayor George asked for a motion.

Motion: to approve the budget as amended during this meeting. **Moved by** Vice Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Public Works Director Tredik handed out his five-year capital outlay plan (Exhibit 1) and explained the projects projected.

Mayor George moved on to Item V.

V. Adjourn Public Hearing

Mayor George asked for a motion to adjourn the Public Hearing.

Motion: to adjourn the 2020 Budget meeting. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor George adjourned the meeting at 6:44 p.m.

VI. OTHER MATTERS FOR SPECIAL MEETING

- A. Discussion of Proposals for Liability, Property, Vehicle and Workers Compensation Insurance from the Florida Municipal Insurance Trust and Public Risk Insurance Advisors (Presenter: Beverly Raddatz, City Clerk)

Mayor George introduced Item VI.A. and asked City Clerk Raddatz to give her report.

City Clerk Raddatz explained that staff's recommendation is to reject the bids at this time in order to rebid all of the City's insurance policies next year in order to get a better rate.

Mayor George asked if staff had enough time for the Request for Proposals.

City Clerk Raddatz advised that they did, but staff wanted to do all the City's insurances at once to see if the City could get more responsible rates. She then suggested that the representatives from the PRIA and FMIT address the Commission regarding their proposals and then she would go into more detail after their presentations.

Mayor George asked if the bids are rejected, would that mean that the City would keep FMIT.

City Clerk Raddatz advised yes. She explained that the renewal date is October 1, 2019, so there would not be enough time to bid for all the insurances now. She explained that the Request for Proposal was submitted on July 3, 2019 and the closing date was August 23, 2019. She explained that four companies asked for information and two submitted proposals. Staff had several meetings with each submitter. Since the Commission has also asked to do a Request for Proposal on the health insurance, staff felt it would be better to have all the City's insurances bid out together to get a reduced rate. She explained that FMIT did give a decrease in costs, which Brown and Brown said would happen. She commented that the effective date is October 1, 2019 and staff does not want any lapse in insurance and explained that it was up to the Commission to decide what direction they would like to go.

Vice Mayor England asked if it would be possible to consider these proposals if there is some savings.

City Clerk Raddatz advised that the Commission could go in any direction they would like. She explained that there was little difference in the quotes, but the Commission can decide whether to go with the bids or not and suggested that the companies make their presentations.

Mayor George asked Michelle Martin representing PRIA to come to the podium.

Michelle Martin, PRIA representative, 220 S. Ridgewood Avenue, Daytona Beach, FL, gave their history of PRIA and advised that they are a public brokerage and only do public entities in the State of Florida. She explained that staff did a good job on the Request for Proposal process but wanted to point out a couple of items. Preferred Governmental Insurance Trust has over 400 members currently, which include St. Johns County, St. Johns Sheriff's Department, Anastasia Mosquito Control District, and Clay County utilities, etc. She advised that they made over ten change coverage improvements in the City's program. She explained that there were five cover increases from \$1.5 million to \$2 million, but most significantly the cyber liability insurance was doubled. She decreased the windstorm deductible from 5% to 3% and advised that PRIA quoted two auto liability options of \$500,000 and \$1 million. She explained that the garbage trucks with the current policy would only receive market value, but PRIA is proposing different agree value coverage, so the City would get what is stated on the value on the trucks. She explained that the wooden structures on the beaches like the boardwalk at Ocean Hammock Park and the pier at Lakeside Park, which are not covered by FMIT for windstorm. She advised that PRIA would cover them and would pay a little over \$400,000 to the City if there was a windstorm event per her interpretation of the coverage.

Mayor George advised that the pavilion is owned by the County not the City.

Ms. Martin advised that she was referring to the pier or boardwalk at Lakeside Park. She explained that PRIA covered deadly weapon coverage for the Police Department and active shooter coverage for third-party liability and crisis management services. She explained that PRIA reduced the City's coverage by \$40,000 and they were the lowest bidder out of the two bids received. She explained that they will give a two-year rate guarantee. She explained that she would not think in the current insurance market that there would be decreases next year because the property market is increasing. She advised that she does business with the Trust, but also does business with outside insurance companies. She said that reinsurance for the Trust is going up as well as workers' compensation, cyber and liability insurances. She suggested the two-year rate for budget stability.

Mayor George asked if the City would be bound to the two-year contract.

Ms. Martin advised that the City could change to one-year, but if the City signs a two-year contract, there would be a 25% penalty. She explained that with this Trust, one company decided the penalty was worth it.

Commissioner Rumrell asked about the ambulance.

Finance Director Douylliez advised that the ambulance was sold a year ago.

Ms. Martin advised that the payment would decrease even more. She explained the additional resources that were available such as a risk control consultant, a safety meeting assistant, provide legal support for contractual risks, online training webinars, and an annual education day seminar, and inhouse training.

Vice Mayor England asked if PRIA has a program like Synergy.

Ms. Martin advised that Synergy is packaged very well, but they have a service that is a little different. She explained that she reaches out to her clients in case they have any problems.

Vice Mayor England asked if there is staff to come onsite to mitigate damage.

Ms. Martin advised that there are teams for emergencies, and they are available to their clients.

Commissioner Kostka asked if PRIA could do all the insurances for the City.

Ms. Martin advised yes.

Commissioner Rumrell asked if PRIA would be the same rate for both years.

Ms. Martin advised that the City could choose one- or two-year contracts. She clarified that if the City wants a two-year contract and then only wanted one year, then there would be a 25% penalty.

Commissioner Kostka asked what would happen if an item needed to be added.

Ms. Martin advised that it would be no problem; they would ask for yearly schedules and payrolls. She explained that it would be the same rate but would be adjusted accordingly. She advised that the bottom line with \$500,000 auto liability, all the increased coverages and including the windstorm on the wooden structures was \$154,963. She explained that FMIT was \$163,469, but they did offer wind coverage on the wooden structures for \$10,469 so the total amount for FMIT would be \$174,938, which is a difference of \$18,975 or 11%.

Vice Mayor asked if PRIA gives any rebates to their clients.

Ms. Martin advised no.

City Manager Royle advised that over the last three years FMIT has given \$10,639 in rebates to their clients.

Mayor George asked whether the \$2 million be over insuring the City.

Ms. Martin advised no, and it is not a large dollar amount difference to go to \$2 million. It is not an unreasonable amount of insurance.

Mayor George asked if PRIA offers litigation attorneys to handle liability and suing for unconstitutional ordinances.

Ms. Martin advise yes. She advised that PRIA may assign attorneys to individual Commissioners attorneys than the City if they were named in the suit.

Vice Mayor England asked if they would cover zoning challenges.

Ms. Martin advised yes.

City Manager Royle asked about the exclusion regarding the Bert Harris Act for public officials.

Ms. Martin advised that there are exclusions under public officials, but there is an inclusion under general liability. She advised that any elected officials or staff would be included under this policy. She explained that if it is not covered under the public officials, it would be covered under general liability.

Mayor George advised that is why the City has separate policies.

City Manager Royle advised that under the inland marine properties it excludes docks, piers, bulkheads, etc., but you said that the pier is covered.

Ms. Martin advised that it is covered under the property insurance policy, not inland marine policy.

Mr. John Legon, FMIT representative, P.O. Box 530065, Orlando, FL, advised that he is a stand in for Tom Conley who is out of the country right now. He commented that he appreciated the support the City has been to the Florida League of Cities (FLC) through the insurance program. He remarked that the lobbying efforts the FLC has done on the City's behalf is paid for by the support of the insurance programs. He explained that the general liability limits of \$1.5 million that the City has with FMIT is more than most of the cities purchase and explained that 70% of the cities purchase \$1 million. FMIT attorneys are not part of that limit so the City would have \$1 million for each and every claim. The difference between PRIA and FMIT is that FMIT does not have any aggregate limits in the program, so if there were ten claims at \$1.5 million, the City would have \$1.5 million for each claim. He advised that some cities ask why they should go over the sovereignty immunity limits in the Florida State Statutes and he explained that some federal cases are not protected by the sovereignty immunity limits. He commented that most of those claims are like the Bert Harris Act claims regarding land issues. He commented that cities who have a population of 50,000 or greater usually has the \$2 million coverage or they have a large police department. He remarked that the FMIT did quote a 3% windstorm deductible because FMIT does not have a windstorm deductible of \$10,000 like PRIA has. He commented that every property policy he has seen for piers, docks, etc. are excluded from wind coverage and suggested to get a clarification from PRIA on that coverage. The cyber liability with FMIT is \$1 million and the City can purchase more, but there have not been many claims on this issue. The Trustees for FMIT met this month and decided that they would give a couple of terabits of cloud storage with the policy. He explained that the cyber attacks come about when the City does not back up their data often enough. The Bert Harris Act claims are excluded in the main policy with FMIT; however, there is a separate endorsement included for \$300,000 coverage. He believed that PRIA only gives \$100,000 coverage for Bert Harris Act claims. He explained that the City's staff is happy with the service and what FMIT provides for disaster recovery. Synergy funds all the losses upfront for a disaster recovery and FMIT reimburses Synergy so it does not come out of the budget of the City except for the deductible. The City of St. Augustine changed from PRIA to FMIT after two years because of the coverage with Hurricane Matthew. FMIT has a guarantee rate as PRIA does but did not offer that because FMIT was told staff was going out to bid next year. He explained that it is a guarantee rate, not premium. The auto liability for FMIT is \$500,000 because the highest auto claim in 42

years was \$1.2 million total, which included attorneys' fees. He explained that the premiums were higher this year and FMIT did not pay a dividend this year on the property liability, but FMIT has given back \$78 million over the last ten years and explained that the hurricanes decreased the dividends this year. He commented that the staff likes the service and how the claims are handled.

Mayor George asked about accounts receivable coverage.

Mr. Ligon advised that it would be for services that would not be collected at another location.

Vice Mayor England asked if Synergy reached out for Hurricanes Matthew and Irma.

City Manager Royle advised that they might have, but it has been a while back.

City Clerk Raddatz advised that they did for Dorian.

Vice Mayor England asked about the other storms.

City Clerk Raddatz advised that Melissa Burns handled that when she was here, so she didn't know.

Mr. Ligon advised that Synergy has an assessment team that stays during the storm and they will take pictures and file the claims with FEMA for the municipality.

Vice Mayor England advised that the weir was damaged by Hurricane Matthew and Synergy did not come out to help the City file with FEMA.

Discussion ensued regarding why Synergy did not come to the City for the weir; whether a weir could be insured by FMIT or PRIA; whether the weir needs to have a specialize policy; FMIT covers wind-driven rain that gets in the buildings and causes damage; whether Synergy would replace drywall and rebuild or just mopping up; errors and omissions policy would be for items not shown on the schedule; whether the weir would be covered for \$100,000 under errors and omissions; and FMIT has safety grant training.

City Clerk Raddatz advised that Brown and Brown are brokers who contract with other insurance companies. She advised that she was concerned that PRIA does not guarantee any of their insurance contracts with other agencies, so if they go bankrupt the City could be uninsured until they replace the company.

Vice Mayor England advised that PRIA makes sure of the company.

City Clerk Raddatz advised that PRIA hires A- and above, she believed. She explained that PRIA has an umbrella of insurance companies that they pay percentages to.

Vice Mayor England asked what Preferred's rating was.

City Clerk Raddatz advised that Preferred is PGIT but was unsure of their rating now. She commented that PGIT was who the City of St. Augustine had during Hurricanes Matthew and Irma and they went back to FMIT after the two years. She explained that PGIT was not covering the wind-driven rain like FMIT did and heard from Ms. Martin that they had a lot of property not on their schedule and she was not sure which was correct. She explained that her concerns about the third-party claim administrators dealing with other insurance companies. She advised that she felt it would be beneficial to the City to have all the insurances with one company and the City would be able to hopefully get a reduction in all the insurances. She explained that FMIT has impeccable service and staff is very happy with them and was concerned that PRIA might not have the same service. She also felt that FMIT gave back to their clients and they come every year for

inhouse training which the Commission has requested staff to do. She commented that she respects the Commission's decision on whatever they decide.

Mayor George asked what the premiums have been in previous years and was intrigued by the two-year contract because insurances are going up.

Finance Director Douylliez advised that the premiums for fiscal year 18-19 were \$192,372, but the City just received the invoice for fiscal year 19-20 which was \$154,757. She explained that that is a \$200 difference from PRIA's quote.

Mayor George commented that the two policies are in competition with a third policy which is to continue the policy with FMIT. She asked if the insurance coverage was the same.

Finance Director Douylliez advised that she would have to go over the line items, but didn't believe there were any changes made.

City Clerk Raddatz advised that when a bid is done usually the price goes down according to Brown and Brown. She explained that Tom Conley from FMIT advised the coverage would remain the same. She explained that the proposals are the same as what the City has currently.

Mayor George asked what the fiscal year 17-18 premiums were.

Finance Director Douylliez advised \$178,536.

Mayor George thanked staff for bringing up the Request for Proposals, which is a big impact to the budget.

City Clerk Raddatz advised that she hopes by putting all the City's insurances together for one company costs would go down.

Mayor George advised that the Bert Harris Act coverage is the same between both companies.

Ms. Martin advised that there be different persons handling the different types of claims; however, she would be available if a claim has an issue. She advised that it happens automatically with the claims. She commented that PRIA has the resources to handle the claims and would give good service. She explained that PRIA handles the asset program for the City if they need to as well as the property appraisal process. She advised that she could research the wind-driven rain coverage to see if that is excluded in PRIA's policy. She explained that she does not have aggregate coverage on the Law Enforcement or General Liability coverages, but there are aggregate limits on the public officials and the employment practices for \$2 million per year.

City Clerk Raddatz advised that she has scheduled an audit for the property assets in October.

Vice Mayor England asked if we have a fixed asset program.

Finance Director Douylliez advised the City does have a fixed asset program.

Vice Mayor England suggested renewing with FMIT and going out to bid early next year for all the City's insurances because the due date is October 1st. She commented that the proposals are a lot of information to digest.

Mayor George advised that PRIA could do a one-year contract instead of a two-year contract.

Discussion ensued regarding whether to renew the FMIT contract and bid out all the insurances next year or to select a company tonight.

Commissioner Kostka commended staff for doing the Request for Proposal.

Discussion ensued regarding why the weir was not insured; why Synergy did not come to the City regarding the weir; time restraint of October 1st; checking to see if the weir was covered by FMIT and if monies could be received now for that damage; going out to bid for all the City's insurances early next year; newly required property less than \$2 million could change with the renewal; whether a specialize insurance company would be needed to cover the weir; whether the pumps at the weir were covered; Synergy could do an asset survey and appraisals over \$100,000; FMIT clients all have the same policies, which is different from PRIA; and an audit of assets has been scheduled.

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

Motion: to reject the bids and do the renewal with the figures from FMIT that the Finance Director received today. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Vice Mayor George thanked FMIT and PRIA for all the work they did on the bids and advised that the City is learning.

Mayor George asked both companies to participate in the Request for Proposals next year.

B. Determination of Projects for Which to Request County Funding (Presenter: Max Royle, City Manager)

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

City Manager Royle advised he provided a list of the projects and Commissioner Samora gave his list since he would not be able to attend tonight's meeting. He explained that the Commission would not get everything that the Commission wants and asked the Commission to prioritize the list and select the most important.

Commissioner Rumrell commented that a County Commissioner asked him to present the items; however, he would leave it up to Mayor George whether she has time to attend or not or if she would want to represent the City as Mayor.

Mayor George advised that both could attend as long as they do not respond to each other's comments.

It was the consensus of the Commission that if Mayor George could not attend the St. Johns County meeting, Commissioner Rumrell would be able to present the items on behalf of the City.

Commissioner Rumrell advised that the Commission could give him a prepared list of items on letterhead.

Mayor George explained that she would suggest park improvements so all the County residents could use it.

Vice Mayor England suggested the bathrooms at Ocean Hammock Park.

Commissioner Rumrell suggested the A Street project because it is a beach access that the County receives money for.

Mayor George advised that A Street gets a lot of traffic, which Police Chief Hardwick could get for the Commission.

Commissioner Kostka suggested a facelift for Ron Parker Park and agreed with A Street project.

Vice Mayor England asked to not make the list too long so the Commission can get the County support.

City Manager Royle remarked that the County should do Ron Parker Park because it belongs to the County. He suggested instead to research having enhanced crosswalks on A1A Beach Boulevard, which has a large public impact.

Mayor George asked City Manager Royle to draft a letter which she will sign in the morning.

Vice Mayor England explained that she received a letter from a resident on 13th Street for enhanced crosswalks.

Commissioner Kostka asked for a cost for the crosswalk enhancements.

Public Works Director Tredik advised that he would approximate the cost for crosswalk enhancements to be \$60,000 for 16th, 11th, and F Streets.

Mayor George suggested a covering for splash park. She explained the County methodology on the breakdown of the \$15.5 million. She asked the Commission if they would like to do a second-tier list to show the needs of the City.

Vice Mayor England suggested improving the public parking on A Street.

Mayor George suggested letting the County know to improve the pier.

City Manager Royle advised that after Beach Blast Off the County would be improving the pier and already has a contract to do so.

Mayor George advised that she liked Commissioner Samora's suggestion to put parking at Hammock Dunes Park.

Commissioner Rumrell asked if the money allotment for the projects should be shown so the County does not give the City less money.

Vice Mayor England explained that the City needs to go after its fair share of the money. The County should not want to know the exact dollar amount that would be spent.

Mayor George reviewed Public Works Director Tredik's list of projects.

After discussion, Mayor George recapped the list as: 1) Ocean Hammock Park restrooms, \$200,000; 2) A Street sidewalk project, \$150,000; 3) Enhanced crosswalks, \$60,000; 4) Splash Park sail shade; 5) A Street parking lot improvements, \$150,000; 6) Hammock Dunes parking lot construction, \$150,000; and 7) Ron Parker Park renovations.

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

VI. ADJOURNMENT

Mayor George asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 8:44 p.m.

Undine C. George, Mayor

ATTEST:

City Clerk



MINUTES

REGULAR CITY COMMISSION MEETING MONDAY, OCTOBER 7, 2019 AT 6:00 P.M.

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

I. CALL TO ORDER

Mayor George called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor George asked Vice Mayor England to lead the Pledge of Allegiance.

III. ROLL CALL

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

Commissioner Kostka was absent due to illness.

Also present were: City Manager Royle, City Attorney Wilson, Police Chief Hardwick, Finance Director Douylliez, Deputy City Clerk Fitzgerald, Building Official Law, and Public Works Director Tredik.

City Clerk Raddatz was absent due to a funeral.

IV. APPROVAL OF MINUTES OF SPECIAL BUDGET MEETING SEPTEMBER 9, 2019, REGULAR COMMISSION MEETING ON SEPTEMBER 9, 2019 AND CONTINUATION MEETING SEPTEMBER 10, 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 Budget meeting on September 9, 2019, Regular Commission meeting on September 9, 2019 and Continuation Meeting on September 10, 2019. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

There were no additions or deletions of the agenda.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

City Manager Royle advised that there were two agenda items who the representatives of which have requested be moved up in the agenda, New Business, Items 8 and 9. He recommended moving them after the Public Hearing and before the Consent Agenda.

It was the consensus of the Commission to change the order of the topics of the agenda as recommended.

VII. PRESENTATIONS

A. Proclamations:

- 1) To Declare October 2019 as Domestic Violence Awareness Month (Presenters: Representatives from the Betty Griffin Center)

Mayor George introduced Item 1 and asked the Betty Griffin Center's representative to come to the podium.

Betty Griffin Center representative thanked the City for their support on this issue.

Mayor George made a motion.

Motion to approve the proclamation. **moved by** Mayor George. **Seconded by** Commissioner Samora. Motion passed unanimously.

Commissioner Rumrell thanked the two Board members from the Betty Griffin Center, Dr. Clay Carmichael, Principle and Commander Bill Werle from St. Johns County Sheriff's Office.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that he supported the proclamation and referenced Michelle O'Connell's death at Deputy Jeremy Banks' home.

Mayor George moved on to Item 2.

- 2) To Recognize October 21 – 27, 2019, as City Government Week (Presenter: Cindy Walker, Communication and Events Coordinator)

Mayor George introduced Item 2 and asked Cindy Walker to give her report.

Communication and Events Coordinator Walker advised that the City in partnership with the Florida Leagues of Cities (FLC) recognizes City Government Week from October 21 – 27, 2019. She explained that the City will be having an event called A Step Back in Time to celebrate the City's 60th Birthday. She remarked that there will be displays in the hallway during normal working hours and on Friday October 25th, the City will remain open from 5 – 7 p.m. to have a birthday cake, drinks and prizes to celebrate.

Motion to approve the proclamation. **Moved by** Mayor George **Seconded by** Commissioner Rumrell. Motion passed unanimously.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, explained that he supports the proclamation and said it is important that the government listens to the people and works closely with them.

Mayor George moved on to Item B.

- B. Presentation of Programs by Representatives from the North Florida Green Chamber of Commerce

Mayor George introduced Item VII.B., but because there were no representatives at the meeting, this item was tabled until a future date.

- C. Sea Level Rise, Deforestation and Beach Erosion by Members of the City's Sustainability and Environmental Planning Advisory Committee

Sandra Krempasky, Chair of the SEPAC, presented Beach Erosion; Dr. Lonnie Kaczmarzsky, SEPAC member, presented Deforestation; and Craig Thomson, SEPAC member, and Dr. Sandy Bond presented Sea Level Rise with a PowerPoint presentation (Exhibit 1). The SEPAC Board members suggested that this presentation could go on the website and Facebook to advocate to the public.

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

Ed Slavin, P.O. Box 3084, St. Augustine Beach, FL, thanked the speakers and the Commission for the presentation. He requested that developers not cut down mangrove trees.

Mayor George moved on to Item VIII.

VIII. PUBLIC COMMENTS

Mayor George opened the Public Comments section and the following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that citizens are not respected by the Commission regarding their free speech rights; asked to put the nation's oldest ports for analysis and debate on a future agenda; asked why the weir was not insured; glad the Commission did not give the City Manager a raise; and wants a \$15 an hour minimum salary for service workers.

John Grapsas, 7 16th Street, St. Augustine Beach, FL, thanked the Commission for putting the sand at the end of their street during Hurricane Dorian; residential parking passes should be mobile from car to car; said Embassy Suites is putting out tarps and handing out chairs on the beach, which should be stop; Building and Zoning Department has been great to work with; and supports more beach patrols off seasons during weekends.

Mayor George explained the residential parking plan to Mr. Grapsas and asked that City Manager Royle contact him to explain the program.

Mayor George moved on to Item IX.

IX. COMMISSIONER COMMENTS

Commissioner Samora apologized for missing the last Commission meeting and did watch the meeting later, even though he was out of town.

Commissioner Rumrell explained that the Quality Inn's lights were very bright and had complaints. He brought it to the attention of City Manager Royle, and he took care of the situation by giving them 14 days to comply with the codes. Commissioner Rumrell advised that he will be having a round-table event at the Marriott on October 29th to discuss sea-level rise or whatever people would like to ask.

Mayor George was glad to see that Commissioner Rumrell was holding round-table events. She suggested to make sure that Commissioner Rumrell is not be speaking on behalf of the Commission during the events. She suggested that if the City advertises the events, then it should come before the Commission to get approval for the expense. She advised that the Charter says that technically the Mayor is the spokesperson for the City.

Mayor George advised that she attended the Shore and Beach Preservation Conference this year and explained that she has not had the opportunity to give the Commission her notes from the conference because she is catching up with her work. She remarked that there was a lot of information relayed at the conference. She had a meeting with the new Director of Parks and Recreation for St. Johns County, and he might be meeting with the Commissioners individually. She reminded the Commission that the City Manager and Police Chief's performance reviews are due by October 21st.

Mayor George moved on to Item 1.

X. PUBLIC HEARINGS

1. Ordinance 19-16, Public Hearing and Final Reading: to Repeal Ordinances 19-03 and 19-04 That Prohibit the Sale/Use of Styrene Containers, Plastic Straws and Single-Use Plastic Bags (Presenter: Jim Wilson, City Attorney)

City Attorney Wilson explained the reasons why the City is repealing the Ordinances 19-03 and 19-04. He advised that most of the cities who adopted these types of ordinances are now appealing them so they would not be sued. He then read the title of the ordinance.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that these ordinances should not be repealed, but should have the effective dates changed. He requested that the City Attorney go back and do more research.

Mayor George closed the Public Comments section and then asked City Attorney Wilson whether he has investigated an amicus brief.

City Attorney Wilson advised that the City should not have to pay for an amicus brief when the Florida Retail Federation is not asking the City for that. He explained that he would try to sign on to the City of Coral Gables amicus brief.

Mayor George requested an update on signing on to the amicus brief at the next Commission meeting. She asked to amend the ordinance regarding plastic straws. Lastly, she advised that the City is moving forward with the Green Award and is encouraging businesses to adopt these policies voluntarily.

Motion: to adopt Ordinance 19-16. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passes unanimously.

Mayor George moved on to Item 8.

XIII. NEW BUSINESS

8. Bocce Ball League: Request to Use Bocce Courts on City Property at Pier Park (Presenter: Representative from the League)

Michael Castagno, 35103 Harbour Vista Circle, St. Augustine, FL, explained the benefits of bocce ball for seniors. He would like to hold a registered senior league for 55 years and older once or twice a week at the courts. He explained that St. Johns County helped to get the league together and they will have rules to follow for league members. He advised that he would participate with the league.

Mayor George asked what the registration fees would be.

Mr. Castagno advised that he does not know what the costs would be yet, but members would have to pay a fee for trophies and essentials. He asked the City to have a sign that the use of the courts is prioritized for the league.

Mayor George asked how this has been managed in the past as far as maintenance fees for the courts, etc.

City Manager Royle advised that the Civic Association constructed the courts with the Commission's approval, but the Sons of Italy maintained the courts and the City didn't charge them a fee. He explained that Sons of Italy is not using the courts, so they are not being maintained.

Mayor George asked if the league would maintain the courts.

Mr. Castagno advised yes. He explained that there is a little grass growing and they want dirt as well as a foul line to be painted.

Mayor George requested that Mr. Castagno also put up the signage with the days and hours they intend to have the league play.

Mr. Castagno asked for a six-week season and one to two weeks for the playoffs.

Mayor George asked the league to have two to three year for the courts.

City Attorney Wilson advised that a hold harmless agreement should be signed.

Mayor George asked to bring this back in November to see if the Commission would approve a hold harmless agreement.

Discussion ensued and it was the consensus to have the hold harmless agreement to be sent individually to each Commissioner when completed by the City Attorney.

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

John Grapsas, 7 16th Street, St. Augustine Beach, FL, supports the league and would like the league to hold open lessons for those who want to play.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, supports the league, but suggested not approving it without the contract being seen by the Commission first. He advised that if the contract circulates to each Commissioner individually, it would be polling and would be illegal. He wants audits of the money and does not want this prioritized.

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

Vice Mayor England suggested only a one-year period to make sure it's available to the public and protected. She suggested charging.

Mayor George advised that she wants a non-exclusive licensing and the City could terminate at any time.

It was the consensus of the Commission to allow the courts to be used by the league for one year.

Mayor George asked for a motion.

Motion: to have staff draft a non-exclusive agreement for a one-year period with maintenance of the courts, signage, indemnity and insurance paid by the league, and the right to terminate at any time. **Moved by** Mayor George. **Seconded by** Commissioner Samora. Motion passes unanimously.

9. Resolution 19-09: Recognizing the Threat of Climate Change and Global Warming (Presenters: Members of the Sustainability and Environmental Planning Advisory Committee)

Mayor George introduced Item 9 and asked Craig Thompson, SEPAC member, to come to the podium.

Craig Thomson, 6 D Street, St. Augustine Beach and Dr. Lonnie Kaczmarsky 113 13th Street explained the reasons for Resolution 19-09. They explained about sea-level rise and would like to research what the potential threats are and what can be done to prevent threats.

Mayor George advised that the resolution is memorializing the City needs to continue to adopt sustainable practices and goals relating to sea-level rise.

Mr. Thomson advised that there were nine named storms that caused damage and research has been done by Dr. Kaczmarsky and Public Works Director Tredik for grants that would help to prevent damage in the future by planting more trees.

Vice Mayor England advised that this is in the Comprehensive Plan and she wanted to know what this resolution does for SEPAC now and how it will be used.

Mr. Thomson advised that this gives more information to the public and allows more workshops to be held regarding climate change, sea-level rise and expands the scope.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, supports the resolution and hopes this would stop the staff from being tree haters. He suggested getting the old Mosquito Control property from being a fire station to an environmental education center with basketball and bocce courts.

Motion: to approve Resolution 19-09. **Moved by** Vice Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor George moved to the Consent Agenda.

XI. CONSENT

2. New Year's Eve Fireworks Show: Approval of Contract with Fireworks by Santore
3. Flying Non-Government Flags on City Property: Review of Proposed Policy

Mayor George asked if any Commissioner would like to pull an item from the Consent Agenda. Being none, she asked for a motion.

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

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, suggested to have a provision in the contract to replace and stop fires on the pier at the fireworks show. He advised that someone stole a bench and the City is being sued for that. He thanked the Commission for flying the rainbow flag.

John Grapsas, 7 16th Street, St. Augustine Beach, FL, advised that he believes that the only flags that should be flown on a government flagpole are the City, County, State, and United States flags. He advised that he is strongly opposed to personal interest flag being flown on City property.

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

Vice Mayor England asked to change the word “will” to “may” on the government flag policy.

City Attorney Wilson advised the word “shall” was appropriate.

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

XII. OLD BUSINESS

4. E-Scooters: Continuation of Discussion of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 4 and asked City Attorney Wilson to give his report.

City Attorney Wilson advised that in accordance with the Commission’s direction he checked several other cities’ ordinances to create this ordinance. He explained that due to the limited amount of staff, he has decreased some of the reporting issues, but it is enforceable. He explained the language of the ordinance and advised that the Commission can make changes as they see fit. He commented that it ensures all the liability issues, insurance requirements, and all the other items that other cities are looking at without the detailed reporting requirements.

Police Chief Hardwick expressed concerns of having 100 units per agency could bring the total of units up to 2,000, which would not be feasible in our City. He commented that other cities have started with a pilot program because all cities are unique, and they need to see how it works for their city. He asked to consider a pilot program for one year and then come back with the vendors and change what needs to be changed to work for our City. He remarked that there have been deaths on these e-scooters by allowing young kids riding units. He suggested having language for dock and dock-less e-scooters.

Mayor George asked Mr. Wauldron to the podium.

Mr. Michael Wauldron, eWhipz, LLC, 1711 Dobbs Road, St. Augustine, FL, agreed with Police Chief Hardwick’s comments regarding the City being unique, but is looking at all of St. Johns County as the big picture. He asked to work on language that would work for all of St. Johns County that is organized, puts safety first, thinks about visitors and citizens, and that won’t crowd the sidewalks. He wants helmets, regulate hours according to the Police Chief, have

only 18 years or older drivers, and daily inspections of the units. He requested that a percentage of the revenues be put back into the bike system, lanes, and other improvements by permitting.

Police Chief asked if the driver's license would have to be Florida only.

Mr. Wauldron advised U.S. driver's license identification would be necessary.

Police Chief asked about safety courses.

Mr. Wauldron advised that through BIRD, they will give safety courses for the units. He explained that on the app the driver would have to take a safety course when logging onto the app and the local safety rules. He advised that he would have instructors in the City giving best practices instruction. He explained that he would like the City's participation on safe practices locally.

Police Chief asked about abandoned units and whether the vendor or driver would have to pay a fine if they are not picked up.

Mr. Wauldron explained that the driver would have to pay every minute late or not brought back and any fees associated with not returning the unit.

Police Chief Hardwick advised that if the Police found a e-scooter that has not been picked up, the police would bring it to Public Works, and then the vendor would be notified, and they would have to pay the fee to the City and then the vendor would recover the fee on their own.

Commissioner Rumrell asked whether the driver of the unit would be liable if there would be an accident or damage to property or would the vendor's insurance be responsible.

Mr. Wauldron advised that it would depend on the accident and how it was reported. He would have to find out.

Police Chief Hardwick advised an accident would have the same rules and rights as a bicyclist. A driver of e-scooters can be charged with a DUI just like a bicyclist.

Mr. Steve Dennison, FROG, 217 Arricola Avenue, St. Augustine, FL, advised that the ordinance is a lot. He suggested writing the ordinance language and then the permit language separately, which then could have the fees with the rules. He agrees with Police Chief Hardwick on a pilot program and feels that the City should not have so many units to lease in this smaller City. He disagrees that he should come back to the City to change the fee structure and advised that the ordinance is very restrictive on the data sharing. He explained that he agrees with allowing only 18 years old or older lease the units. He explained that the rates were \$1 to unlock the unit and \$0.15 per minute.

Police Chief Hardwick asked what the recommended speed would be.

Mr. Dennison advised that it would be 15 mph, but it could be lower than that. He advised that he does safety courses and would do so at city hall.

Police Chief Hardwick asked if FROG would reimburse the City and pay a fine for units that were left.

Mr. Dennison advised that his company would pick up the unit within two hours or it could be towed. He agreed with the insurance and indemnifying the City. He would recommend the

times of operation to be 6 a.m. to 8 p.m. He explained that data the he uses is the MDS program and he could share the information with the City. He explained that the MDS program is global.

City Attorney Wilson advised that he didn't think that the City needs to worry about sharing the data or regulating the fees.

Vice Mayor England advised that she would like it to be in the ordinance since the City would do a pilot program.

Commissioner Samora asked his opinion on the dock verses dock-less.

Mr. Dennison advised that currently Tampa is the only city with dock stations. He explained that the stations are big and take up a lot of infrastructure. The industry is adapting and would suggest parking corrals to identify the areas.

Commissioner Samora asked if FROG would do revenue sharing for maintenance on infrastructure or other essentials.

Mr. Dennison advised that it would be a permit renewal fee that is in the ordinance already.

Commissioner Rumrell advised that we are a family-friendly City and if the family member is not 18 years old, they cannot participate. He agreed with having safety but asked the vendor his thoughts.

Mr. Dennison advised that a 16-year-old can drive a car but cannot drive a scooter, which seems a little unfair. He would not want a child to get hurt, so he would put safety first.

Rumrell asked what the limit should be.

Mr. Dennison advised that 2,000 units would not be feasible.

Police Chief asked how many units it would take to have the vendors make money.

Mr. Dennison advised that 250 units per vendor would make it feasible with just two vendors. He would like to increase the units once the pilot program shows success. He suggested two vendors with 75 scooters to begin with. He advised that private companies are asking for them to be on their property; however, they would want to work with the City to identify the best areas to put the corrals on.

Mr. Wauldron advised that 75 units would be agreeable.

Mayor George asked why the City would not do a Request for Proposals as proposed to an ordinance if the City wanted to proceed. She asked if the Commission is proceeding in the right way with an ordinance. She commented that she would be nervous about a partnership and the liability concerns for the City.

City Attorney Wilson advised that he would not consider this a partnership. He explained that the vendors are saying that they will work with the City and go along with the rules the City sets. He advised that it is a regulation partnership, not a business partnership.

Mayor George asked about limiting the vendors for the pilot program.

City Attorney Wilson said that the Commission may want to limit the vendors or not because of the size of the City. He explained that the market will determine how many units would

come into use. He suggested to have two to four vendors with no more than 75 units each to see how it goes.

Mayor George asked Police Chief Hardwick how he feels it would be good for the City and how many streets may be affected.

Police Chief Hardwick advised that the pilot program is necessary, and we would not know until it has been done for a year. He explained that they will be on A1A Beach Boulevard and he could not suggest how it would go without a pilot program. The Statutes say that e-scooters should not be on the sidewalks; however, on Pope Road and Mickler the units could be used.

City Manager Royle advised that he walks on the sidewalks and bike paths and he does not want a motorized vehicle coming behind him at 15 mph.

Discussion ensued regarding how many vendors and units should be allowed within the City.

Commissioner Rumrell suggested a franchise fee like trolleys and trains and look at the limits because this will be throughout St. Johns County and they will have other cities' scooters coming into our jurisdiction. There will be more competition with vendors. He explained that he doesn't want to be sued because the City only allows two vendors and suggested going with Police Chief Hardwick's of limiting the number of units within the City.

Mayor George suggested four vendors with a max of 75 units for the pilot program, which would be 300 units.

Commissioner Samora asked how many corrals there would be in the City.

Mr. Wauldron advised he would like five dock stations or corrals. He explained that he would have the same devices that the City of St. Augustine would be using. He suggested that a clearly defined program be done before territories can be crossed.

Mr. Dennison advised that there would be 10 – 20 corrals on City property.

Vice Mayor England asked why not both private and City properties.

Mr. Wauldron advised that he would suggest both.

City Manager Royle advised that there are not five City areas for corrals.

Mr. Wauldron advised that he could delineate the corral by using paint or shared space with bike racks.

Commissioner Rumrell asked if the units are on City property would that be considered a partnership. He suggested a joint meeting with St. Johns County and the City of St. Augustine after the pilot program, to share the data that will be provided by the vendors.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to table the item because the Commission has heard only from two vendors that is unsworn testimony; don't refer to the vendors with their first names because they are multi-national companies; wants a \$15 minimum wage; audit their books; and have a franchise stream.

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

Mayor George asked City Attorney Wilson to put safety first and are we exposed from someone leaving these units on the street.

City Attorney Wilson advised currently there is nothing to stop them from leaving a unit on the street and that is why the ordinance would be helpful to regulate what they are allowed to do.

Mayor George asked if a ban would be better until the regulations are done.

City Attorney Wilson advised that the Commission could do a moratorium like the City of St. Augustine has. He explained that if a vendor was not responsive to the City, then the City could ban them from the sidewalks.

Discussion ensued regarding what department would manage on this; having the Police Department or Public Works employees handle the picking up of the units; monies would be handled by Finance; franchise fee would be based on the revenues and would require an annual or monthly audits; franchise fees would not make the City liable; charging \$1 per day for each unit or \$.25 per ride; Finance Director researching what other cities charge; not allowing the units to operate on sidewalks; restrict units to bike paths and highways; having the City Attorney to update the ordinance; not having the City determine the price per unit; the differences from dock-less to dock stations and to see visuals of the stations; and where would be the geo-tech locations.

Mayor George asked City Attorney Wilson to create another draft for the Regular Commission meeting in November and to have more discussion from Police Chief Hardwick and Public Works Director on the size of the sidewalks and what state law allows at the November meeting. She would like to know how the helmets would be made available.

5. Mickler Boulevard Piping Project: Request for Approval of Change Orders No. 1 and No. 2 (Presenter: Bill Tredik, Public Works Director)

Mayor George introduced Item 5 and asked Public Works Director Tredik for a staff report.

Public Works Director Tredik explained that the contractor has damaged about 55% of the sidewalk and they would like to replace the sidewalk six inches thick instead of four inches, which is important for that busy of a road. He advised that the contractor has given a price of \$19,873. It is a change order and would be in the City's best interest to approve.

Mayor George commented that she was disappointed that the Commission didn't get an opportunity to consider the layout before it was done. She advised that staff could have moved the sidewalk over and planted trees along the road and there would not have been vehicles parked on the sidewalk. She said that it was discussed in a previous Commission meeting to do that. She wanted a bigger walking path with a vegetative buffer area. She advised that it was a wasted opportunity.

Public Works Director Tredik advised that there were constraints based on the piping in the center between the sidewalk and the right-of-way line. There is a swale that catches the water and brings the water to the inlets. He explained that in order to do what Mayor George wanted, the design of the project would have to be changed and the piping was already installed.

Mayor George commented that the area is approximately 35 feet and should have enough room. She advised that there could have been other materials that could have been used with

a higher price tag, but she would have liked the opportunity to review the design where the sidewalk would have been placed first. She asked staff to please learn from this for the next project.

Vice Mayor England asked if there could be a barrier or buffer there to protect pedestrians from people driving up on the sidewalk.

Public Works Director Tredik advised that there was not a lot that could be done in the space provided and that was why staff is doing a six-inch thickness on the sidewalk. He explained that he could review the remaining portion to see if it could be adjusted a little bit. He commented that this sidewalk is going to be used by the e-scooters, his concern is the Pope Road curves and elevation changes. He advised that he can bring the northern half of the sidewalk to the Commission for review before moving forward.

Vice Mayor England asked about putting a curb on Mickler Boulevard.

Public Works Director Tredik advised no, not without a great road design change, which would be more expensive.

Mayor George asked why the City is paying \$2,700 difference since the contractor destroyed it.

Public Works Director Tredik advised that it would be up to the Commission whether they would like to do it or not. The contract was for a standard sidewalk and the City's existing sidewalk was substandard, which the contractor was not responsible for. He explained that the contractor could have done the sidewalk four-inches thick, but then the sidewalk would develop cracks in a few years. He explained that the Commission doesn't have to pay them the extra money for them installing a six-inch sidewalk instead of a four-inch sidewalk, but it was his recommendation to do so.

Mayor George asked Public Works Director Tredik for pictures of the northern area.

Public Works Director Tredik advised that if this is not approved tonight, he would go in and selectively pick some sections that are in bad shape. There are some sections that are falling away. He explained that this year Mickler Boulevard will be resurfaced in the roadway and may be able to try to address it then. If the sidewalk cannot be incorporated into the roadway job, then staff will try to repair sections of the sidewalk themselves.

Mayor George asked if the \$19,000 would be put to good use when paving Mickler Boulevard.

Public Works Director Tredik advised that it will be tight money wise. He explained that Mickler Boulevard would be a brand-new road, swale system with piping underneath, one-half of a brand-new sidewalk, and either the other half of sidewalk could be done or patched depending on the money allocated.

Vice Mayor England asked what can be done to protect the investment from cars running over the sidewalk.

Public Works Director Tredik advised signs could be put up, but people may not follow the signs.

Vice Mayor England asked about poles like on Pope Road.

Public Works Director Tredik advised that he recommended the six-inch sidewalk, so the sidewalk won't damage if cars go over it.

Commissioner Samora asked how much weight a six-inch sidewalk can take before it starts cracking.

Public Works Director Tredik advised that once the sidewalk is at full strength, it could take an empty garbage truck. He commented that FPL trucks probably won't crack the sidewalk if it is six-inch thick. He advised there is no 100% guarantee that the sidewalk won't crack at six-inches.

Mayor George asked the Beautification Committee to research some native vegetation to be placed in between the sidewalk and the asphalt.

Public Works Director Tredik would research that. He moved on to Option 2. He explained that the contractor underestimated their costs for the bid regarding piping. He commented that the contractor missed a callout on the plan of 268 feet. He explained that it was the exact amount of the missed callout on the plan, so it was an honest mistake. He explained it should have been picked up in reviewing the bids, but it didn't happen because there was not a Public Works Director at the time. He explained that even if the contractor calculated correctly, they still would have been the lowest bid. The contractor went forward with the correct amount of piping in good faith to finish the project, knowing that he might not get paid for the extra piping. The contractor will absorb the labor costs, but the City pays for the piping which is 50% each of the costs. It would be \$29,000 credit if it was bid correctly. He recommended paying the contractor.

Commissioner Samora asked what fiscal year this money was being paid out.

Public Works Director Tredik advised it was in fiscal year 18-19, but the money could be transferred to Fiscal Year 19-20.

Mayor George advised that it made sense. The contractor has done several good jobs for the City at a lower cost than other contractors and we want them to keep bidding. She advised that it is hard to do in a very tight budget year.

City Attorney Wilson advised that it appears to be a mutual mistake by the City and the contractor. The contractor, even with this cost, is still lower than the next bidder. In a courtroom case, it would be a toss-up.

Commissioner Rumrell commented that the court might say that the mistake was mutual.

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

Craig Thomson, 6A D Street, St. Augustine Beach, did not agree with this project and spending \$400,000 on it. He advised that the engineer that designed the project should be involved in the discussion and disagreed with the \$20,000 expense for the sidewalk.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to table this matter so that staff and SEPAC could consider planting Spanish Bayonet, which would damage a car when hitting it. He requested to make a claim against the contractor and don't approve the change orders.

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

Public Works Director Tredik advised that it is 4 – 5-foot space between the edge of the payment and the sidewalk. The sidewalk is six inches thick. Plantings can be done in that space.

Commissioner Samora advised that it looks like it was an honest mistake and the contractor did do everything required in good faith. He commented that he would like to keep them as contractors and advised that he would hate to piecemeal a sidewalk.

Public Works Director Tredik advised that the contractor is doing this at a 16% decrease from their normal costs.

Vice Mayor England commented that she supports both change orders but would like the whole plan to come back to the Commission for review. She asked to see the resurfacing, barriers, and sidewalk. She wants to know the whole plan.

Commissioner Rumrell advised that he appreciates the vendor splitting the costs and a break on the sidewalk to the northside.

Mayor George remarked that she was glad the contractor was here, and she appreciates their work and then asked for a motion.

Motion: to approve the change orders. **Moved by** Commissioner Samora, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

6. Solid Waste: Non-Ad Valorem Assessment and Proposed Changes to Commercial Solid Waste Regulations (Presenters: Max Royle, City Manager; Patricia Douylliez, Finance Director)

Mayor George introduced Item 6 and asked for a staff report.

City Manager Royle summarized his memo and what the Commission was voting on. He explained that the non-ad valorem assessment timetable. He commented that if the Commission wants to continue the process and advised the Commission that they could change their minds if they wanted to in the future. He explained that the resolution must be adopted by January 1st and then in March there would be other steps in order to move forward with the non-ad valorem assessment.

Mayor George asked if City Manager Royle needs a motion.

City Manager Royle advised that this is just an update; however, if any Commissioner has strong feelings not to do this, to please speak up so the process could stop.

Finance Director Douylliez advised that the Tax Collector needs to know by January 1st if the City wants to move forward. She commented that four ads must be in the newspaper to let the residents know of the non-ad valorem discussions with the Commission. She explained that the non-ad valorem assessments could be done in stages, if the Commission chooses to do that. She remarked that the Tax Collector suggested doing the same as St. Johns County with a breakout of costs disposal, collection and recycling or to have a range of costs, so the hearings. She advised ads would not have to be done next time if there were ranges as long as the increases are in the same range. She explained that staff needs to know that the Commission wants to move forward.

Mayor George advised that if the Commissioners who wanted to move forward with this at the previous meeting want to change their mind, this would be the time to speak up. She advised that if the Commission is not sure, they could wait until the next election cycle and have it on the ballot as a referendum.

Vice Mayor England advised that we can move forward on this track and still consider a referendum.

City Manager Royle advised that the Commission can continue this track and levy the non-ad valorem assessment, have the referendum and if the voters agree to the referendum, the non-ad valorem assessment would be deleted. He advised that the election cycle won't be until August of 2020.

Commissioner Samora advised that the Commission needs to keep moving on this track because otherwise the non-ad valorem tax would not be received for the upcoming 2021 fiscal year. He said that the City has more flexibility with a non-ad valorem assessment than a referendum vote on restricting the money.

Mayor George advised that there are issues with doing a non-ad valorem assessment and a referendum together because residents would feel they are being charged twice.

Motion: to extend the meeting. **Moved by** Commissioner Samora, **Seconded by** Mayor George. Motion passed unanimously.

Finance Director Douylliez showed her presentation and explained that the City needs to move forward with the residential non-ad valorem assessment. She explained that there are approximately 6.17% commercial customers that the City bills monthly and 93.83% residential customers. The trucks being used are the same for residential and commercial accounts. There are 140 transient rentals that are included in the commercial accounts. The per unit residential cost is \$460.00. She advised that the non-ad valorem assessment proposed for residential accounts are \$230.00, which keeps us on track with St. Johns County. She advised that these figures are a full-cost accounting.

Vice Mayor England asked if this was the current figures.

Finance Director Douylliez advised that this is based on 2018 because staff does not have the final figures for 2019 yet. She explained that commercial accounts break down into three categories, which are transient rentals, true businesses, and condos and apartments. Transient rentals are in the residential neighborhoods but need a business tax receipt to show that they are using the property as commercial. She advised that it would be more practical for the Public Works Department to service the transient rentals because if one is missed by a contractor, Public Works would have to clean it up. She recommended to charge the full costs for the transient rentals of \$460 as a non-ad valorem assessment.

Vice Mayor England asked why the transient rentals would not be charged the same as commercial accounts.

Finance Director Douylliez advised that currently they are only being charged a minimum of \$7.04 per month, which would be lower than what the City would be asking the residents to pay for the non-ad valorem assessment. The Public Works Department is picking up enough solid waste to fill a two-yard dumpster at some commercial units, so it is recommended that an outside vendor service those condos or businesses.

Vice Mayor England asked if the City can mandate a business to use a dumpster.

Finance Director Douylliez advised that it is in the City's Code of Ordinances that it can mandate to have dumpsters. She explained an enclosure would be needed as well.

Commissioner Samora asked how staff knows who to mandate dumpsters with.

Finance Director Douylliez advised that we manually know how much trash is being discarded, so we know that what commercial companies should have dumpsters. There is an option to

stop servicing commercial if the City wants to allow our current vendor Advanced Disposal to hand pick up the garbage, so staff would not be counting bins, invoicing, and doing collections manually. She advised that staff could not stop picking up the transient rentals because they are intermingled in neighborhoods. She recommended that the transient rentals pay \$460 because it would be challenging to tell residents to pay when transient rentals are not paying full price. She explained that the City would be receiving ten percent of the revenues from the commercial accounts that are using other vendors.

Mayor George advised that transient rentals could be vacant for months and it may not be fair to charge them full price. Transient rentals could be using the service less than the neighbors because they are vacant. She wants to look at an equitable way for the costs.

Finance Director Douylliez advised that these are just suggestions and it would be up to the Commission to decide.

Vice Mayor England suggested that everyone pay \$230 instead of breaking it out depending on the type of commercial or residential properties.

Finance Director Douylliez explained that condos and apartments are not being treated the same. Some condo owners are taxed the \$74 a year and others are not. She advised that the code needs to be applied correctly and the usage needs to be checked for whether they need dumpsters in place. She explained that staff needs to work with the vendors and the associations to move forward with the changes.

Commissioner Rumrell asked how this would affect Advanced Disposal's contract.

Finance Director Douylliez advised that Advanced Disposal goes by the City's data base, so it would not affect them. She advised that the process to clean up what is commercial versus residential will be a lengthy process. Some condos are asking for bins that are not free to the City and the City pays the costs.

Commissioner Rumrell advised that an automated system seems prudent regardless of the changes.

Vice Mayor England asked if commercial accounts would have to move to a commercial vendor for garbage and recycling.

Finance Director Douylliez advised yes.

Commissioner Samora requested a profile of the commercial customers.

Mayor George asked if the cost analysis is not done by use, then how can it be calculated.

Vice Mayor England advised that staff should not be in the business of counting cans.

Discussion ensued regarding more than one transient rental unit being on one property and it was suggested that each unit should be charged the non-ad valorem assessment.

It was the consensus of the Commission to move forward with this topic next month.

7. Changes to the Land Development Regulations: Consideration of Recommendations from the Comprehensive Planning and Zoning Board (Presenter: Brian Law, Building Official)

Item 7 has been rescheduled for November's Regular Commission meeting.

XIV. NEW BUSINESS

10. Rules of Civility for Public Participation: Request by Mayor George to Discuss
Item 10 has been rescheduled for November's Regular Commission meeting.

XIV. STAFF COMMENTS

No staff comments.

XV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

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

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

Undine C. George, Mayor

ATTEST:

Beverly Raddatz, City Clerk

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 14, 2019

SUBJECT: PRESENTATION:

- A. Interview of Candidate, Mr. Raymond Lovett, for Appointment as Senior Alternate to the Code Enforcement Board
- B. Presentation of Programs by Representatives from the North Florida Green Chamber of Commerce

ITEM A. INTERVIEW

The Code Enforcement Board has seven regular members and two alternates. At this time, the alternates' positions are vacant.

Mr. Raymond Lovett of the Sea Grove subdivision has offered to fill one of the positions. His application is attached as pages 1-3.

As a courtesy to him, we have scheduled your interview of him at the start of your regular meeting.

ITEM B. NORTH FLORIDA GREEN CHAMBER OF COMMERCE

Attached (page 4) is a July 24, 2019, email from Mayor George to Christina Kelcourse of the North Florida Green Chamber of Commerce, inviting Ms. Kelcourse to make a presentation to you of the Chamber's programs.

Also, attached as pages 5 and 6 is a brief description of the programs that implement the Chamber's goal to make going "green" easy.

Page 7 provides information about the Chamber's Buyer's Club.

Ms. Kelcourse or other representatives from the Green Chamber will be at your meeting to explain its programs in more detail.

No action is requested. The topic is being provided simply so that that the Green Chamber's representatives can inform you and the public of the programs.



City of St. Augustine Beach

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

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

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

ST. AUGUSTINE BEACH CITY COMMISSION BOARD AND COMMITTEE APPLICATION

FOR APPOINTMENTS TO COMMITTEES INVOLVED IN LAND USE

Date received by City 10/16/2019

Thank you for your expressed interest in being considered for appointment to committees, boards, commissions or advisory groups appointed by the City Commission. The Commission appreciates your willingness to serve your fellow citizens in a volunteer capacity. Please complete this application to the best of your ability. (You may attach a resume and/or additional data. Please reference attachments in the appropriate section(s).)

Name: RAYMOND F. LOVETT

Address: 1108 OVERDALE RD., ST AUGUSTINE Bch, 32080

Phone #: 904 907 5029 E-Mail Address: RFLOVETT523@gmail.com

How long have you been a legal resident of the City of St. Augustine Beach. 8 YRS (10/2011)

I am a full-time X part-time _____ resident

I am X am not _____ a registered voter in St. Johns County.

List all active professional licenses and certifications: N/A

Educational background: BA CRIMINAL JUSTICE (TEMPLE UNIV)

Past work experience: 9 YEARS PHILADELPHIA (PA) POLICE DEPT
27 YEARS SPECIAL AGENT FEDERAL BUREAU OF INVEST.

Please list **all** civic clubs, professional organizations or public interest groups of which you are a member or in which you have been active: (attach additional sheet, if necessary)

1. FBI RETIRED AGENTS ASSOC 2. _____
3. FBI NATIONAL ACADEMY 4. _____

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership: 1108 OVERDALE RD, STANDARD
HOMILOT, APPROX 1/4 ACRE SIZE.

Please list any companies/industries doing business in St. Augustine Beach in which you have a financial interest (i.e., proprietary, partnership, stock holdings, etc.)

N/A

Please indicate by preference, all City boards, committees or councils in which you have an interest:

1. Code Enforcement Board ☒
2. Comprehensive Planning & Zoning Board ☐
3. Other ☐

I am available for meetings

- a. During the day only ☐
- b. Evening only ☐
- c. Anytime ☒

List three (3) personal or professional references:

1. ED PRITCHETT CELL# 352 454 9565
2. GERARD PARADISO 232 TIDES END DR., STAUG BCH
3. SCOTT WATERS, CELL# 904 383 8041

You may use this space for a brief biographical profile or to list certain skills you possess that may be relevant to the appointment you are seeking. Please indicate

whether you have had experience with the reading of blueprints, technical drawings or diagrams. (Indicate below if you are attaching a resume.)

I HAVE EXPERIENCE IN READING + APPLYING STATE
+ FEDERAL CRIMINAL CODES AND IN UTILIZING BLUEPRINTS
+ DIAGRAMS TO CONDUCT TACTICAL SITE SURVEYS.

NOTE: All information provided will become a matter of public record and will be open to the public. If you require special accommodations because of a disability to participate in the application/selection process, you must notify the City Commission in advance. This application will be kept on file for one (1) year, at which time you must notify the City Commission of your intent to remain an active applicant and update your application accordingly or it will be removed from the active file.

I hereby authorize the City of St. Augustine Beach or its representatives to verify all information provided and I further authorize the release of any information by those in possession of such information which may be requested by the City. I certify that all information provided herein is true and accurate to the best of my knowledge. I understand that a volunteer position provides for no compensation except that as may be provided by Florida Statutes or other enabling legislation.


Signature

10/14/19
Date

Please return completed application to:

The City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080
Phone: (904) 471-2122 Fax: (904) 471-4108

Thank you for your interest!

Max Royle

From: undine george <undine@anastasiaLaw.net>
Sent: Wednesday, July 24, 2019 12:05 PM
To: Christina W Kelcourse; Max Royle
Subject: Agenda Presentation for Green Chamber in St. Augustine Beach

Christina:

It was a pleasure speaking with you today. Thank you for your efforts to expand environmental mindfulness in our area. I've copied St. Augustine Beach City Manager, Max Royle. He can put you on the agenda for an upcoming meeting so that the Green Chamber can be explained to the other Commissioners and members of the public. It sounds like it surely is a great resource for local business and homes.

Also, I look forward to speaking more about the composting program.

Thank you again for your time. Sincerely,
Undine C. George

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NOTICE TO RECIPIENT: THIS E-MAIL IS MEANT FOR ONLY THE INTENDED RECIPIENT OF THE TRANSMISSION, AND MAY BE A COMMUNICATION PRIVILEGED BY LAW. IF YOU RECEIVED THIS E-MAIL IN ERROR, ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL IS STRICTLY PROHIBITED. PLEASE NOTIFY US IMMEDIATELY OF THE ERROR BY RETURN E-MAIL AND PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU IN ADVANCE FOR YOUR COOPERATION.

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Undine Celeste George, Esq.

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www.anastasiaw.net



— PROGRAM — BENEFITS

The North Florida Green Chamber makes being green easy. We have created tools and innovative programs that bring our community together on green initiatives, and connect you with news and resources that have been researched, to debunk myths – all so you don't have to.

SUSTAINABILITY COACH & HANDBOOK

As a NFGCC member your business has access to sustainability coaches. We know it's hard to stop working **IN** your business while working **ON** your business, even when it saves you money. We created a program that sends a sustainability coach to you. The coach will hand deliver the NFGCC Handbook, specific to your business industry, and walk through your questions.

BUYERS' CLUB

The purpose of the Buyers' Club is to leverage volume and decrease the expense of environmentally friendly products, so it doesn't cost more money to do the right thing. This elite club is for members only, and brings eco-friendly products to Jacksonville via a large group contract.

MEMBER SPOTLIGHT

Our Green Market Place members have the opportunity to highlight a green product or service in our newsletters and on our popular social media outlets.

GREEN MARKETPLACE

Our online Green Directory makes it easy to answer the question "Who's green in town?" Find out by visiting the Green Marketplace on our website. (App coming soon!) Also, as a member you get global, national, and local discounts, and can even share discounts with other green chamber members.

SOLAR CO-OP

The NFGCC has organized a co-op, set by geographic locations, for the First Ever Business Solar co-op. This program is designed to educate and spark discussion around businesses adding solar. This program is open to the public!

MENTOR PROGRAM

We match passionate, driven students with local business leaders. This program is run by the NFGCC Student Advisory Council and overseen by the NFGCC staff. One of our students might be your next brilliant employee!

WEBINARS

As a member of the NFGCC you have access to local webinars on multiple topics so you can stay on top of local and global sustainability news. You also have access to the members-only video series from the USGCC.

CERTIFICATION

(FOR THE BUSINESS PROFESSIONAL)

Businesses with a sustainability focus are being founded and led by some of the bravest and boldest leaders in the business world. The USGCC Certification Program gives you the opportunity to get the training and knowledge base you need to take the reins and be the sustainability leader for your company.

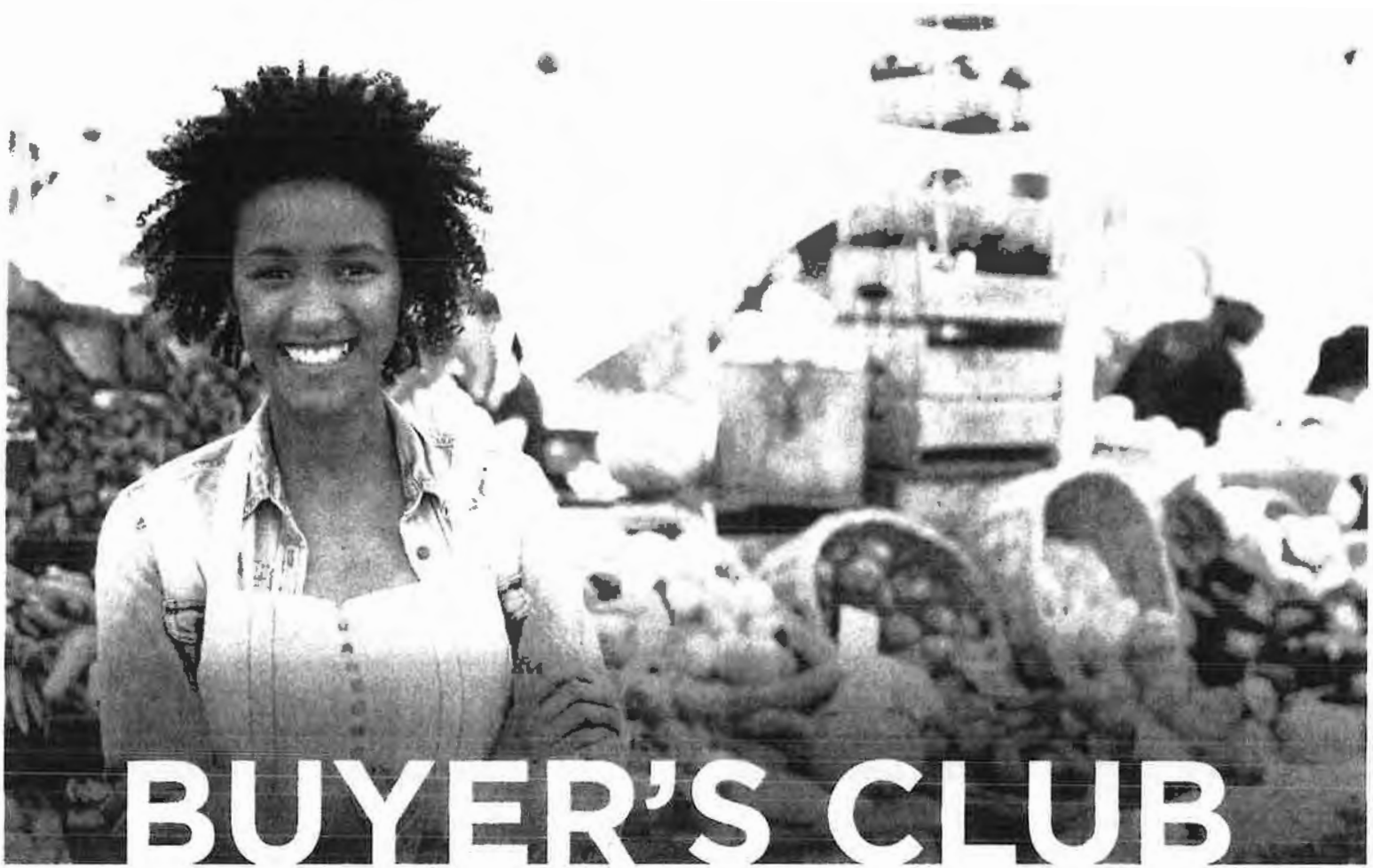
RESPECT ALL MOVEMENT

The USGCC has created a pledge for individuals, businesses, schools and organizations to sign, along with a visual identifier for all to display, to communicate their belief in mutual respect.

TOOLKITS

Our toolkits are carefully vetted and created to help your business easily track metrics, run green events, calculate your energy or water usage, and find local resources.

Toolkits include: resiliency preparedness, an event guide, and recycling information.



WHAT IS THE BUYER'S CLUB

The purpose of the Buyers-club, is to leverage volume, to decrease the cost on environmentally friendly products, so it doesn't cost more money to do the right thing

Its simple. Does your office, restaurant or store use these products below? Would you like to use the eco-friendly version of these products? But you don't because of the cost? Then you would benefit from this club.

Everyone wants to do their best, including business owners. We all want clean air and clean water. But business owners don't always have the time, or resources, to research all the tools and products necessary to running their businesses. And all too often the cheaper products are the harmful products; such as plastic, Styrofoam and toxic chemicals.

- 40% of the ocean's surface is now plastic and microplastics are now being found in our rain. The largest collection of Microplastic has been found in Florida lagoons.
- Toxic chemicals found in cleaning and sanitary products are linked to cancer and other health problems.

By being part of this club, you are part of the movement that is bringing eco-friendly and financially competitive products to North Florida via a large group contract with distributors. This club is for North Florida Green Chamber (NFGCC) members only.

The club is run by the NFGCC-BC roundtable, which is an elected leadership group, voted on by members. The NFGCC-BC roundtable will work with distributors, build relationships, decide on the products list and approve the contract.

PRODUCT LIST

Paper Goods = cups, straws, and to-go containers; Breakroom = utensils, coffee stirrers, and paper towels;
Bathroom products = soaps and cleaners; Trash and recycling bin liners; Energy efficient hand dryers;
Antibacterial wipes and pumps; Air Filters

-7-



The North Florida Green Chamber of Commerce where it feels good to do good!
Our Mission is to promote and protect the region's economy by making it Cool & Convenient to be Green.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 18, 2019

SUBJECT: Conditional Use Permit: Request for Permit for Day Care/Pre-Kindergarten Private School at 4001 State Road A1A (Danielle Gwiazda of Island Prep LLC, Applicant)

BACKGROUND

The Island Prep School is located in the commercial land use district on the west side of State Road A1A opposite the Oasis Restaurant and on the south side of the entrance to the Ocean Trace subdivision.

Table 3.02.02 in the Land Development Regulations states that day care centers are allowed in commercial land use districts if a conditional use permit is approved by the City Commission.

At its December 1, 2014, meeting, the City Commission approved a conditional use permit for the Island Prep School at 4001 SR-A1A. One of the conditions of the permit is that is valid for five years only and that the applicant can apply to extend the permit

Ms. Gwiazda has made such an application. It was reviewed by the Comprehensive Planning and Zoning Board at its October 15, 2019, meeting. At that meeting, the Board by a vote of 6 to 0 recommended to you to approve the permit with two conditions, which are stated below.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-18, the application and related material that the Planning Board reviewed at its October 15th meeting.

Please note that pages 16-17 are a copy of the conditional use permit that was approved in December 2014.

- b. Pages 19-21, the minutes of that part of the Planning Board's October 15th meeting when it recommended by a 6-0 vote that you approve the conditional use permit, subject to two conditions:
 - That it be non-transferable to the current owner
 - That the term be five years
- c. Page 22, a memo from the Building Department's Executive Assistant in which she states the Board's recommendation and vote.

ACTION REQUESTED

It's that you hold the public hearing and decide whether to approve the permit and what conditions to attach to it.



City of St. Augustine Beach

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

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

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

To: Comprehensive Planning and Zoning Board
From: Bonnie Miller, Executive Assistant
CC: Brian Law, Building Official
Date: 10-09-2019
Re: Conditional Use File No. CU 2019-04, Island Prep, 4001 A1A South

Conditional Use 2019-04 is for the renewal of the conditional use permit granted December 1, 2014 to Island Prep School, a daycare/pre-kindergarten private school, at 4001 A1A South, St. Augustine Beach, Florida, 32080, per Section 3.02.02 of the City's Land Development Regulations (LDRs), which allows daycare centers in commercial land use districts per conditional use granted by the City Commission.

As the original conditional use permit was granted December 1, 2014 with a five-year expiration date, the applicant is applying to renew the conditional use permit for the current daycare and prekindergarten private school operations.

The Building and Zoning Department has no objection to the renewal of the conditional use permit for the daycare/prekindergarten at Island Prep, and recommends the Board consider the applicant's request for the renewal of the conditional use permit to run with the current ownership of the property.

Sincerely,

Bonnie Miller

Bonnie Miller
Executive Assistant
Building and Zoning Department

City of St. Augustine Beach Building and Zoning Department
 Conditional Use Permit Application
 2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which the conditional use permit is being sought:

Lot(s) _____ Block(s) _____ Subdivision N/A

Street Address 4001 A1A S.
Saint Augustine 32080-0060

2. Location (N, S, W, E): W Side of (Street Name): A1A

3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes ☐ No ☒ (Circle one)

4. Real estate parcel identification number: 1748700030

5. Name and address of owner(s) as shown in St. Johns County Public Records: _____

Lp Fox Holdings LLC 311 Weff Rd
Island Prep LLC St. Augustine FL 32080

6. Current land use classification: 7200 Private School

7. Section of land use code from which the conditional use permit is being sought: _____

8. Description of conditional use permit being sought: _____

Continuation of conditional use to include
daycare/prekindergarten at 4001 A1A S.

9. Supporting data which should be considered by the Board: _____

Only private school in City of St Augustine Beach
Currently offering K- 4th grade students.
Want to keep usage for summer camp and
after school programs.

10. Has an application for a conditional use permit been submitted in the past year? Yes ☐ No ☒ (Circle one)

If yes, what was the final result? _____

11. Please check if the following information required for submittal of the application has been included:

☒ Legal description of property

NA ☐ Copy of warranty deed

Article of Inc.

NA ☐ Owner Permission Form (if applicable)

☒ List of names and addresses of all property owners within 300-foot radius

☒ First-class postage-stamped legal-size envelopes with names and addresses of all property owners within 300-foot radius

☒ Survey to include all existing structures and fences

NA ☐ Elevations and overall site plan of proposed structure if conditional use is requested for construction of a residential structure in a commercial land use district

☒ Other documents or relevant information to be considered
DCF :

In filing this application for a conditional use permit, the undersigned acknowledges it becomes part of the official record of the Comprehensive Planning and Zoning Board and the Board of City Commissioners and does hereby certify that all information contained is true and accurate, to the best of his/her knowledge.

Danielle Gwiazda

Print name (owner or his/ her agent)

Print name (applicant or his/her agent)

Dani Gwiazda 8/26/19

Signature/date

Signature/date

311 Welf Rd St Augustine FL 32080

Owner/agent address

Applicant/agent address

904- 547- 2996

Phone number

Phone number

****All agents must have notarized written authorization from the property owner(s)****

****Conditional use permits shall be recorded prior to issuance of the building/development permit****

**** Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the City Commission does not constitute approval for variation from the covenants and restrictions.****

Date: 8/30/2019

Conditional Use File #: CU2019-04

Applicant's name: Danielle Gwiazda, LP^c, Fort Holdings LLC

Applicant's address: 311 Weff Road, St. Augustine, Florida 32080

For conditional use permit at: 409 AIA South, St. Augustine, Florida
32080

Charges

Application Fee: \$400.00

Date Paid: 8-30-2019

Legal Notice Sign: \$7.50

Date Paid: 8-30-2019

Received by

BM - Check 10/6

Date

8/30/2019

Definition—Conditional Use Permit

A use that would not be appropriate generally or without restriction throughout a land use district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance or prosperity. Such uses may be permitted in a land use district only in accordance with the provisions of this Code, and if the Code allows a conditional use in a particular land use category. The application for a conditional use permit shall be the same as for a concept review, except that the Comprehensive Planning and Zoning Board shall make a recommendation to the City Commission, which has final approval. The Building Official may delete submittals required in the concept application outlined in Article XII that are not applicable.

Instructions for applying for a Conditional Use Permit

The following requirements must be adhered to in applying for a conditional use permit. It is of the utmost importance that all required information be furnished in detail and accurately. Incorrect information can delay or nullify any action on the application. If there is inadequate space for all the necessary information, please attach extra sheets with the question numbers clearly marked.

In accordance with Table 3.02.02, which lists permitted and conditional uses for all land use districts, all conditional use permits must be heard by the Comprehensive Planning and Zoning Board, which will make a recommendation to the City Commission, which has final approval.

Documentation needed for a Conditional Use Permit

-
- 1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e. south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
 - 2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
 - 3) Indicate the current land use classification of the parcel under consideration. Current land use map are on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.
 - 4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. **This list of names and**

addresses of all property owners within 300 feet is to include the applicant's name and address. Along with the list of all property owners within 300 feet, the applicant shall submit stamped, addressed legal-size envelopes with the application. (Note: Do not fill in a return address on the stamped envelopes. The Building and Zoning Department will stamp its address on the envelopes as the return address and mail the legal notices to all property owners). Signatures and approvals of property owners within 300 feet are not necessary. Applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the conditional use permit, but these persons should not sign the application itself. Applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the conditional use permit application.

- 5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.
- 6) A fee of \$407.50 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which the conditional use permit application will be heard.
- 7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the last hearing at which the application was considered. Each final order shall contain findings upon which the City Commission's order is based and may include such conditions and safeguards prescribed by the Commission as appropriated in the matter, including reasonable time limits which action pursuant to such order shall be begun or completed or both.
- 8) Appeal of decisions on conditional use permits granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida.
- 9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

Limitations on granting a Conditional Use Permit

Conditional use permits shall be nontransferable and granted to the applicant only, and the use shall be commenced within a period of one (1) year from the effective date of the final order granting same; provided, however, that the City Commission may adopt the following conditions to any permit:

- 1) That the conditional use permit will be transferable and run with the land when the facts involved warrant same, or where construction or land development is included as part of the permit.
- 2) The time within which the use shall be commenced may be extended for a period of time longer than one (1) year. Failure to exercise the permit by commencement of the use or action approved thereby

within one (1) year or such longer time as approved by the City Commission shall render the permit invalid, and all rights granted thereunder shall terminate. Transfer of the property by the applicant, unless the permit runs with the land, shall terminate the permit.

- 3) Whenever the City Commission denies an application for a conditional use permit, no further application shall be filed for the same use on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same use on any part or all of the same property has been denied, no further application shall be filed for this same use on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.
- 4) The time limits in paragraph 3 above may be waived by the affirmative votes of a majority of the City Commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the City.

**Electronic Articles of Organization
For
Florida Limited Liability Company**

**L14000171796
FILED 8:00 AM
November 04, 2014
Sec. Of State
jdharris**

Article I

The name of the Limited Liability Company is:

LP & FOX HOLDINGS LLC

Article II

The street address of the principal office of the Limited Liability Company is:

311 WEFF RD
SAINT AUGUSTINE, FL. 32080

The mailing address of the Limited Liability Company is:

311 WEFF RD
SAINT AUGUSTINE, FL. 32080

Article III

The name and Florida street address of the registered agent is:

DANIELLE E GWIAZDA
311 WEFF RD
SAINT AUGUSTINE, FL. 32080

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: DANIELLE E GWIAZDA

Article IV

The name and address of person(s) authorized to manage LLC:

Title: MGR
MICHAEL A GWIAZDA
311 WEFF RD
SAINT AUGUSTINE, FL. 32080 US

Title: MGR
DANIELLE E GWIAZDA
311 WEFF RD
SAINT AUGUSTINE, FL. 32080 US

L14000171796
FILED 8:00 AM
November 04, 2014
Sec. Of State
jdharris

Article V

The effective date for this Limited Liability Company shall be:

11/04/2014

Signature of member or an authorized representative

Electronic Signature: DANIELLE GWIAZDA

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L11000033521
FILED 8:00 AM
March 21, 2011
Sec. Of State
jbryan

Article I

The name of the Limited Liability Company is:

ISLAND PREP, LLC

Article II

The street address of the principal office of the Limited Liability Company is:

144 BAY BRIDGE DR
SAINT AUGUSTINE, FL. 32080

The mailing address of the Limited Liability Company is:

144 BAY BRIDGE DR
SAINT AUGUSTINE, FL. 32080

Article III

The purpose for which this Limited Liability Company is organized is:

ANY AND ALL LAWFUL BUSINESS.

Article IV

The name and Florida street address of the registered agent is:

DANIELLE E GWIAZDA
144 BAY BRIDGE DR
SAINT AUGUSTINE, FL. 32080

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: DANIELLE E GWIAZDA

Article V

The name and address of managing members/managers are:

Title: MGR
MICHAEL A GWIAZDA
144 BAY BRIDGE DR
SAINT AUGUSTINE, FL. 32080

Title: MGR
DANIELLE E GWIAZDA
144 BAY BRIDGE DR
SAINT AUGUSTINE, FL. 32080

L11000033521
FILED 8:00 AM
March 21, 2011
Sec. Of State
jbryan

Article VI

The effective date for this Limited Liability Company shall be:

03/18/2011

Signature of member or an authorized representative of a member

Electronic Signature: MICHAEL A GWIAZDA

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

Tax Bill

Estimate Taxes

2019 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1748700030
Location Address	4001 A1A S
	SAINT AUGUSTINE 32080-0000
Neighborhood	A1A South to Dondanville Rd (COM) (2305.03)
Tax Description*	10-3 PART OF N1/2 GL 5 LYING W OF RD A1A - 98.58FT ON A1A OR3972/1743
	*The Description above is not to be used on legal documents.
Property Use Code	Private School & Colleges (7200)
Subdivision	N/A
Sec/Twp/Rng	10-8-30
District	City of St Augustine Beach (District 551)
Millage Rate	17.0863
Acreage	1.220
Homestead	N

Owner Information

Owner Name	Lp & Fox Holdings LLC Etal 50%
	Island Prep LLC 50%
Mailing Address	311 WEFF DR
	SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2019
Building Value	\$452,561
Extra Features Value	\$40,275
Total Land Value	\$423,760
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$916,596
Total Deferred	\$0
Assessed Value	\$916,596
Total Exemptions	\$916,596
Taxable Value	\$0

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

Historical Assessment Information

Year	Just (Market) Value
2018	\$922,170
2017	\$927,743
2016	\$895,484
2015	\$789,978
2014	\$580,809
2013	\$583,298
2012	\$585,789
2011	\$630,472
2010	\$672,666

Exemption Information

Exemption Type	Amount
Educational	\$916,596

Building Information

Building	1
Actual Area	5448
Conditioned Area	5256
Actual Year Built	1999
Use	Private Schools
Style	04
Class	N
Exterior Wall	Concrete Stucco

Roof Structure	Wood Truss
Roof Cover	Modular Metal
Interior Flooring	Hardwood
Interior Wall	Drywall
Heating Type	Air Duct
Heating Fuel	
Air Conditioning	Central
Baths	4

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Wood Truss	100%
Roofing Cover	Modular Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Hardwood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	13 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Insulation	2" Fiberglass	100%
Floor System	Concrete Slab	100%
Condition	Good	100%

Description	Conditioned Area	Actual Area
BASE AREA	5256	5256
CANOPY (COMMERCIAL)	0	192
Total SqFt	5256	5448

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Curb	0	0	0	0	156
Concrete Paving	0	0	0	0	11818
Spinkler Wet	0	0	0	0	5256
Pole Light	0	0	0	0	84
Vinyl Fence (6')	0	0	0	0	456

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Private Schools	0	0	27770	SF	\$222,160
Private Schools	0	0	25200	SF	\$201,600

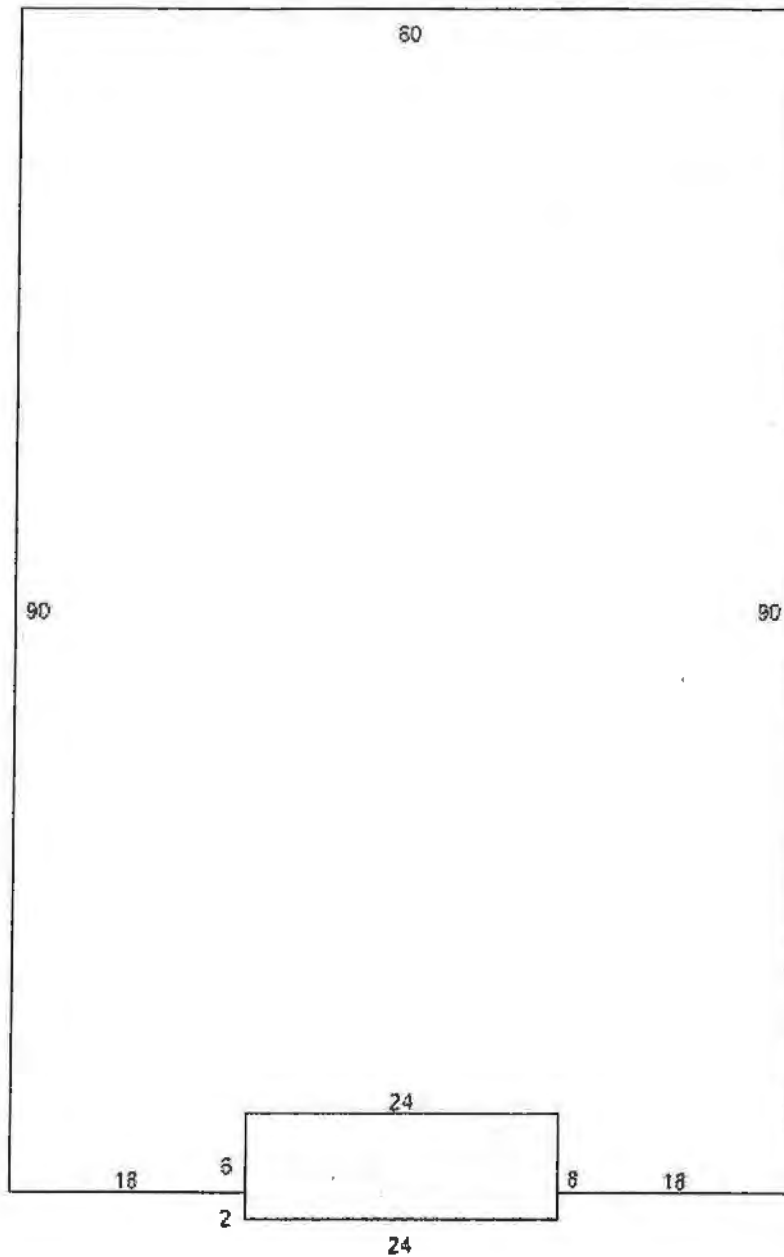
Sale Information

Recording Date	Sale Date	Sale Price
1/6/2015	12/23/2014	\$950,000.00
	4/25/2008	\$1,140,000.00
	12/1/1997	\$0.00
	6/1/1997	\$135,300.00
	8/9/1996	\$120,000.00

Area Sales Report

Sketch Information

Room Type	Area
Base	0
CCM	0



User Privacy Policy
GDPR Privacy Notice



Last Data Upload: 8/23/2019, 10:59:10 PM

Version 2.3.1

**BEFORE THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA**

In re.

**APPLICATION OF ISLAND PREP SCHOOL, FOR
CONDITIONAL USE PERMIT APPROVAL
FOR A DAYCARE/PREKINDERGARTEN PRIVATE
SCHOOL AT 4001 A1A SOUTH,
ST. AUGUSTINE BEACH, FLORIDA 32080**

Public Records of St. Johns County, FL
Clerk number 2014070975
BK 3961 PG 1913
12/8/2014 8 55 AM
Recording \$18.50

ORDER APPROVING CONDITIONAL USE (CU 2014-02)

This CAUSE came on for public hearing before the City Commission of the City of St. Augustine Beach, Florida on December 1, 2014 upon recommendation for approval with conditions by the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, after hearing on November 18, 2014, upon Application (CU 2014-01) by ISLAND PREP SCHOOL, for a conditional use permit for the operation of a daycare/prekindergarten private school at 4001 A1A South, St. Augustine Beach, Florida 32080, more particularly described as Parcel No. 174870-0030. The City Commission having reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions:

1. The documentation for granting of a conditional use as detailed in the Application and discussed at the hearing are incorporated herein as findings of fact.
2. The conditional use granted shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings, sketches and renderings.
3. Unique location and position of the proposed site warrants allowing this conditional use.
4. The use shall expire five (5) years after the start of the use approved hereof, and the Applicant shall be required to apply to extend the Conditional Use beyond the five (5) years so granted.
5. The use shall be conducted in such a way as to not violate City Code or become a nuisance.
6. No other expansion of the existing building shall be conducted other than that specifically granted herein except expressly permitted by the Land Development Regulations and approved by the City.
7. The use shall be non-transferable. However, Island Prep School may transfer this conditional use permit to a related entity of Island Prep School as part of its approval process with the Department of Children and Families.

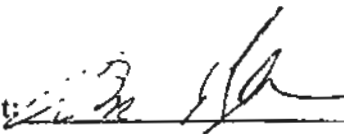
8. The use shall be commenced within one (1) year and shall not lapse for more than one (1) year
9. The use shall be limited to a maximum of 100 students.
10. A violation of the conditions listed above shall void the conditional use granted herein

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

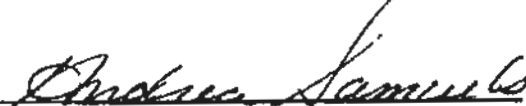
DONE AND ORDERED this 1st day of December, 2014, at St. Augustine Beach, St Johns County, Florida.

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

Attest:



By:



Andrea Samuels

Mayor, Commissioner

Child Care Facility Certificate of License

Name of Facility: Island Prep School

Certificate Number: C07SJ0103

County: Saint Johns

Address: 4001 A1A South

City: Saint Augustine

Zip: 32080-6936

Owner: Island Prep LLC

The Department of Children and Families being satisfied that this child care facility has complied with Chapter 65C-22, Florida Administrative Code, Child Care Facility Standards, adopted by the Department and authorized in sections 402.301-402.319, Florida Statutes, approves an Annual license to operate this child care facility.

This certificate is effective

April 20, 2019 Through April 19, 2020

This license may be revoked or suspended for cause.

Maximum Licensed Capacity: 109

Hours of Operation:

Mon	Tue	Wed	Thu	Fri	Sat	Sun
07:30AM	07:30AM	07:30AM	07:30AM	07:30AM		
05:30PM	05:30PM	05:30PM	05:30PM	05:30PM		

210 N Palmetto Avenue, Ste 430
Daytona Beach, Florida 32114
(386) 481-9195

CF-FSP 5115


Betsy Lewis, Designee



MINUTES

PLANNING AND ZONING BOARD MEETING

TUESDAY, OCTOBER 15, 2019, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

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, Steve Mitherz, Berta Odom, Hester Longstreet, Senior Alternate Chris Pranis, Junior Alternate Dennis King.

BOARD MEMBERS ABSENT: Vice-Chairperson Elise Sloan, Kevin Kincaid, Jeffrey Holleran

STAFF PRESENT: Building Official Brian Law, City Attorney James Wilson, Recording Secretary Lacey Pierotti.

IV. APPROVAL OF MINUTES OF PLANNING AND ZONING BOARD MEETING OF SEPTEMBER 17, 2019

Motion: to approve the minutes of the September 17, 2019 meeting. **Moved** by Ms. Odom, **seconded** by Mr. Mitherz, **passed** 6-0 by unanimous voice-vote.

V. PUBLIC COMMENT

VI. NEW BUSINESS

A. Conditional Use File No. CU 2019-04, for renewal of a conditional use permit for a daycare/prekindergarten private school in a commercial land use district at 4001 A1A South, Danielle Gwiazda, Island prep LLC, agent for LP & Fox Holdings LLC, Applicant

Mr. Law said this is for renewal of the conditional use order granted December 1, 2014 to Island Prep school. The current conditional use order was granted for five years and expires December 1, 2019. The Building Department has no objection to the renewal of this conditional use permit.

Ms. West said this is simply a renewal of what has already been approved. The Board may want to recommend the City Commission put a time constraint on the renewal so they can revisit the issue to make sure everything is going well with the school and to see if there are any complaints.

Mr. Mitherz said the current conditional use order limits the number of students to 100 and asked

if this number is still accurate.

Danielle Gwiazda, 311 Weff Road, St. Augustine, Florida, 32080, applicant and owner of Island Prep LLC, said there 92 students enrolled for the current school year. They've added a new classroom inside the structure and have changed their license number, but at this time, they're staying right around that number. The new license number allows a full capacity of 109 students, but at this point, they have not exceeded 100 students.

Mr. Pranis asked if the school expects to get up to 109 students anytime soon.

Ms. Gwiazda said at this point, no, as she doesn't like her class sizes to be too large and right now, they're at maximum capacity. However, she doesn't want to close herself off to a maximum of 100 students because the maximum capacity allowed per the school's business license is 109.

Jane Bowditch, 300 South Ocean Trace Road, St. Augustine Beach, Florida, 32080, said if you've read the papers or seen what's in the news, you know she and the school have not been very friendly with each other. She came to the meetings five years ago and asked that the school not be allowed. It is within 50 feet of the fence line of Ocean Trace Subdivision, a community of people who are over the age of 50. She was told at past meetings that the playground equipment would be on the State Road A1A South of the property, but instead it is abutting the fence of her neighbor's backyard. All the outdoor equipment, including a new pergola just built, is near the residential community. She asked everyone to put themselves in her shoes starting at eight o'clock in the morning with screaming, yelling, whistles, and loudspeakers that don't stop for eight hours a day. It's a constant recess which she thought was a school that was going to have 50 children, and that number has now doubled. There are only six or seven designated parking spaces behind the school but there are 12-14 cars parked there every day. Three houses in Ocean Trace Subdivision abut the fence. One of the owners sold their home, and another home has gone unsold for two years. She can't open her doors, windows or entertain outside unless it's after six o'clock at night or the weekend. She's had conversations with Ms. Gwiazda over the last five years, mostly in the first three years, as she's a nurse who works late and she can't sleep in during weekday mornings. Ms. Gwiazda invited her over via email to speak to her, but this went nowhere, even though they had a nice conversation. She came to City Hall to get some help and was told to go to the Police Department, where everyone was very helpful, but she was told to stay away because Ms. Gwiazda lied to the police and said she'd been trespassing on the school's property.

Ms. Odom asked if staff has received any other complaints.

Mr. Law said he asked Ms. Miller, who has been with the City for over 20 years, if staff had received any other complaints, and she said no, other than those called in by Ms. Bowditch.

Ms. West asked if any checks were done on the noise exceeding decibel levels.

Mr. Law said he doesn't have the technology to do that, this falls under the jurisdiction of the Police Department.

Mr. King asked how high the fence is between the school's property and the neighboring homes.

Mr. Law said it's a six-foot-high, vinyl fence.

Ms. West asked if an eight-foot-high fence would be allowed.

Mr. Law said yes, fences in the City are allowed to be a maximum of eight feet in height.

Mr. Pranis said there is also a buffer between the parking lot and the fence.

Ms. Gwiazda said Chief Hardwick came out when the complaints were first lodged a few years ago and did a decibel check. They've planted six to eight trees, which are now taller than the fence, right behind the fence to help soften the sound barrier. She's hoping the pergola, which is enclosed on three sides so the kids can get out of the sun, will also help with the sound. The police have come out immediately to check the sound whenever Ms. Bowditch has called, and one time, it was during field day, and police officers were already onsite for that event. The school opens at 7:30 a.m., and many of the teachers have their kids outside early because it's cooler then, but they only have 20 children before 8:45 a.m. because the majority are elementary school age. They have physical education and recess outside and occasionally have outdoor arts and crafts and picnic lunches. The kids are inside by 4:45 p.m., and the school closes at 5:30 p.m.

Ms. West said the Oasis Restaurant, which can get loud and backs up to residential property, is right across the street. She asked how noise complaints have been dealt with there, and what the Oasis' hours are.

Mr. Law said in the 22 months he has been employed by the City he has not received a complaint about the Oasis, but from going there he does know they shut the windows at night when bands are playing and they've built a six-foot-tall composite Trex fence by the back staircase to help with the noise. The Oasis stays open until at least 10 p.m., maybe later on weekends, but their hours are based on customer volume and they play to the crowd. Right now, it's football season.

Mr. Mitherz asked if it is only the Police Department that has the decibel meter to measure noise.

Mr. Law said the Building Department does not a decibel meter as most noise complaints happen at night. If they do get a noise complaint, it is forwarded to the police for investigation.

Ms. Odom asked if the Trex fence the Oasis has is better than vinyl, and also asked if adding two more feet to the six-foot-high fence would make a difference in the noise level.

Mr. Law said there's not much difference between Trex and vinyl fences, and no, he doesn't think an eight-foot-high fence would make a difference because the children are less than six feet tall.

Ms. West said this is one of those difficult situations where they have the commercial corridor of A1A with residence abutting the commercial corridor, and this will always cause conflicts. It does sound like the applicant has met with Ms. Bowditch and has tried to resolve the noise issues.

Ms. Longstreet asked if there is any way the kids could go outside after 9:00 a.m. so neighbors can sleep in a little. She understands the school is a commercial property and provides a service to the community, but they should try to make an effort to work with the people around them. She's a night person herself who enjoys sleeping in, so she understands Ms. Bowditch's concerns.

Ms. Gwiazda said she could bring it up with the teachers but the children who get there before 8:45 a.m. really enjoy the 20 minutes or so they get to go outside when it's still cool. The student enrollment includes children from families in Ocean Trace, so this neighborhood is not just a community for people in their 50s and up. She doesn't want to open a can of worms, but she's tried over the years to work with Ms. Bowditch. Security is the biggest issue as her business involves children, so she's willing to work with anyone as long as there are no trespassing issues.

Motion: to recommend the City Commission approve Conditional Use File No. CU 2019-04 for renewal of the conditional use permit granted to Island Prep LLC, subject to the conditions that it be granted as non-transferable to the current applicant/owner only for a period of five (5) years.
Moved by Mr. Pranis, **seconded** by Ms. West, **passed 6-0** by unanimous voice-vote.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Conditional Use File No. CU 2019-04
Date: Wednesday, October 16, 2019

Please be advised that at its regular monthly meeting held Tuesday, October 15, 2019, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve renewal of a current conditional use permit granted to Island Prep LLC, for a daycare/prekindergarten private school in a commercial land use district at 4001 A1A South, St. Augustine Beach, Florida, 32080.

The application was filed by Danielle Gwiazda, Island Prep LLC, agent for LP & Fox Holdings LLC, 311 Weff Road, St. Augustine, Florida, 32080, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO PART OF THE NORTH ONE-HALF OF GOVERNMENT LOT 5 LYING WEST OF STATE ROAD A1A SOUTH, PARCEL IDENTIFICATION NUMBER 174870-0030, AKA 4001 A1A SOUTH, SECTION 10, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 10, PAGE 3, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Mr. Pranis made the motion to recommend the City Commission approve the conditional use application for renewal of the current conditional use permit for Island Prep LLC as submitted, subject to the condition that it be granted as non-transferable to the applicant only, for a period of five (5) years. Mr. Pranis' motion was seconded by Ms. West and passed 6-0 by the Board by unanimous voice-vote.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: BUDGET RESOLUTIONS 19-11 AND 19-12
DATE: 10/24/2019

The above referenced budget resolutions are necessary to complete some minor housekeeping items on the budget.

Budget Resolution 19-11

This amends the Road & Bridge Fund Budget. The adjustments are to reallocate expenses to line items where additional expenses were incurred in FY19.

Budget Resolution 19-12

This amends the General Fund Budget. The adjustments are to reallocate expenses to line items where additional expenses were incurred in FY19.

Please let me know if more information is needed.

BUDGET RESOLUTION 19-11

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

**RE: TO AMEND THE FY2019
ROAD & BRIDGE FUND BUDGET**

The City Commission does hereby approve the transfer and appropriation from within the Fiscal Year 2018-2019 General Fund Budget as follows:

DECREASE: Account 101-4100-541-1200 (Roads: Regular Wages) in the amount of \$6,000 which will decrease the appropriation in this account to \$359,505.00.

INCREASE: Account 101-4100-541-1400 (Roads: Overtime) in the amount of \$6,000 which will increase the appropriation in this account to \$16,606.00.

DECREASE: Account 101-4100-541-6310 (Roads: Paving) in the amount of \$20,000 which will decrease the appropriation in this account to \$0.00.

INCREASE: Account 101-4100-541-4610 (Roads: Facility Maintenance) in the amount of \$11,000 which will increase the appropriation in this account to \$11,000.00.

INCREASE: Account 101-4100-541-6360 (Roads: Beautification Projects) in the amount of \$9,000 which will increase the appropriation in this account to \$49,000.00.

DECREASE: Account 101-4100-541-3400 (Roads: Other Contractual Services) in the amount of \$20,000 which will decrease the appropriation in this account to \$46,159.00.

INCREASE: Account 101-4100-541-6380 (Roads: Drainage) in the amount of \$20,000 which will increase the appropriation in this account to \$610,000.00.

RESOLVED AND DONE, this 4th day of November 2019 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

Mayor – Commissioner

ATTEST:

City Manager

BUDGET RESOLUTION 19-12

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

**RE: TO AMEND THE FY2019
GENERAL FUND BUDGET**

The City Commission does hereby approve the transfer and appropriation from within the Fiscal Year 2018-2019 General Fund Budget as follows:

DECREASE: Account 001-2100-521-1200 (Law Enforcement: Regular Wages) in the amount of \$24,000 which will decrease the appropriation in this account to \$1,070,652.00.

INCREASE: Account 001-2100-521-2200 (Law Enforcement: Retirement) in the amount of \$10,000 which will increase the appropriation in this account to \$280,530.00.

INCREASE: Account 001-2100-521-1400 (Law Enforcement: Retirement) in the amount of \$14,000 which will increase the appropriation in this account to \$64,000.

DECREASE: Account 001-1300-513-1200 (Finance: Regular Wages) in the amount of \$11,500 which will decrease the appropriation in this account to \$409,739.00.

INCREASE: Account 001-1300-513-3100 (Finance: Attorney Fees) in the amount of \$7,000 which will increase the appropriation in this account to \$52,000.

INCREASE: Account 001-1500-515-1200 (Comp Planning: Regular Wages) in the amount of \$4,500 which will increase the appropriation in this account to \$104,474.

RESOLVED AND DONE, this 4th day of November 2019 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

Mayor – Commissioner

ATTEST:

City Manager

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 22, 2019

SUBJECT: Changes to the Land Development Regulations: Consideration of Recommendations from the Comprehensive Planning and Zoning Board

INTRODUCTION

At your September 10th continuation meeting, Mr. Law presented a number of changes to the Land Development Regulations.

At its September 17th meeting, the Comprehensive Planning and Zoning Board reviewed the changes with Mr. Law and made a recommendation to you concerning each of them.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-3, the minutes of that part of your September 10th continuation meeting when you discussed the changes proposed by Mr. Law.
- b. Pages 4-8, the minutes of that part of the Planning Board's September 17th meeting when it reviewed the changes and provided recommendations to you.
- c. Pages 9-12, the changes with the Board's recommendations highlighted.
- d. Page 13, an email from a local architect, Mr. Michael Stauffer, with comments about the proposed changes.
- e. Page 14, an email from Ms. Sandra Krempasky, Chair of the Sustainability and Environmental Planning Advisory Committee.

ACTION REQUESTED

It is for you to review the Planning Board's recommendations with Mr. Law and then to decide whether to approve the changes he has proposed.

The City Attorney can then put the changes you approve in an ordinance for consideration at your December 2nd meeting.

FROM MINUTES OF SEPTEMBER 10, 2019, CITY COMMISSION CONTINUATION
MEETING

12. Changes to the Land Development Regulations: Review of Proposal from the Building Official
(Presenter: Brian Law, Building Official)

Mayor George introduced Item 12 and then asked Building Official Law for his report.

Building Official Law explained and went through the changes in code language that he felt would be beneficial to clean up or to eliminate extensive costs. He first explained Section 3.02.02.01 Mixed Use Districts, D.

Mayor George asked if the mixed-use districts were ever created.

Building Official Law explained that staff went to the Vision Plan which defines it on A1A Beach Boulevard where it is really been seen. He also said F Street may become a mixed district.

Building Official explained Section 3.02.02.01, K. regarding signage.

It was the consensus of the Commission to approve the changes.

Building Official Law presented proposed changes to Section 3.08.00 Overlay Districts.

It was the consensus of the Commission to approve the changes.

Building Official Law presented changes on Section 3.09.00 – Transient lodging establishments within medium density land use districts.

Vice Mayor England asked about transient rental having a conditional use permit condition, what would happen.

Building Official Law advised that the Commission would have the authority to give conditions. He suggested leaving Section 3.09.00 alone and use that under Section 3.10.

Vice Mayor England said that if one of the conditions is that the property use must be a transient rental, unless the Commission changes the language, and take away the right to be a transient rental, then what happens to the conditional use permit.

Building Official Law advised that there could be language if the transient rental is taken away because of abuse, it could be changed to a single-family use and not be a transient rental any longer.

Mayor George said that would be a problem when the Commission wants the homes to be a transient rental.

Building Official Law advised that only one house has been problematic.

Public Works Director Tredik advised that Section 3.09 would only apply to mixed-use and not commercial properties.

Building Official Law presented changes to Section 5.01.02 Conditions of tree removal.

It was the consensus of the Commission to approve the changes.

Building Official Law presented Section 5.01.03 Replacement and mitigation.

Mayor George advised that that language is the purpose of the review.

Building Official Law explained that was why he was hired. It would be his job. He explained that there is a delay in time for the residents in order to bring it in front of the Comprehensive Planning and Zoning Board.

Mayor George asked if the language could be that the structure could be relocated or redesigned.

Building Official Law said any structure can be redesigned, but do we have a right to tell a property owner how to design their house.

Mayor George advised the Commission does if there was a tree with a 30-inch trunk.

Building Official Law advised that he stopped that with regulating the pavers with 15% coverage. He explained that he has not seen one turned down yet by the Comprehensive Planning and Zoning Board and it costs staff time for these reviews.

Commissioner Kostka asked if the code could say that the same size tree needs to be placed on the lot.

Building Official Law advised that there is a code regarding replanting 3-inch trunk trees if bigger trees are taken out. He explained that the Commission didn't want to do tree credits.

Mayor George asked not to add the language in subparagraph B because this was a provision because of trust issues.

Building Official Law advised that he would take the language out.

Mayor George asked for language that this language is only good for as long as this statute is effective.

Building Official Law advised that he would add language that this code shall expire upon the effectiveness of the legal statute as number 4. He suggested that the Public Works Department should use the fees received for in this section to beautify the City.

It was the consensus of the Commission to make those changes requested.

Building Official Law moved on to Section 6.01.02 Impervious surface ratios and explained how property owners are paying for a lot of money when putting in the pools. He suggested to make it 50% for maximum and medium density.

It was the consensus of the Commission to approve the proposed changes.

Building Official Law moved on to Section 6.01.03 Building setback requirements and explained his proposed language. He explained it would help him to save trees.

Vice Mayor England advised that if it is a single-family residence with a side yard on A1A Beach Boulevard, that conditional use requirement will override Section 6.01.03 because the City may require more landscaping or conditions.

Building Official Law advised that he would add that language for A1A Beach Boulevard.

Vice Mayor England said that when we change the setbacks then the variances need to stop unless it is a real hardship.

Building Official Law asked if the Commission would like to change the architecture of the structure from the ten-foot side setback to 7.5-foot setback.

Mayor George explained that only if it is not touching the ground and would rely on Building Official Law's expertise.

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

Craig Thomson, 6 D Street, St. Augustine Beach, FL, explained that four years ago Ordinance 13-14 applied to 1200 homes within the City regarding their setbacks and advised if this is changed the Commission would be taking away the citizens zoning rights. He requested that these changes go to the Comprehensive Planning and Zoning Board and Sustainability and Environmental Planning Advisory Committee (SEPAC). He advised that Building Official Law is not a certified planner and should not be bringing these recommendations to the Commission.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed and feels that Building Official Law is becoming like Gary Larson. He explained that Building Official Law should not be saying he approves anything, and legal counsel should review these items before coming to the Commission. He requested to table this.

Mayor George closed the Public Comments section and asked for any further Commission discussion. Being none, Mayor George moved on to Item XIV.

- B. Review of proposed changes to Sections 3.02.02.01, 3.08.00, 3.09.00, 5.01.02, 6.01.02, and 6.01.03 of the City's Land Development Regulations, for the Board's recommendations to the City Commission regarding the drafting of an ordinance to adopt the proposed changes

Mr. Law said this agenda item involves several changes to the City's Land Development Regulations (LDRs), many of which have been in the works for over a year. The first pertains to Section 3.02.02.01 regarding mixed use districts, which requires a minimum lot area of 8,500 square feet. As there are no viable 8,500-square-foot single lot properties along the Boulevard, the recommendation is to remove this minimum lot size and eliminate the requirement to apply for a variance. The other change to this section pertains to mixed use signage, which has been revised to strike out the current requirement that all signage must be approved by this Board and state that all signage, ground and wall signs shall be subject to the requirements of the City's new sign code in Article VIII of the LDRs. The second change is to Section 3.08.00, pertaining to overlay districts, with the recommendation to remove the overlay districts entirely, and just have properties within these districts operate entirely within the LDRs. The third revision pertains to Section 3.09.00, which addresses transient lodging facilities within medium density land use districts, to add verbiage to address how complaints about transient rentals are handled with the involvement of the Code Enforcement Board, which has the ability to impose monetary fines, and/or the Police Department. There was also a part of this section that has been struck out, as it is no longer applicable with the implementation of the City's new fee schedule. The fourth change is to Section 5.01.02, pertaining to conditions for tree removal, which consists of the insertion of a cut-and-paste from House Bill 1159, which became effective July 1, 2019. In the event the State legislature revokes this bill, it will be struck from City Code. The fifth change pertains to Section 5.01.03, which addresses tree replacement and mitigation and the City's Tree and Landscape Fund, to allow funds in this account to be used for the construction and maintenance of structures and landscaping in City-owned parks, with the recommendation of the City's Public Works Director and approval by the City Commission. The sixth change pertains to Section 6.01.02, which addresses impervious surface ratio (ISR) coverage, to increase the maximum ISR allowed in low density residential land use districts from 40 percent to 50 percent, to stop the variances that are being requested for pool and additions to existing residential properties. The last changes apply to Section 6.01.03, addressing building setback requirements, to change the setback requirements for single-family residential lots from 25 feet to 20 feet in the rear yard and from 15 feet to 12 feet on street sides, and change the front and rear yard setback requirements for 50-foot-by-93-foot single-family residential lots from 25 feet to 20 feet, from 10 feet to 7.5 feet for side yards and from 15 feet to 12 feet for street side yards, and to also allow any lot with a width of 50 feet or less to have a 7.5-foot side yard setback. Changes to this section are also proposed to allow certain auxiliary structures to be built with minimum five-foot rear and side yard setbacks and certain architectural features such as roofs over exterior doors, bump-outs, bay windows, etc., to project no more than 2.5 feet including overhangs into the required setbacks. The City Commission reviewed these proposed changes at its last meeting and needs the Board's review and recommendation to move forward to put them into ordinance form.

Ms. West asked for public comment on any proposed changes included in this agenda item.

Mike Stauffer, 22 Bowers Lane, St. Augustine Beach, Florida, 32080, said he supports the proposed revisions, particularly regarding the setbacks in Section 6.01.03. As an architect designing for his

clients, and using a 50-foot-by-100-foot lot as an example, as most property owners of such lots have acquired the additional 7.5 feet of the vacated alley behind their lots, with the current 25-foot front and rear yard and 10-foot side yard setbacks, the maximum buildable footprint is 30-foot-by-50-feet, or 1,500-square feet, which is less than the 1,750-square-feet allowed per the 35 percent maximum lot coverage for residential properties. People may think decreasing the setbacks allows bigger houses to be built, but that's not true, because even with the proposed reduced setbacks, building size is still limited to the maximum 35 percent lot coverage. Reducing the setbacks, however, allows flexibility to move the footprint of a house and garage around on a lot to widen the architecture and have more room for outdoor living in the form of patios, porches, decks, and pools. The proposed new setbacks will be great for the community and give him and other architects the ability to better serve their clients without giving anyone a super advantage over anyone else, so he asked that the Board approve the recommended changes.

Ms. West asked Mr. Stauffer if clients buying 50-foot-wide lots ever approach him beforehand to understand exactly what they're getting into with the restraints of purchasing such a lot

Mr. Stauffer said yes, always, but if you're limited to 1500-square feet of living space for a lot you paid \$200,000 for, it's kind of restrictive to say if you want more living space you have to build a second or even a third story. Some of his clients really don't want a three-story house, but if they want a third bedroom or a study, they're forced to build up. The fact is the average house most of his clients want is around 2,500-square feet, so they're not asking to build huge houses.

Sandra Krempasky, 7 C Street, Apartment A, St. Augustine Beach, Florida, 32080, said most of the Board members were here when a workshop meeting was held in June 2015, and most of the speakers who spoke in favor of increasing what were then the current setbacks live in the neighborhoods that have these smaller lots. She recapped some of the comments made by residents at this meeting, and said the room was full of members of the public on that day. At this meeting, Ms. West asked by a show of hands from the public audience who was, and who was not, in favor of the new, and less restrictive, setbacks that went into effect with the passage of Ordinance No. 13-14 in November 2013. Two people raised their hands in favor of the new setbacks, with the overwhelming majority of people in attendance opposed to them. The City Commission, Planning and Zoning Board, and Tree Board worked with a planning consultant on a review of the LDRs, which included a rollback of the new setbacks to the former setbacks. It might be hard for new owners and developers to build houses and pools on these smaller lots, but she doesn't think the City should make it easier for them by changing the Code. People who purchased lots and built prior to 2013 had to make choices and build by the existing Code, so they need to protect the residents who already live here. At the second workshop meeting, Ms. West said no one is forcing people to buy a small lot. You buy into the community, so Ms. West thought the responsible thing to do was to go back to the setbacks that were in place for decades without outcry from the public. This was accomplished, after working for four years to make this change, yet here they are again with proposed changes to reverse the setbacks to be less restrictive again.

Ms. West said her position on this has been clear and consistent. They've been working on this issue for a very long time, and quite frankly, there was a significant amount of confusion when the setbacks were changed under Gary Larson's tenure as Building Official for the City, to the extent that there were several years in which people purchased property without understanding that there were changes in flux, so they had established property rights. To once again propose that they cause confusion within the City by altering the setbacks and subjecting the entire City to property rights litigation makes absolutely no sense to her whatsoever. Her point of view stands firm that you do buy into a community, and she doesn't think that purchasers of 50-foot-wide lots

are going to be architecturally confined to building a box and nothing else, as there are ways to establish architectural features while meeting the setbacks that have been in place for decades. There are a lot of reasons to keep the current setbacks in place, one of which is that the City has flooding concerns, and decreasing setbacks allow greater ISR coverage which exacerbates flooding risks, which is not something they should be doing, per the City's Comprehensive Plan.

Mr. Kincaid asked Ms. West to explain how changing the setbacks increases the liability to the City for property rights litigation and asked if the City did get sued over this issue.

Ms. West said under Gary Larson, the setbacks were reduced, and then there was a period where the City was holding workshops to address the changes, as basically people were purchasing these small lots without truly understanding what setback requirements applied to them. This threw the entire City into a state of flux where people were concerned about potential property rights takings, as they did not know where they stood in terms of what they could build. To put the City back into that state of unease is not good for prospective purchasers or for the City, so she doesn't want to do this again. As to whether the City did get sued, Mr. Wilson was not the City Attorney at that time, so she's not sure, but she does know there were threats of litigation.

Ms. Sloan said first the setbacks were greatly reduced and put back again and now they're looking at changing the rear and street side setbacks on those small lots. She asked if Mr. Law could tell her how many of the 50-foot-by-93-foot lots in the City are still vacant.

Mr. Law said he doesn't know offhand but with the current setbacks the City could be guilty of a government taking because people are being denied the 35 percent maximum lot coverage use.

Mr. Kincaid said that's his next point, because with the math people aren't allowed to cover 35 percent of their lot, so the lot coverage and setback rules conflict with each other and cause confusion. He's always for people to be able to use their property for their needs if it doesn't impact the character of the City. The older houses on these lots won't last forever but will be rebuilt, and he hasn't heard anything yet that makes him disagree with the changes proposed.

Ms. Sloan said with the point Mr. Stauffer made, they may see fewer three-story homes being built than they would if the more rigid setbacks stay in place.

Ms. Longstreet said even with the relaxed setbacks three-story houses will still be built.

Ms. Sloan said that's always a possibility, but they may have fewer three-story houses if people have more flexibility in designing two-story homes.

Mr. Kincaid agreed, as this will also allow flexibility to move houses around without increasing the 35 percent maximum lot coverage, which he thinks is in everybody's best interest.

Mr. Law said with the current setbacks, the maximum lot coverage that can be built on a 50-foot-by-93-foot lot is 27.4 percent.

Mr. Mitherz asked if there are any proposed changes regarding minimum lot sizes, and transient rentals in commercial land use districts are required to follow the same lot coverage rules.

Mr. Law said there is no intention to make any changes to minimum lot sizes. Transient rental lodgings in commercial land use districts are only allowed by a conditional use permit, which requires recommendation to the City Commission from this Board and then approval from the Commission. If the Commission decides to grant a conditional use permit, it can impose any conditions recommended by the Board to allow residential construction in commercial zoning.

Ms. Sloan said asked if annual inspections are still being done on transient rentals, as she noticed the annual inspection fee of \$40.00 has been struck out in Section 3.09.00.

Mr. Law said the fee schedule has been stricken out in three spots as this has all been revised in the City's new fee schedule. An initial inspection is done on every new transient rental and then an inspection is done annually for the revised fee of \$100.00.

Ms. West asked Mr. Wilson if there are proposed bills to repeal the House Bill that is part of the revision made to Section 5.01.02, which addresses conditions for tree removal, and if the City of St. Augustine Beach will be taking a position on this in this next legislative session.

Mr. Wilson said doesn't know if the City will have a lobbyist there to take a position on this, but if this is repealed or revised in the Florida Statutes it must be repealed or revised in City Code.

Ms. West recommended this be stricken out of the LDRs, as State law is always going to preempt local government law. To address the impacts of impervious surfaces that are going to come into play as a result of reducing the setbacks, one of the primary considerations that needs to be taken into account is the City's flooding risk. One of the beauties of this Board is that it has the power vested in it to create a subcommittee to further look into issues they are struggling with, so she recommends creating a committee because this is a really important issue to the members of the community. She'd like to form a committee to evaluate the proposed setback changes and meet with the public and have a workshop meeting and report back to this Board on what the findings are so they can make an informed decision with more public engagement.

Mr. Law said the City has several houses built to these setbacks, so it isn't a new concept. In the event of a true storm event that damages 50 percent or more of these structures under the substantial improvement protocols associated with this Code, they become nonconforming and would not be allowed to be rebuilt to their current footprints. The proposed setback revisions streamline all of that and eliminate the overlay district, thereby reducing government interference. This is a no-brainer and the right thing to do for people paying \$250,000.00 for a piece of property, by letting them build to 35 percent maximum lot coverage.

Motion: to recommend the proposed changes to Section 3.02.02.01 be approved. **Moved** by Mr. Kincaid, **seconded** by Mr. Mitherz, **passed 7-0** by unanimous voice-vote.

Ms. West asked the purpose of striking through the entire overlay district section of the LDRs. .

Mr. Law said the overlay districts give reduced setbacks to small platted lots if approved by this Board, so he recommends eliminating them and making the LDRs the stringent factor. This should help to reduce the number of variances and overlay applications, and the new setbacks for lots with a width of 50 feet or less will apply to the small platted lots in medium density residential.

Ms. West said as the City is its own municipality, there is nothing that prohibits the City from enacting more stringent requirements as a coastal community. Having property seaward of the Coastal Construction Control Line (CCCL) in a velocity zone might require some additional scrutiny that this Board has been historically tasked with. She feels she is extremely uninformed in regard to the strike-through recommended for Section 3.08.00, regarding the overlay districts.

Ms. Longstreet said if the State decides the County can change the height restrictions and the City has taken this out of the Code, then we've messed ourselves up.

Mr. Law said the height restriction for the City have not been removed from the Code. The City is bound by the regulations in Articles II and VI of the LDRs, what's been stricken from the Code

are the specific scenarios that only apply in the overlay districts. No building can violate the building height definition of 35 feet without a variance from this Board.

Motion: to recommend denial of the strike-through of Section 3.08.00 from the LDRs with reservations about deleting subsection 3.08.00.A.3, construction requirements, particularly pertaining to construction seaward of the coastal construction control line located in velocity zones. **Moved** by Ms. West, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

Motion: to recommend approval of the proposed revisions to Section 3.09.00 with the addition of more clarity and definition for a verifiable and valid complaint, to be provided by the City Attorney. **Moved** by Mr. Kincaid, **seconded** by Ms. West, **passed 7-0** by unanimous voice-vote.

Motion: to recommend no revisions be made to Section 5.01.02.D, due to the State's pre-exemption of House Bill 1159, which may be subject to change. **Moved** by Ms. West, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

Motion: to recommend the proposed revision to Section 5.01.03.B be approved. **Moved** by Mr. Kincaid, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

Motion: to recommend the proposed revision to Section 6.01.02.D be approved. **Moved** by Mr. Kincaid, **seconded** by Ms. Sloan, **passed 6-1** by voice-vote with Mr. Kincaid, Ms. Longstreet, Mr. Mitherz, Mr. Pranis, Ms. Sloan, and Mr. Holleran assenting, and Ms. West dissenting.

Motion: to recommend the proposed revisions to Section 6.01.03 be approved. **Moved** by Mr. Kincaid, **seconded** by Mr. Pranis, **passed 5-2** by voice vote with Mr. Mitherz, Mr. Pranis, Ms. Sloan, Mr. Holleran and Mr. Kincaid assenting, and Ms. Longstreet and Ms. West dissenting.

Sec. 3.02.02.01 - Mixed use districts

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D. Mixed use size limits. ~~The minimum lot area for mixed use is eight thousand five hundred (8,500) square feet unless approved by variance after application to the City of St. Augustine Beach Planning and Zoning Board. The minimum floor area for a mixed use structure is eight hundred (800) square feet or twenty-five (25) percent of the lot area (whichever is greater) for lots with street frontage of fifty (50) feet width or more. For fifty (50) feet or less, street frontage, the minimum floor area is twenty (20) percent of the lot area.~~

K. Signage. All signage, ground and wall signs shall be subject to the City of St. Augustine Beach Land Development Regulations Article VIII, approval from the planning and zoning board within the mixed use districts. ~~Ground signs shall have ground lighting illumination or back lit illumination; wall signs will be allowed to be back lit with the proposed intensity of the illumination being subject to approval by the planning and zoning board. No exposed neon shall be allowed. The use of metal supports is discouraged with wood or masonry products being encouraged.~~

Proposed revisions to Section 3.02.02.01 recommended by the PZB to be approved by the City Commission per unanimous 7-0 vote.

Sec. 3.08.00. ~~- Overlay districts~~ Reserved.

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A. ~~Beachside medium density overlay district: There is hereby created an overlay district within that portion of medium density land use districts located East of A1A Beach Boulevard and lying between 16th Street and those portions South of F Street and North of Ponce Landing.~~

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B. ~~Overlay for residential lots platted prior to the adoption of the Land Development Regulations: There is hereby created an overlay district encompassing residential lots platted before the date of this Code~~

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No recommendation by the PZB to the City Commission to approve or deny proposed strike-through of the entirety of Section 3.08.00 until staff provides more information on the implications of completely deleting this section of the LDRs per unanimous 7-0 vote.

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Sec. 3.09.00. - Transient lodging establishments within medium density land use districts

F. Inspections, noncompliance inspection fee. Complaint driven or inspector initiated inspections of properties subject to this ordinance shall be conducted by the city each year to ensure that such properties are in compliance with provisions of adopted codes. However, this provision shall not be interpreted as authorizing the city to conduct inspections of property without the consent of the owner or the occupant or without a warrant. In the event of 3 verifiable and valid complaints in a twelve month period the owner or owner's agent may be required to appear at the next available Code Enforcement Board where at such time a monetary fine may be issued at the board's discretion. In the event that an additional verifiable and valid complaint occurs within a 12 month period from the last complaint the City Manager may terminate the Business Tax Receipt as per section 3.09.00 (H).

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~~The City Manager or designee shall assess a fee of forty dollars (\$40.00) (included with the application fee) for the initial inspection and the follow up inspection if required. If the inspection reflects three (3) or more violations at the time of follow-up inspection, an additional fee of fifty dollars (\$50.00) shall be made for any required reinspection.~~

Proposed revisions to Section 3.09.00 recommended by the PZB to be approved by the City Commission with the addition of more clarity and definition for a verifiable and valid complaint, to be provided by the City Attorney, per unanimous 7-0 vote.

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Sec. 5.01.02. - Conditions for tree removal.

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D. Reserved Tree removal as per CS/HB 1159.

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Section 1. Section 163.045, Florida Statutes, is created to read:

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163.045 Tree pruning, trimming, or removal on residential property

(1) A local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property.

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(2) A local government may not require a property owner to replant a tree that was pruned, trimmed, or removed in accordance with this section.

(3) This section does not apply to the exercise of specifically delegated authority for mangrove protection pursuant to ss. 403.9321-403.9333.

(4) This section is to become null and void in the event Florida Statute Section 163.045 is no longer effective.

Proposed revisions to Section 5.01.02.D recommended by the PZB TO NOT BE MADE due to the State's pre-exemption of House Bill 1159, which may be subject to change, per 7-0 vote.

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Sec. 5.01.03. - Replacement and mitigation

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B. City Tree and Landscape Fund. A dedicated financial fund shall be created under the authority of this Code to receive payments described above when Protected Trees are not replaced after removal. The funds paid as a result of tree removal shall be distributed as follows: 75% to the Tree and Landscape Fund with the remaining 25% to the Building and Zoning Department. Expenditures of the Tree and Landscape Fund occur after recommendation from the Public Works Director and approval by the City Commissioners in advance of the expenditure for the following projects:

4. The construction and maintenance of structures and landscaping in city owned parks.

Proposed revision to Section 5.01.03 B recommended by the PZB to be approved by the City Commission per unanimous 7-0 vote.

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Sec. 6.01.02. - Impervious surface coverage.

D. Table of impervious surface ratios.

Land Use District	Maximum Impervious Surface Ratio ¹
Low density residential	0.40 <u>0.50</u>
Medium density residential	0.50
High density residential	0.70
Commercial	0.70

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Proposed revisions to Section 6.01.02 recommended by the PZB to be approved by the City Commission per 6-1 vote.

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Sec. 6.01.03. - Building setback requirements.

- A. Subject to paragraph B. and any other provisions of this section, no portion of any building may be located on any lot closer to any lot line or to the street right-of-way line than authorized in the table set forth in this section. This will apply to any subdivision that does not have setback modifications approved by the City Commission, , and by approval of respective Homeowner's Associations.

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Land Use	Front Yard	Side Yard	Rear Yard	Street Side
Single-family	25 ft.	10 ft.	25-20 ft.	45-12 ft.
<u>Single-family on 50 feet x 93 feet lots</u>	<u>20 ft.</u>	<u>7.5 ft.</u>	<u>20 ft.</u>	<u>12 ft.</u>
Multifamily (2 to 8 units)	25 ft.	10 ft.	20 ft.	15 ft.
Multifamily (8 units or more)	35 ft.	15 ft.	20 ft.	15 ft.
Commercial	20 ft.	10 ft.	20 ft.	15 ft.
Other uses (same as commercial)	20 ft.	10 ft.	20 ft.	15 ft.

Sec. 6.01.03. - Building setback requirements.

5) Any lot with a width of 50' or less shall have a 7.5 ft. side setback.

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Sec. 6.01 03 - Building setback requirements.

B. Minimum setbacks for non-structural components of a structure

2 Auxiliary structures:

- a This applies to features such as open air arbors, trellises and free standing tiki bars that do not exceed eight (8) feet in height to the bottom of the structural beam. These structures ~~can be placed within five (5) feet of the rear and side setbacks. Tiki Bars are not allowed in front yards. Open air arbors and trellises are allowed in the front setback not exceeding five (5) feet from the main structure setback area shall have a minimum setback of five (5) ft from the rear and side lot lines. Tiki bars are not allowed in front yards.~~
- b Screen rooms and patio covers are allowed to encroach a maximum of ten (10) feet into the rear yard setback providing the roof line for the enclosure does not exceed nine (9) feet in height to the bottom of the structural beam and the addition to new or existing construction does not exceed the allowed impervious surface coverage as specified in the City's Land Development Regulations. The screen room shall comply with the allowed side setbacks as established by these Land Development Regulations

4. Certain architectural features, such as roofs over exterior doors, bump outs, bay windows, etc. may project no more than (2.5) feet including overhangs into the required ~~(10) foot side, (15) foot street side and the (25) rear and front setbacks setbacks~~. These architectural features shall not exceed 25% of the wall that they are serving nor shall they be supported by the earth

Proposed revisions to Section 6.01.03 recommended by the PZB to be approved by the City Commission per 5-2 vote.

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Brian Law

From: mike@mstaufferarchitect.com
Sent: Monday, October 7, 2019 2:40 PM
To: Comm George; Comm England; Comm Samora; Comm Rumrell; Comm Kostka
Cc: Max Royle; Brian Law
Subject: City of SAB - Proposed Changes to the Land Development Regulations

Good afternoon –

On your agenda this evening is an item under old business for “Changes to the Land Development Regulations”. I am writing in support of the changes specifically the reductions in the setbacks on the 50' x 93' lots. I have been involved in this process since the Vision Plan was discussed going on 8-10 years ago. I have always advocated for the reduction in the setbacks.

As an architect I currently work in 8-9 different municipalities. It is normal to have varying lot sizes required in the zoning code and for the different lot sizes to have different setbacks and other controlling regulations. So it would not be unusual for the City of SAB to have two standards based on the lot size.

On the small lots, the 50' width with two 10' setbacks allows a buildable width of 30'. This is difficult to design a better entry for the homes when a standard garage is a minimum of 22' wide and typically 24' wide. This leaves only 6-8' in width to create a Foyer and to provide a stair up to the 2nd floor.

In addition the depth of 93' with the 25' front and rear setback leaves only 43' in depth. If the alley is abandoned then with the 100' depth the buildable area is 50' deep.

Using the numbers for a 50' wide x 100' deep lot, there is a buildable area inside of the setbacks of 1500 square feet (SF). With a typical garage between 500 and 600 SF or more this leaves between 900-1000 SF of buildable area on the first floor. In many cases owners do not want to have to climb up and down stairs so the available square footage limits the livable area on the first floor.

The reduced setbacks would help in this regard. With the setbacks reduced to 20' front/20' rear/7.5' sides the buildable area will be 35' wide and 60' deep. This leaves a buildable area of 2100 SF. However, the house is not able to use the full size of this area as the actual size of the house – interior space, garage, covered porches - is limited by the Lot Coverage element of the LDR's which has a 35% limit. So for the 50' x 100' lots with 5000 SF of area the maximum footprint will be limited to 1750 SF. This allows a buildable area on the first floor after the garage to increase by 250 SF or 1150-1250 SF space (interior and porches). The remaining area will not be able to be built on without a variance but allows flexibility to move the house around on the lot.

In addition to this increased first floor buildable area the 20' front setback allows house to be set further forward allowing deeper back yards if desired for outdoor living spaces and pools.

I ask that the Commission move forward with an Ordinance to change the LDR's and reduce the setbacks on the smaller lots.

Sincerely,

Mike Stauffer AIA

MICHAEL STAUFFER ARCHITECT

Florida: AR 13908

1093 A1A Beach Blvd #330

St Augustine Beach, FL 32080

904.471.2552

Virgin Islands: 786A

6501 Redhook Plaza Suite 201

St Thomas, VI 00802

340.775.3113

Cell: 904.540.6059

Max Royle

From: Sandra Krempasky <sandra.krempasky@gmail.com>
Sent: Monday, October 21, 2019 2:28 PM
To: Max Royle
Subject: Objection to the Proposed Setback Reductions

Mr. Royle:

As chair of the Sustainability and Environmental Planning Advisory Committee, I have been asked to forward to the commission our objections to the proposed setback reductions.

Our committee objects to the proposed reduction of setbacks on small lots due to the detrimental effects it would have on our environment including, but not limited to, the reduction of our urban tree canopy and an increase to the stormwater runoff.

We also recognize that the reduced setbacks modify the character of the established neighborhoods by increasing the mass and scale associated with larger houses being built on small lots and blocking views and sunlight from the older established residences.

This matter was reviewed over a four-year period with planning consultants, and the consensus was that the older setbacks worked best for our community...a community that expressed their concerns over the consequences brought about by the change in 2013.

A member of the Planning and Zoning Board suggested that a workshop should be held to clarify and communicate this crucial land development change before it's presented as an ordinance. Our committee recommends this as well. The committee would also suggest that an independent consultant review this proposed change along with the Building Official's recommendation and rationale.

Thank you.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 25, 2019

SUBJECT: Solid Waste: Continuation of Discussion re: The Non-Ad Valorem Assessment, Commercial Service, and Related Matters

INTRODUCTION

Attached from your review as pages 1-3 are the minutes of that part of your October 7th meeting, when you discussed the non-ad valorem assessment and proposed changes to commercial solid waste.

For the discussion at your November 4th meeting, the information is divided into two parts: First, a simple update as to where we are in the process of the non-ad valorem assessment. Second, requests from the Finance Director, Ms. Douylliez, concerning adjustments to what the City charges businesses and transient or vacation rentals for solid waste pickup service.

NON-AD VALOREM ASSESSMENT

The City administration will advertise a public hearing that will be held at your December 2nd meeting, when you will consider adopting a resolution to levy the non-ad valorem assessment. The hearing must be advertised four separate times in November. The first notice will be published on November 1st.

COMMERCIAL AND VACATION SOLID WASTE SERVICE

Ms. Douylliez in her attached memo (pages 4-5) provides information concerning what it costs the City to provide commercial waste pickup service. She also provides information concerning transient rentals for you to consider.

In summary, she proposes that:

- You treat transient rentals as residential and include them in the non-ad valorem assessment.
- You approve the City Manager's proposal to raise the commercial fee from what it currently is, \$1.76 per container, to \$2.90 per container, which is the amount that it actually costs the City to provide the service.

PLEASE NOTE: Section 10-13 (h) of the City's general code authorizes the City Manager to raise the per-can charge with notification to you. Subsection (h) reads:

"The city manager is hereby authorized, from time to time, to determine the cost to the city for the utilization of landfills owned by St. Johns County and to promulgate waste

disposal service charges for each equivalent container to be charged pursuant to subsection (b) hereof in accordance with such costs. Such charges shall become effective as of the beginning of the next ensuing fiscal quarter after a copy thereof has been furnished to the city commission, unless the city commission shall, by ordinance, provide some other fee or charge or direct that no charge be made.”

If you agree with the City Manager’s proposal, then the per-container increase will go into effect on January 1, 2020. The affected businesses will be notified in advance of the increase.

ACTION REQUESTED

It is whether you agree with Ms. Douylliez’s requests to:

1. Treat transient rentals as residential and include them in the non-ad valorem assessment.
2. Approve the City Manager's proposal to increase the per-can fee for businesses from \$1.76 to \$2.90.

Ms. Douylliez will explain her memo and her requests in more detail at your meeting.

As she notes at the conclusion of her memo, she will continue working on whether condominiums and apartments are meeting the City’s solid waste pickup regulations.

6. **Solid Waste:** Non-Ad Valorem Assessment and Proposed Changes to Commercial Solid Waste Regulations (Presenters: Max Royle, City Manager; Patricia Douylliez, Finance Director)

Mayor George introduced Item 6 and asked for a staff report.

City Manager Royle summarized his memo and what the Commission was voting on. He explained that the non-ad valorem assessment timetable. He commented that if the Commission wants to continue the process and advised the Commission that they could change their minds if they wanted to in the future. He explained that the resolution must be adopted by January 1st and then in March there would be other steps in order to move forward with the non-ad valorem assessment.

Mayor George asked if City Manager Royle needs a motion.

City Manager Royle advised that this is just an update; however, if any Commissioner has strong feelings not to do this, to please speak up so the process could stop.

Finance Director Douylliez advised that the Tax Collector needs to know by January 1st if the City wants to move forward. She commented that four ads must be in the newspaper to let the residents know of the non-ad valorem discussions with the Commission. She explained that the non-ad valorem assessments could be done in stages, if the Commission choses to do that. She remarked that the Tax Collector suggested doing the same as St. Johns County with a breakout of costs disposal, collection and recycling or to have a range of costs, so the hearings. She advised ads would not have to be done next time if there were ranges as long as the increases are in the same range. She explained that staff needs to know that the Commission wants to move forward.

Mayor George advised that if the Commissioners who wanted to move forward with this at the previous meeting want to change their mind, this would be the time to speak up. She advised that if the Commission is not sure, they could wait until the next election cycle and have it on the ballot as a referendum.

Vice Mayor England advised that we can move forward on this track and still consider a referendum.

City Manager Royle advised that the Commission can continue this track and levy the non-ad valorem assessment, have the referendum and if the voters agree to the referendum, the non-ad valorem assessment would be deleted. He advised that the election cycle won't be until August of 2020.

Commissioner Samora advised that the Commission needs to keep moving on this track because otherwise the non-ad valorem tax would not be received for the upcoming 2021 fiscal year. He said that the City has more flexibility with a non-ad valorem assessment than a referendum vote on restricting the money.

Mayor George advised that there are issues with doing a non-ad valorem assessment and a referendum together because residents would feel they are being charged twice.

Motion: to extend the meeting. **Moved by** Commissioner Samora, **Seconded by** Mayor George. Motion passed unanimously.

Finance Director Douylliez showed her presentation and explained that the City needs to move forward with the residential non-ad valorem assessment. She explained that there are

approximately 6.17% commercial customers that the City bills monthly and 93.83% residential customers. The trucks being used are the same for residential and commercial accounts. There are 140 transient rentals that are included in the commercial accounts. The per unit residential cost is \$460.00. She advised that the non-ad valorem assessment proposed for residential accounts are \$230.00, which keeps us on track with St. Johns County. She advised that these figures are a full-cost accounting.

Vice Mayor England asked if this was the current figures.

Finance Director Douylliez advised that this is based on 2018 because staff does not have the final figures for 2019 yet. She explained that commercial accounts break down into three categories, which are transient rentals, true businesses, and condos and apartments. Transient rentals are in the residential neighborhoods but need a business tax receipt to show that they are using the property as commercial. She advised that it would be more practical for the Public Works Department to service the transient rentals because if one is missed by a contractor, Public Works would have to clean it up. She recommended to charge the full costs for the transient rentals of \$460 as a non-ad valorem assessment.

Vice Mayor England asked why the transient rentals would not be charged the same as commercial accounts.

Finance Director Douylliez advised that currently they are only being charged a minimum of \$7.04 per month, which would be lower than what the City would be asking the residents to pay for the non-ad valorem assessment. The Public Works Department is picking up enough solid waste to fill a two-yard dumpster at some commercial units, so it is recommended that an outside vendor service those condos or businesses.

Vice Mayor England asked if the City can mandate a business to use a dumpster.

Finance Director Douylliez advised that it is in the City's Code of Ordinances that it can mandate to have dumpsters. She explained an enclosure would be needed as well.

Commissioner Samora asked how staff knows who to mandate dumpsters with.

Finance Director Douylliez advised that we manually know how much trash is being discarded, so we know that what commercial companies should have dumpsters. There is an option to stop servicing commercial if the City wants to allow our current vendor Advanced Disposal to hand pick up the garbage, so staff would not be counting bins, invoicing, and doing collections manually. She advised that staff could not stop picking up the transient rentals because they are intermingled in neighborhoods. She recommended that the transient rentals pay \$460 because it would be challenging to tell residents to pay when transient rentals are not paying full price. She explained that the City would be receiving ten percent of the revenues from the commercial accounts that are using other vendors.

Mayor George advised that transient rentals could be vacant for months and it may not be fair to charge them full price. Transient rentals could be using the service less than the neighbors because they are vacant. She wants to look at an equitable way for the costs.

Finance Director Douylliez advised that these are just suggestions and it would be up to the Commission to decide.

Vice Mayor England suggested that everyone pay \$230 instead of breaking it out depending on the type of commercial or residential properties.

Finance Director Douylliez explained that condos and apartments are not being treated the same. Some condo owners are taxed the \$74 a year and others are not. She advised that the code needs to be applied correctly and the usage needs to be checked for whether they need dumpsters in place. She explained that staff needs to work with the vendors and the associations to move forward with the changes.

Commissioner Rumrell asked how this would affect Advanced Disposal's contract.

Finance Director Douylliez advised that Advanced Disposal goes by the City's data base, so it would not affect them. She advised that the process to clean up what is commercial versus residential will be a lengthy process. Some condos are asking for bins that are not free to the City and the City pays the costs.

Commissioner Rumrell advised that an automated system seems prudent regardless of the changes.

Vice Mayor England asked if commercial accounts would have to move to a commercial vendor for garbage and recycling.

Finance Director Douylliez advised yes.

Commissioner Samora requested a profile of the commercial customers.

Mayor George asked if the cost analysis is not done by use, then how can it be calculated.

Vice Mayor England advised that staff should not be in the business of counting cans.

Discussion ensued regarding more than one transient rental unit being on one property and it was suggested that each unit should be charged the non-ad valorem assessment.

It was the consensus of the Commission to move forward with this topic next month.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: COMMERCIAL SOLID WASTE SERVICES
DATE: 10/25/2019

As previously discussed, Commercial Solid Waste Services is broken into three categories: Transient Rentals, Businesses, Condominiums/Apartments. Based upon our Solid Waste Disclosure Calculation FY18 Commercial Solid Waste Costs are as follows:

Collections	\$35,060.37
Disposal	\$20,209.46
<u>Recycle</u>	<u>\$ 1,558.83</u>
Total	\$56,828.66

The total number of container equivalents collected for FY18 is 19,626.

The cost per container equivalent for Commercial Solid Waste is \$2.90

Current rate the City is charging per container equivalent is \$1.76.

The difference is \$1.14 per container equivalent or \$22,373.64.

For Discussion

Transient Rentals

Transient rentals make up most of the commercial services that we must track and bill. Currently, when a person has a transient rental, a change must be made with the Tax Collector to remove the Non-Ad Valorem Assessment and begin billing them for the collection of their containers. There is a delay with this process as it can only be updated for the following tax year. This is also the case when a house is removed from transient rental status, we have a delay in adding back the Non-Ad Valorem Assessment to the tax bill. Since Transient Rentals are in our neighborhoods and collected as residential waste, with all the benefits of a residential home, there are two suggestions for the services:

1. Implement a Non-Ad Valorem Tax for the full amount of \$457.51
2. Treat the Transient Rentals as Residential and include them in the Non-Ad Valorem Assessment at the same rates, proposed \$230.

This change will reduce the amount of time Public Works must spend tracking the container equivalents, as well as staff time to enter the data, create invoices and collect payments.

Businesses

Based upon the analysis of our cost per container equivalent and our current rate being charged for collections, it is recommended that we increase the fee from \$1.76. The actual cost is \$2.90 per container equivalent, based upon FY18 Solid Waste Disclosure. It is suggested that we increase the fees to at least cover the costs the City is incurring. It is also recommended that this analysis be performed at least every two years to ensure the City continues to cover their costs.

Condominiums/Apartments

Work continues this segment of commercial services to ensure they are meeting City code.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 25, 2019

SUBJECT: Dockless Mobility Device Regulations: Additional Information re: Insurance

We asked our liability insurer, the Florida League of Cities, to review the insurance requirements in Section 19-70 of the proposed ordinance to regulate dockless mobility devices. Attached is the response from Mr. J. Matthew Kelly of the League. He recommends the insurance requirement be \$2 million per occurrence with no aggregate limit. He also provides suggested wording for Section 19-70. A copy of his response has been sent to the City Attorney.

Max Royle

From: Beverly Raddatz
Sent: Thursday, October 24, 2019 12:27 PM
To: Max Royle
Subject: FW: OUTSIDE ATTACHMENT:FW: Question
Attachments: DIVISION_6.___DOCKLESS_SHARED_MOTORIZED_SCOOTER_PILOT_PROGRAM.doc

Please see FMIT's lawyer's response to e-scooter's insurance below.

Beverly Raddatz, MMC
City Clerk
City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080
(904) 471-2122 FAX (904) 471-4108

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From: Tom Conley <TConley@flcities.com>
Sent: Thursday, October 24, 2019 12:23 PM
To: Beverly Raddatz <braddatz@cityofsab.org>
Subject: OUTSIDE ATTACHMENT:FW: Question

* * * * * This message originated from outside of your organization! DO NOT click any links or open any attachments unless you validate the sender and know the content is safe. Please forward this email to IT@cityofsab.org if you believe the email is suspicious. * * * * *

Below is the response from Matt.

Tom Conley
Account Executive
Florida League of Cities, Inc.
850.251.8722
www.flcities.com



#HOMERULE

From: Matthew Kelly <mkelly@flcities.com>
Sent: Thursday, October 24, 2019 7:40 AM
To: Tom Conley <TConley@flcities.com>
Subject: RE: Question

Tom:

It looks feasible to me. As far as the amount, there is no right amount and the higher the better but a 2 million dollar limit seems like it would likely be adequate. However, I think the per occurrence limit could be as high as 5 million and still be reasonable as some e-scooter accidents can be catastrophic. I think the city should ensure that this is a 2 million dollar occurrence limit with either no aggregate limit or a 5-10 million dollar aggregate limit. No aggregate would be preferred.

I made one change below for consideration to make it more clear that all attorney's fees would be covered through indemnification. I have attached the Tallahassee Pilot Program ordinance which the below language seems to mirror for reference.

As always, I would advise the city consult with its city attorney before implementing these policies.

Thanks,

J. Matthew Kelly
Assistant General Counsel
Florida League of Cities, Inc.
407.367.1783
www.flcities.com



#HOMERULE

From: Tom Conley
Sent: Wednesday, October 23, 2019 1:19 PM
To: Matthew Kelly <mkelly@flcities.com>
Subject: Fwd: Question

Hi Matt,
Can you please take a look at this and see if it looks ok?

Sent from my iPhone

Begin forwarded message:

From: Beverly Raddatz <braddatz@cityofsab.org>
Date: October 23, 2019 at 11:37:17 AM EDT
To: Tom Conley <TConley@flcities.com>
Subject: Question

Tom,

Thank you for coming out today. It made it a lot simpler for us all to discuss and be on the same page. The question is that our City is writing regulations for e-scooters and are making the businesses of e-scooters to insure, see below:

SEC. 19-70 Indemnification and insurance.

- (a) As a condition of the permit and license agreement the Operator agrees to indemnify, hold harmless and defend the City of St. Augustine Beach, Florida, its representatives, employees, and elected and appointed officials, from and against all liability, claims, damages, suits, losses, and expenses of any kind, including all reasonable attorney's fees and costs for any proceeding or appeal thereon, associated with or arising out of, or from the permit and license agreement, the use of ROW or city owned property for Program operations or arising from any negligent act, omission, or error of the Operator, owners or, managing agent, its agents or employees or from the failure of the Operator, its agents or employees, to comply with each and every requirement of the City or with any other federal, state, or local traffic law or any combination of same.
- (b) The Operator shall provide and maintain such public liability and property damage insurance to protect the City of St. Augustine Beach, Florida, its representative, employees, and elected and appointed officials, from all claims and damage to property or bodily injury, including death, which may arise from any aspect of the Program or its operation. Such insurance, shall be provided from an insurance company with an A.M. Best rating of not less than "A" and a financial strength rating of not less than "VII," acceptable to the city, and shall provide coverage of not less than two million dollars (\$2,000,000.00) for bodily injury, and property damage respectively per occurrence. Such insurance shall be without prejudice to coverage otherwise existing and shall name as additional insured the City of St. Augustine Beach, Florida, and city commission, its officers and employees, and shall further provide that the policy shall not terminate or be canceled prior to the termination of the permit and license agreement without thirty (30) days' written notice prior to the determination to the City and the City Manager at the address shown in the license.
- (c) In addition to the requirements of subsection (a) and (b), the Operator shall provide additional insurance and comply with any revised indemnification provision specified in the permit and license agreement.
- (d) The Operator shall provide proof of all required insurance prior to receiving a permit and upon each renewal thereafter.

I want to make sure that this is feasible and would be the normal amount so the City is covered.


Thanks,
Bev

Beverly Raddatz, MMC
City Clerk
City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080
(904) 471-2122 FAX (904) 471-4108

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MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 23, 2019

SUBJECT: Dockless Scooters, E-Bicycles, and Bicycles: Review of Proposed Ordinance to Regulate

INTRODUCTION

You discussed this topic at your October 7th meeting when you reviewed the draft of a proposed ordinance that Mr. Wilson had prepared. Representatives from two scooter rental companies, eWhipz (Mr. Michael Wauldron) and Bird (Mr. Steven Dennison), presented their suggestions for regulations. The outcome of your discussion was for Mr. Wilson to prepare another draft for your November meeting and to have more discussion from Chief Hardwick and the Public Works Director on the size of the sidewalks and what state law allows to be on them.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-5, the minutes of that part of your October 7th meeting when you discussed the rental of e-scooters.
- b. Pages 6-14, the proposed ordinance, 19-17, from Mr. Wilson to regulate the rental of e-scooters.
- c. Page 15, a summary of e-scooter rental rates in various cities.
- d. Page 16, an email from Mr. Rodney Cooper of the County Traffic and Transportation Department concerning the width of the bicycle lane on A1A Beach Boulevard.
- e. Page 17, an email from Anne and Larry Bishop, stating their opposition to the City adopting an e-scooter program.
- f. Pages 18-20, a recent article about e-scooters from Quality Cities, the Florida League of Cities' monthly magazine.
- g. Pages 21-22, information from eWhipz, a scooter rental company.
- h. Pages 23-41, information from Bird, a scooter rental company.

THE PROPOSED ORDINANCE

Its main provisions begin on page 8. Please note the following among the many major requirements in it:

- Anyone operating a dockless mobility program in the City must first obtain a permit from the City.
- Only four operators are permitted in the City.
- Permits will be effective for one year.
- Parking of dockless mobility units must not adversely affect streets, sidewalks, pedestrians, vehicles, disabled people.
- Electric bicycles cannot have a speed exceeding 20 mph and e-scooters a speed not exceeding 15 mph.
- Operation of dockless scooters is restricted to dedicated bike paths and the devices cannot be ridden on sidewalks.
- The City Manager can create parking zones or corrals where dockless mobility units may be parked and areas where they cannot be parked.
- Dockless scooters and bicycles cannot be rented to persons under the age of 16 without providing or requiring the use of a helmet.
- Operators of dockless mobility units are to encourage the use of helmets for persons over the age of 18.
- The minimum number of dockless mobility units is 25, the maximum 75, though operators may request up to a maximum of 100 units 30 days after the initial permit is granted.
- Operators are to provide instruction and training in the use of dockless mobility units.
- Insurance requirements are described under Section 19-70 (pages 12-13). We have asked the City's liability insurer to review these.
- There are no fees listed under Section 19-71 (page 13).

QUESTIONS

They are:

1. While Section 19-69 (c) (2) of the ordinance states dockless scooters cannot be ridden on sidewalks, it isn't clear whether this prohibition applies also to electric bicycles. We suggest that it should.
2. Should the ordinance be amended to state that the mobility units, whether electric scooters or bicycles, can be rented only to persons age 18 and above?
3. Does the Commission want public property to be used as corrals for mobility units? Public space along the Boulevard is limited unless the corrals are put on the plazas with parking spaces. Then spaces will have to be removed for the corrals.
4. Should the dockless mobility units be treated the same as the rental of chairs and umbrellas on the beach? A beachfront hotel gives the owner of the chair/umbrella concession permission to use the hotel as an address; the City Commission then approves a conditional use permit for the concessionaire to rent the chairs and umbrellas on the beach in front of the hotel. The same could be done for dockless mobility

units: the owner of the units gets permission from a hotel owner to rent the units to the hotel's guests; the Commission then approves a conditional use permit. The hotel owner then is responsible for providing a parking corral.

5. Finally, are the likely users in our City different than the likely users in non-resort cities, such as Gainesville, Tampa, etc.? We suggest that for those users, dockless mobility units serve a more utilitarian purpose, such as going from one point to a specific destination for a specific purpose, while the likely users in a resort city are persons who see the dockless mobility units as devices for fun and recreation, a diversion, i.e., simply to ride around and then to return them to the point of origin, which could be a hotel.

ACTION REQUESTED

It is that you discuss the ordinance with Mr. Wilson, then allow the public to comment, and then decide whether to pass the ordinance as submitted, or to change it in light of public comments and any ideas each of you may have concerning the regulation of dockless mobility units in the City.

One key determination needs to be made: the fees to charge the companies. The categories are listed on page 13, while on page 15 is a survey of the fees currently charged by companies that provide the units.

Also, you need to decide whether the City should charge a yearly franchise fee to each company, or an annual per-scooter fee. As noted on page 15, the annual per-scooter fee averages between \$100 and \$150, though Raleigh, North Carolina, charges \$300 per scooter.

4. E-Scooters: Continuation of Discussion of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 4 and asked City Attorney Wilson to give his report.

City Attorney Wilson advised that in accordance with the Commission's direction he checked several other cities ordinances to create this ordinance. He explained that due to the limited amount of staff, he has decreased some of the reporting issues. He explained the language of the ordinance and advised that the Commission can make changes as they see fit. He commented that it ensures all the liability issues, insurance requirements, and all the other items that other cities are looking at without the detailed reporting requirements.

Police Chief Hardwick expressed concerns that having 100 units per agency could bring the total of units up to 2,000, which would not be feasible in our City. He commented that other cities have started with a pilot program because all cities are unique, and they need to see how it works for their city. He asked to consider a pilot program for one year and then come back with the vendors and change what needs to be changed to work for our City. He remarked that there have been deaths on these e-scooters by allowing young kids to ride units. He suggested having language for dock and dock-less e-scooters.

Mayor George asked Mr. Wauldron to the podium.

Mr. Michael Wauldron, eWhipz, LLC, 1711 Dobbs Road, St. Augustine, FL, agreed with Police Chief Hardwick's comments regarding the City being unique, but is looking at all of St. Johns County as the big picture. He asked to work on language that would work for all of St. Johns County that is organized, puts safety first, thinks about visitors and citizens, and that won't crowd the sidewalks. He wants helmets, regulate hours according to the Police Chief, have only 18 years or older drivers, and daily inspections of the units. He requested that a percentage of the revenues be put back into the bike system, lanes, and other improvements by permitting.

Police Chief asked if the driver's license would have to be Florida only.

Mr. Wauldron advised U.S. driver's license identification would be necessary.

Police Chief asked about safety courses.

Mr. Wauldron advised that through BIRD, they will give safety courses for the units. He explained that on the app the driver would have to take a safety course when logging on to the app and the local safety rules. He advised that he would have instructors in the City giving best practices instruction. He explained that he would like the City's participation on safe practices locally.

Police Chief asked about abandoned units and whether the vendor or driver would have to pay a fine if they are not picked up.

Mr. Wauldron explained that the driver would have to pay every minute late or not brought back and any fees associated with not returning the unit.

Police Chief Hardwick advised that if the Police found a e-scooter that has not been picked up, the police would bring it to Public Works, and then the vendor would be notified, and they would have to pay the fee to the City and then the vendor would recover the fee on their own.

Commissioner Rumrell asked whether the driver of the unit would be liable if there would be an accident or damage to property or would the vendor's insurance be responsible.

Mr. Wauldron advised that it would depend on the accident and how it was reported. He would have to find out.

Police Chief Hardwick advised an accident would have the same rules and rights as a bicyclist. A driver of e-scooters can be charged with a DUI just like a bicyclist.

Mr. Steve Dennison, FROG, 217 Arricola Avenue, St. Augustine, FL, advised that the ordinance is a lot. He suggested writing the ordinance language and then the permit language separately, which then could have the fees with the rules. He agrees with Police Chief Hardwick on a pilot program and feels that the City should not have so many units to lease in this smaller City. He disagrees that he should come back to the City to change the fee structure and advised that the ordinance is very restrictive on the data sharing. He explained that he agrees with only allowing 18 years old or older lease the units. He explained that the rates were \$1 to unlock the unit and \$.15 per minute.

Police Chief Hardwick asked what the recommended speed would be.

Mr. Dennison advised that it would be 15 mph, but it could be lower than that. He advised that he does safety courses and would do so at city hall.

Police Chief Hardwick asked if FROG would reimburse the City and pay a fine for units that were left.

Mr. Dennison advised that his company would pick up the unit within two hours or it could be towed. He agreed with the insurance and indemnifying the City. He would recommend the times of operation to be 6 a.m. to 8 p.m. He explained that data he uses is MDS program and he could share the information with the City. He explained that MDS program is global.

City Attorney Wilson advised that he didn't think that the City needs to worry about sharing the data or regulating the fees.

Vice Mayor England advised that she would like it to be in the ordinance since the City would do a pilot program.

Commissioner Samora asked his opinion on the dock verses dock-less.

Mr. Dennison advised that currently Tampa is the only one that has have docked stations. He explained that the stations are big and take up a lot of infrastructure. The industry is adapting and would suggest parking corrals to identify the areas.

Commissioner Samora asked if FROG would do revenue sharing for maintenance on infrastructure or other essentials.

Mr. Dennison advised that it would be a permit renewal fee that is in the ordinance already.

Commissioner Rumrell advised that we are a family friendly City and if the family member is not 18 years old, they cannot participate. He agreed with having safety but asked the vendor his thoughts.

Mr. Dennison advised that a 16-year-old can drive a car but cannot drive a scooter, which seems a little unfair. He would not want a child to get hurt, so he would put safety first.

Rumrell asked what the limit should be.

Mr. Dennison advised that 2,000 units would not be feasible.

Police Chief asked how many units it would take to have the vendors make money.

Mr. Dennison advised that 250 units per vendor would make it feasible with just two vendors. He would like to increase the units once the pilot program shows success. He suggested two vendors with 75 scooters to begin with. He advised that private companies asked for them to be on their property; however, they would want to work with the City to identify the best areas to put the corrals on.

Mr. Wauldron advised that 75 units would be agreeable.

Mayor George asked why the City would not do a Request for Proposals instead of an ordinance if the City wanted to proceed. She asked if the Commission is proceeding in the right way with an ordinance. She commented that she would be nervous about a partnership and the liability concerns for the City.

City Attorney Wilson advised that he would not consider this a partnership. He explained that the vendors are saying that they will work with the City and go along with the rules the City sets. He advised that it is a regulation partnership, not a business partnership.

Mayor George asked about limiting the vendors for the pilot program.

City Attorney Wilson said that the Commission may want to limit the vendors or not because the size of the City. He explained that the market will determine how many units would come into use. He suggested to have two to four vendors with no more than 75 units each to see how it goes.

Mayor George asked Police Chief Hardwick how he feels it would be good for the City and how many streets may be affected.

Police Chief Hardwick advised that the pilot program is necessary, and we would not know until it has been done for a year. He explained that they will be on A1A Beach Boulevard and he could not suggest how it would go without a pilot program. The statutes say that e-scooters should not be on the sidewalks; however, on Pope Road and Mickler the units could be used.

City Manager Royle advised that he walks on the sidewalks and bike paths and he does not want a motorized vehicle coming behind him at 15 mph.

Discussion ensued regarding how many vendors and units should be allowed within the City.

Commissioner Rumrell suggested a franchise fee like trolleys and trains and look at the limits because this will be throughout St. Johns County and they will have other cities' scooters coming into our jurisdiction. There will be more competition with vendors. He explained that he doesn't want to be sued because the City only allows two vendors and suggested going with Police Chief Hardwick's of limiting the number of units within the City.

Mayor George suggested four vendors with a max of 75 units for the pilot program, which would be 300 units.

Commissioner Samora asked how many corrals there would be in the City.

Mr. Wauldron advised he would like five dock stations or corrals. He explained that he would have the same devices that the City of St. Augustine would be using. He suggested that a clearly defined program be done before territories can be crossed.

Mr. Dennison advised that there would be 10 – 20 corrals on City property.

Vice Mayor England asked why not both private and City properties.

Mr. Wauldron advised that he would suggest both.

City Manager Royle advised that there are not five City areas for corrals.

Mr. Wauldron advised that he could delineate the corral by using paint or shared shape with bike racks.

Commissioner Rumrell asked if the units are on City property would that be considered a partnership. He suggested a joint meeting with St. Johns County and the City of St. Augustine after the pilot program to share the data that will be provided by the vendors.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to table the item because the Commission has heard only unsworn testimony from two vendors; don't refer to the vendors by their first names because they are multi-national companies; wants a \$15 minimum wage; audit their books; and have a franchise stream.

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

Mayor George asked City Attorney Wilson to put safety first and are we exposed from someone leaving these units on the street.

City Attorney Wilson advised currently there is nothing to stop them from leaving a unit on the street and that is why the ordinance would be helpful to regulate what they are allowed to do. There is nothing to stop them.

Mayor George asked if a ban would be better until the regulations are done.

City Attorney Wilson advised that the Commission could do a moratorium like the City of St. Augustine has. He explained that if a vendor was not responsive to the City, then the City could ban them from the sidewalks.

Discussion ensued regarding what department would manage on this; having the Police Department or Public Works employees handle the picking up of the units; monies would be handled by Finance; franchise fee would be based on the revenues and would require an annual or monthly audits; franchise fees would not make the City liable; charging \$1 per day for each unit or \$.25 per ride; Finance Director researching what other cities charge; not allowing the units to operate on sidewalks; restrict units to bike paths and highways; having the City Attorney to update the ordinance; not having the City determine the price per unit; what the differences are for dock-less and dock stations and to see visuals of the stations; and where would be the geo-tech locations.

Mayor George asked City Attorney Wilson to create another draft for the Regular Commission meeting in November and to have more discussion from Police Chief Hardwick and Public

Works Director on the size of the sidewalks and what state law allows at the November meeting.

ORDINANCE NO. 19-17

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING CHAPTER 19, TRAFFIC OF THE CODE OF ORDINANCES OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, BY CREATING ARTICLE IV DOCKLESS MOBILITY PROGRAMS, TO PERMIT AND REGULATE DOCKLESS BICYCLE PROGRAMS, DOCKLESS SCOOTER PROGRAMS, AND DOCKLESS ELECTRIC BICYCLE PROGRAMS IN THE CITY OF FLORIDA, ESTABLISHING FEES AND PENALTIES, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, Dockless or station-less mobility programs are emerging transportation options that provide city residents and visitors with transportation options of bicycle sharing services within the City.

WHEREAS, the measures set forth in this ordinance are intended to regulate dockless mobility programs through the City;

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

SECTION 1. That Chapter 19, Article IV, of the Code of Ordinances of the City of St. Augustine Beach, Florida, is hereby created to provide as follows:

ARTICLE IV-DOCKLESS MOBILITY PROGRAMS

SEC. 19-65 Purpose.

(a) The purpose of this division is to:

(1) Permit and regulate Dockless Mobility Programs in the City of St. Augustine Beach, Florida

SEC. 19-66 Applicability.

The provisions of this division shall apply to Dockless Mobility Programs. For the purpose of this division, the applicant, managing agent or operator, and owner shall be jointly and severally liable for complying with the provisions of this division, the permit, and the permit and license agreement.

SEC. 19-67 Definitions.

For the purpose of this division, the following words shall have the meanings indicated:

Bicycle Rack means a stationary fixture to which a bicycle can be securely attached to prevent theft.

Bike Corral means bicycle parking facilities that can accommodate a group of bicycles typically installed on-street in lieu of a single vehicle parking space.

City Manager means the City Manager of the City of St. Augustine Beach, Florida.

City-owned property means property owned, occupied, managed, maintained, or controlled by the city pursuant to deed, easement, lease, license, or dedication, and includes city park land and any other property owned by or under the control of the city. When city-owned property is identified for use for a bicycle-sharing facility, it shall be considered an ancillary ROW area subject to city right-of-way standards and regulations and under the jurisdiction of the city engineer.

Customer or *User* means the individual who rents or uses a Dockless Bicycle or Scooter provided by an Operator.

Dockless Bicycle Program means a program authorized by the city that provides bicycles for short-term rentals for point to point trips where, by design of the Operator, the bicycles are intended to remain in the public way, even when not being rented by a customer. Dockless Bicycles and Dockless Electric Bicycles utilized by an Operator may have the capability of being locked to a bicycle rack or be free-standing when not in use.

Dockless Mobility Program means a Dockless Bicycle Program, Dockless Scooter Program or Dockless Electric Bicycle Program.

Dockless Scooter Program means a program authorized by the city that provides scooters for short-term rentals for point to point trips where, by design of the Operator, the scooters are intended to remain in the public way, even when not being rented by a customer.

Dockless Electric Bicycle, also known as electric-assist or e-bike, means a bicycle equipped with a battery and an electric motor that is activated by pedaling and deactivates when not in use.

Dockless Mobility Unit or *Unit* means any and all of the following: Dockless Electric Bicycles, Dockless Bicycles, and Dockless Scooters.

Dockless Scooter means a vehicle consisting of a footboard mounted to two wheels, steered using a long handle, does not include a seat, is equipped with a battery, and propelled by an electric motor.

Geofencing means the use of GPS or RFID technology to create a virtual geographic boundary, enabling software to trigger a response when a mobile device enters or leaves a particular area.

Operator means any entity that owns, operates, redistributes, or rebalances bicycles or scooters, and services a Dockless Mobility Program.

Permit Application means the application required by the City in order to participate in the Dockless Mobility Units Program.

Rebalancing means the process by which bicycles are redistributed to ensure bicycle or scooter availability throughout a service area and to prevent excessive buildup of bicycles at locations throughout the city.

Right-of-way or ROW means the surface and space above and below an improved or unimproved public roadway, highway, boulevard, road, freeway, bridge, alley, court, street, bicycle lane, public sidewalk and terrace in which the city or other public entity has an interest in law or equity whether held in fee, easement, dedication, plat or other estate or interest including any other dedicated right-of-way for travel purposes.

Scooter Rack refers to a stationary fixture to which a scooter can be securely attached to prevent theft.

Service Area means the geographical area within the City of St. Augustine Beach, Florida, where the Dockless Mobility Program is intended to offer service for its users/customers as defined by the permit application.

SEC. 19-68 Dockless Mobility Unit Program Permitting.

- (a) Unlawful to operate without authorization: It shall be unlawful for an Operator to provide or operate a Dockless Mobility Program within the City without first obtaining a permit from the City.
- (b) No more than four (4) dockless mobility Operators will be permitted to operate within the City at any time.
- (c) Authorization: An Operator shall apply to participate by submitting to the City an application to provide a Dockless Mobility Program in the city limits.
- (d) A maximum number of four (4) permits will be issued to a dockless mobility Operator.
- (e) Program permits shall be subject to the approval of the City Manager or the City Manager's designee.
- (f) The issuance of permits will be prioritized based upon the submission of a complete permit application.

- (g) Permits will be effective for a period of one year. Operators shall be required to re-apply for a permit upon the conclusion of each one-year period.
- (h) Operators must, at a minimum, comply with the requirements of Section 19-69.

SEC. 19-69 Dockless Mobility Program Requirements.

(a) General Regulations Pertaining to Dockless Mobility Units:

- (1) All bicycles utilized in a Dockless Mobility Program shall conform with the standards set forth in Title 16, Code of Federal Regulations, Chapter II, Subchapter C, Part 1512-Requirements for Bicycles, the safety standards outlined in ISO 43.150-Cycles, subsection 4210, and Section 316.2065, Florida Statutes, as may be amended or revised.
- (2) All Dockless Mobility Units utilized shall comply with the lighting standards set forth in Section 316.2065(7), Florida Statutes, as may be amended or revised, which requires a reflective front white light visible from a distance of at least 500 feet and a reflective rear red light visible from a distance of at least 600 feet.
- (3) All Dockless Mobility Units utilized shall include easily accessible and identifiable language that clearly directs users to customer support mechanisms, including not limited to a customer service phone number, websites, and applications.
- (4) Dockless Electric Bicycles (e-bikes) utilized under this program shall meet the National Highway Traffic Safety Administrations (NHTSA) definition of low-speed electric bicycles; and shall be subject to the same requirements as ordinary bicycles and with Florida Statutes Chapter 316.003 which defines bicycles. This means, among other requirements, that electric bicycles shall have fully operable pedals, an electric motor of less than 750 watts, and a top motor-powered speed of less than 20 miles per hours when operated by a rider weighing 170 pounds.
- (5) Dockless Scooters must have a top motor-powered speed of less than 15 miles per hour.
- (6) All Dockless Mobility Units utilized shall include an easily accessible and legible unique identifier that is clearly displayed and visible to the user of the bicycle.
- (7) All Dockless Mobility units utilized shall be equipped with GPS, cell phone, or a comparable technology for the purpose of tracking.
- (8) All Dockless Mobility Units utilized must include a kickstand capable of keeping the Dockless Mobility Units upright when not in use.

(b) Parking and Right-of-Way

- (1) Use of public sidewalks for parking Dockless Mobility Units must not:
 - i. Adversely affect the streets or sidewalks
 - ii. Inhibit pedestrian movement
 - iii. Inhibit the ingress and egress of vehicles parked on- or off-street
 - iv. Create conditions which are a threat to public safety and security
 - v. Prevent a minimum four (4) foot pedestrian clear path.

- (2) Dockless Mobility Units shall be parked in a way that maintains unimpeded access to existing docked bikeshare stations.
 - (3) Dockless Mobility Units shall not be parked within the following areas: loading zone, handicap accessible parking zone or other facilities specifically designated for handicap accessibility, on-street parking spots, street furniture, curb ramps, business or residential entryways, driveways, travel lanes, bicycle lanes, parklets or within 15 feet of a fire hydrant.
 - (4) Dockless Mobility Units shall not be parked in a manner that in any way violates American with Disabilities Act (ADA) accessibility requirements.
 - (5) Dockless Mobility Units shall be parked upright at all times.
 - (6) The City Manager, at their discretion, may create geofenced areas where Dockless Mobility Units shall not be parked. An Operator must have the technology available to operate these requirements upon request.
 - (7) The City Manager, at their discretion, may create designated parking zones (i.e., bike corrals) in certain areas where Dockless Mobility Units shall be parked.
 - (8) Dockless Mobility Units parked in one location for more than four consecutive day without moving may be removed by the municipality at the expense of the Operator.
 - (9) Dockless Mobility Programs that utilize equipment capable of being locked directly to a bicycle rack shall not rely solely on publicly-placed bicycle racks for their operation.
- (c) Maintenance, Operations, and Fleet Size
- (1) Operators shall comply with Florida Statutes, Chapter 316, State Uniform Traffic Control.
 - (2) Dockless Scooters shall be restricted to a maximum speed of 15 miles per hour on dedicated bike paths and shall not be operated on sidewalks or sidewalk areas.
 - (3) Operators must comply with Florida Statutes Section 316.2065(15) which prohibits the rental of bicycles to persons under 16 years of age without also providing or requiring the use of a helmet. Operators must also apply these regulations to the rental of Dockless Scooters.
 - (4) Operators participating in the Program must rebalance Dockless Mobility units daily based on use within each service area as defined by the Permit Application.
 - (5) Dockless Mobility Units that are inoperable/damaged or do not comply with other subsections of this code must be removed within 2 hours upon receipt of the complaint between the hours of 7 AM and 7 PM, 7 days per week and within 12 hours upon receipt of the complaint on holidays. An inoperable or damaged Dockless Bicycle, Dockless Electric Bicycle, or Dockless Scooter is one that has non-functioning features (i.e., gear selectors, pedals, bell, lights, etc.) or is missing components (i.e., fenders, grips, chain guards, etc.) as applicable to that vehicle. An Operator whose Dockless Bicycle, Dockless Electric Bicycle, or Dockless Scooter is inoperable or damaged or that has non-functioning features and which is relocated or stored is subject to the fees set forth in Section 19-71 of this division.

- (6) The City Manager or the City Manager's designee, at their discretion and without notice, reserves the right to remove Dockless Mobility Units from the right-of-way if an emergency arises. In such instances, the City will attempt to notify the Operator as soon as reasonably practicable thereafter.
- (7) Operators must detail a plan to relocate the Dockless Mobility Units to a safe, indoor facility within 24 hours in the result of a declared tropical weather event (tropical storm or hurricane watch or warning, whichever comes first). The plan must detail the amount of time it will take to remove all Dockless Mobility Units from circulation once a storm watch or warning has been established.
- (8) The Operator's smartphone application and website must inform users of how to safely and legally ride a bicycle as defined by Florida Statute 316.2065, including the rights and duties of cyclists riding on sidewalks or in streets. For the purposes of this Division, these duties shall also apply to users of Dockless Scooters.
- (9) The Operator's mobile application must inform users of helmet laws and encourage the use of helmets for those over 16 years of age.
- (10) The Operator's phone application must clearly direct users to customer support mechanisms, including but not limited to phone numbers or websites.
- (11) The Operator must provide a staffed, toll-free Customer Service line which must provide support 24 hours per day, 365 days per year.
- (12) The Operator must provide a direct customer service or operations staff contact to Department Staff.
- (13) Operators initial fleet must be a minimum of 25 Dockless Mobility Units. Operators initial fleet may not exceed more than 75 Dockless Mobility Units. Operators may request an increase to their initial fleet of up to 100 Dockless Mobility Units 30 days after initial permitting. Each request shall include a rationale and analysis to justify the additional fleet size. Authorization of additionally units is at the sole discretion of the City manager.
- (14) Operators shall provide instruction and training in the use of Dockless Mobility Units to customers and shall require customers to sign an acknowledgement that they have received such training or waived such training. Operators shall also advise all customers, in writing, that the Dockless Mobility Units are not to be operated on sidewalks.
- (15) The City Manager, at his/her discretion, reserves the right to cap the total number of Dockless Mobility Units permitted to operate within City limits.
- (d) Equity
 - (1) Operators shall provide the pricing structure prior to start of service. Any changes in pricing structure shall be provided to the City in writing at least two weeks before the changes go into effect. Operators must receive approval in writing by the Director before enforcing modified pricing structures.
 - (2) Operators must provide detailed information on how users can utilize the service without a smartphone.
- (e) Data Sharing

- (1) All permitted Operators shall provide the City of St. Augustine Beach, Florida with the following data on a monthly basis in electronic format:
- Number of Dockless Mobility Units in circulation;
 - Number of daily, weekly, and monthly riders;
 - Total number of miles traveled by users (daily, monthly, quarterly, annually) broken down by Dockless Bicycle, Dockless Electric Bicycle, and/or Dockless Scooter;
 - Average time each Dockless Mobility Units spends available (not in use);
 - Number of riders per user per day;
 - Number of riders per Dockless Bicycle, Dockless Electric Bicycle, and/or Dockless Scooter per day;
 - Duration of rides per rider per day as well as rides per Dockless Bicycle, Dockless Electric Bicycle, and/or Dockless Scooter per day;
 - Average duration of rider per day of the week;
 - Monthly summary of Dockless Bicycle, Dockless Electric Bicycle, and/or Dockless Scooter distribution and GPS-based natural movement in heat map format;
 - Summary of fleet numbers lost to theft/vandalism;
 - Summary of customer comments/complaints, resolution to, and time it took to resolve each complaint; and
 - Summary of repairs per Dockless Bicycle, Dockless Electric Bicycle, and/or Dockless Scooter per month.

SEC. 19-70 Indemnification and insurance.

- (a) As a condition of the permit and license agreement the Operator agrees to indemnify, hold harmless and defend the City of St. Augustine Beach, Florida, its representatives, employees, and elected and appointed officials, from and against all liability, claims, damages, suits, losses, and expenses of any kind, including reasonable attorney's fees and costs for appeal, associated with or arising out of, or from the permit and license agreement, the use of ROW or city owned property for Program operations or arising from any negligent act, omission, or error of the Operator, owners or, managing agent, its agents or employees or from the failure of the Operator, its agents or employees, to comply with each and every requirement of the City or with any other federal, state, or local traffic law or any combination of same.
- (b) The Operator shall provide and maintain such public liability and property damage insurance to protect the City of St. Augustine Beach, Florida, its representative, employees, and elected and appointed officials, from all claims and damage to property or bodily injury, including death, which may arise from any aspect of the Program or its operation. Such insurance, shall be provided from an insurance company with an A.M. Best rating of not less than "A" and a financial strength rating of not less than "VII," acceptable to the city, and shall provide coverage of not less than two million dollars (\$2,000,000.00) for bodily injury, and property damage respectively per

occurrence. Such insurance shall be without prejudice to coverage otherwise existing and shall name as additional insured the City of St. Augustine Beach, Florida, and city commission, its officers and employees, and shall further provide that the policy shall not terminate or be canceled prior to the termination of the permit and license agreement without thirty (30) days' written notice prior to the determination to the City and the City Manager at the address shown in the license.

- (c) In addition to the requirements of subsection (a) and (b), the Operator shall provide additional insurance and comply with any revised indemnification provision specified in the permit and license agreement.
- (d) The Operator shall provide proof of all required insurance prior to receiving a permit and upon each renewal thereafter.

SEC. 19-71 Fees and Penalties.

- (a) The following fees shall apply to Operators:

- i. Initial Permit Filing Fee \$ _____
- ii. Annual Permit Renewal Fee \$ _____
- iii. Annual Fee \$ _____ per unit
- iv. Performance Bond \$ _____ per unit
\$ _____ maximum
- v. Bicycle Relocation Fee \$ _____
- vi. Bicycle Storage Fee \$ _____

- (b) An operator is subject, at the discretion of the City Manager, to a fleet size reduction or total permit revocation should the following occur:

- (i) If violations of the regulations set forth on this division are not addressed in a timely manner or;
- (ii) 15 unaddressed violations of the regulations set forth by this division within a 30 day period or;
- (iii) Submission of inaccurate data.

- (c) In the event of a permit revocation, the City manger shall provide written notice of the revocation via certified mail, informing the Operator of the permit revocation.

SEC. 19-72 Appeal from revocation.

- (a) Operators who have been subject to a permit revocation may appeal the revocation of such permit to the City Commission. Should an Operator seek an appeal from the revocation, the Operator shall furnish notice of such request for appeal to the city clerk no later than ten (10) business days, after the date of mailing, of the certified letter informing the Operator of the revocation of the permit.
- (b) Upon receipt of a request for appeal, the city clerk shall fix the date and time at which the city commission shall hear the appeal, such hearing to be held no more than sixty (60) days subsequent to the date upon which such request for appeal was filed with the city clerk. Upon setting the matter for hearing, the city clerk shall notify the Operator of the date and time of such hearing. At the conclusion of the hearing, the city

commission shall either sustain the decision of the city manager or direct the city manager to reinstate the permit.

SECTION 2. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby replaced.

SECTION 4. That this Ordinance shall be effective ten (10) days from adoption.

Attest: _____

Max Royle, City Manager

By: _____

Undine C. George, Mayor

First Reading: _____

Second Reading: _____

E-Scooter Rates and Fees

Company	Unlock	Per Hour	Other Fees Charged to Users	Fees Charged to Operator
Bird	\$1.00	\$0.15	In Raleigh, NC, \$2 Transportation Fee; \$25 if held for longer for 24 hours, \$500 + police report for replacement of scooter if lost or held longer than 48 hours; \$120 pickup fee if scooter left on private property or other unreachable area	Baltimore, MD, charged \$15,000 setup fee, then \$1 per scooter per day; Raleigh, NC, \$300 annual per scooter
Bolt	\$1.00	\$0.15		
Frog	\$1.00	\$0.15		
Gotcha	\$1.00	\$0.15		Raleigh, NC, \$300 annual per scooter
Lime	\$1.00	\$0.15	Lime Access for discounted rates (\$0.50 unlock, \$0.07/minute) with proof of registration in govt assistance program; \$120 pickup fee if scooter left on private property or other unreachable area + plus normal rates until recovered; \$25 if held for longer for 24 hours, \$600 for replacement of scooter if lost, damaged, or held longer than 48 hours	Baltimore charged \$15,000 setup fee, then \$1 per scooter per day; Raleigh, NC, \$300 annual per scooter
-15- Lyft	\$1.00	\$0.15	\$25 if held for longer for 12 hours, \$600 for replacement of scooter if lost	
Scoot	\$1.00	\$0.15		
Skip Scooters	\$1.00	\$0.15		
Spin	\$1.00	\$0.15	E-Bicycle rates: \$1 per 30 minutes, \$29 monthly unlimited rides	
Uber Jump	\$1.00	\$0.15		

NOTE: \$0.15 seems to be the most common rate, but this can vary from \$0.10 to \$0.35 depending on market and costs cities charge to companies

NOTE: Annual per scooter rates average \$100-\$150

Max Royle

From: Rodney Cooper <rcooper@sjcfl.us>
Sent: Friday, October 4, 2019 7:25 AM
To: Neal Shinkre; Max Royle
Cc: Duane Kent
Subject: RE: Bike Lane Width

Max,

On a curb and gutter roadway, a 4-foot minimum bicycle lane width measured from the lip of the gutter is required. This provides for at least a 5-foot wide to the face of the curb. However, the gutter section should not be considered at part of the rideable surface area, but this width provides useable clearance to the curb surface. I believe the shoulders on A1A Beach Blvd. meet this minimum standard. However, the County usually does not mark and sign these areas as bike lanes.

Thanks,

Rodney H. Cooper, P.E.
County Traffic Engineer

ST. JOHNS COUNTY
Traffic & Transportation Department
2750 Industry Center Road
St. Augustine, FL 32084

Office: (904) 209-0111

From: Neal Shinkre <nshinkre@sjcfl.us>
Sent: Wednesday, October 2, 2019 2:55 PM
To: Rodney Cooper <rcooper@sjcfl.us>
Cc: Duane Kent <rkent@sjcfl.us>
Subject: FW: Bike Lane Width

Can you provide to me this answer. Thx

From: Max Royle <mroyle@cityofsab.org>
Sent: Wednesday, October 2, 2019 12:16 PM
To: Neal Shinkre <nshinkre@sjcfl.us>
Subject: Bike Lane Width

Neal,
What's the regulation or required width for a bike lane. Do the shoulders of A1A Beach Blvd. meet the standard?
Max

CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you believe this message is fraudulent or malicious, please contact MIS for further assistance.

Max Royle

From: Anne Bishop <annebshp@gmail.com>
Sent: Sunday, October 13, 2019 2:08 PM
To: Max Royle
Subject: Opposing Scooter Rental in St. Augustine Beach,

Hello Mr. Royle,

This letter is in regards to adopting a scooter program in St. Augustine Beach. (It has also been sent to our commissioners.) As fulltime residents, we can unequivocally state that we oppose such an action. As residents, our quality of life as well as yours should be taken into consideration. We contend that scooters will not be used by our residential young families. They will continue their active life styles of biking and walking together. Scooters will also not be the transportation of choice by our retired residents. Instead a vote for scooter use will be for tourists who often have trouble negotiating Beach Boulevard on foot and in cars! Imagine scooter use at night along the beach roads! And please think of our wonderful St. Augustine Police Department. More congestion means more enforcement, as vendors just collect money and do not enforce.

In closing, we haven't enjoyed dodging scooters anywhere from Paris, France to Nashville, Tennessee so we can't imagine adding this melee to our peaceful beach town.

Anne and Larry Bishop



MICROMOBILITY

Scooters: The New Form Of City Transit

Addressing local concerns with local solutions

by Michele Cohen Marill

As a recent Coral Gables City Commission meeting broke for lunch, Jessica Keller and a few of her colleagues walked out onto the sidewalk. Normally, they would grab a to-go sandwich from a nearby store. There was little time for much else.

Instead, they stepped onto electric scooters parked nearby and quickly traversed the five blocks to a cluster of restaurants. It was the perfect example of why Coral Gables became the first city in Florida to allow a regulated scooter program, bringing in a new type of transportation known as micromobility.

"I usually prefer to walk," said Keller, the city's assistant public works director, who helped develop the program. "But if you're running late, you can hop on a scooter and get there more quickly."

Scooters have become a national phenomenon ever since they first appeared in Santa Monica, Calif., in 2017. They are trendy but functional, offering a swift and easy way to traverse short distances. They may seem like toys for adults, but they're actually tools of sustainability and mobility, said Dayana Diaz, senior strategic communications specialist for the City of Fort Lauderdale.

More than 85,000 electric scooters are in use in 100-plus cities around the country, including Fort Lauderdale, according to the National Association of City Transportation Officials.

As scooters sweep the nation, Florida cities are setting their own rules. Some have welcomed scooters as a way to make it easier for people to visit local businesses and shops without driving and parking. Others have banned them to avoid conflicts with pedestrians, bikes or cars.

Micromobility poses several issues, including safety, liability, location and quantity of the devices, and complaint resolution. In a recently published white paper, the National League of Cities advised cities to "get out in front of" the scooter trend by considering regulatory issues and how the devices fit in with docked and dockless bicycles, which are other forms of micromobility.

By taking a cautious approach and working with residents and scooter companies, electric scooters can be successfully integrated on streets or sidewalks, Keller said. "We want to provide as many transportation options as we can to residents and people who are traveling through our city," she said.

The Scoop on Scooters



THE GOOD:

- » About one-third of scooter riders are commuting or connecting to transit, which replaces car trips.¹
- » Seventy percent of people surveyed in 11 major U.S. cities had a positive view of scooters.²
- » Scooter rides peak from midday through the evening and during the weekend.¹
- » The average scooter ride costs \$3.50.¹
- » Cities receive fees from scooter companies. For example, Fort Lauderdale charges \$150 for a permit (then \$100 annually) and \$10 annually per scooter.³



THE BAD:

- » Fort Lauderdale Parking Service staff recorded observations of 1,082 scooters over a month in 2018. One-quarter were inappropriately parked.⁴
- » Residents complain when scooters are left lying on their side or blocking sidewalks and driveways, and when scooter riders are not riding safely.⁴
- » Cities need to oversee scooter companies to ensure compliance with regulations.



THE SAFETY:

- » Florida law requires scooter companies to secure their devices when the National Weather Service issues a tropical storm or hurricane warning.⁵
- » Most cities require scooter riders to be at least 16 (or in some cases 18) years of age, which means under Florida law, they are not required to wear helmets.⁵
- » One-third of scooter riders were injured on their first ride, according to a study in Austin, Texas. Almost half of all injuries involved the head, and one-third resulted in a fractured bone.⁶

PILOT PROJECTS START SLOWLY

Cities often begin by crafting an ordinance and launching program with a restricted number of e-scooters.

Coral Gables initially allowed scooters only on certain side state law prohibited them on roadways. But in May, the legislature approved a bill that gives cities more leeway to define new transit option, including use on roads. At press time, June governor signed the bill, which was effective immediately.

The Coral Gables pilot began in June 2018 with up to 75 scooters from a single vendor, Spin, and later added another 75 from the other company Bird. Users rent the scooters through a mobile app typically cost one dollar to start and 15 cents per minute. The scooters have GPS systems to detect where they are in the city.

"What was most important was that we were going to see where and when these devices could be placed," Keller said. In any case, Coral Gables prohibits scooters on the sidewalks of the pedestrian Miracle Mile, Giralda Plaza and Ponce de Leon near Miracle Mile. When the new law, Coral Gables will update requirements to allow scooters in bike lanes and on some city streets, Keller said.

Scooters are allowed to go up to 15 miles per hour in Coral Gables and the city ordinance restricts their use to people 16 years older. They must be stored in a designated right of way, often bike racks.

In the first nine months of the pilot program, each scooter company logged almost 20,000 trips, each averaging about a mile. Of 88 riders who responded to a weeklong survey on the apps, one-third said their scooter rental was replacing a car trip.

CITIES SET THE LIMITS

Tampa rolled out its yearlong pilot program in late May, aiming for a range of e-scooter companies that would give the city an opportunity to compare differences in technology and business practices. About 20 vendors applied to be part of the Tampa program, and the city selected four: Spin, JUMP, Bird and Lime.

That competition among scooter companies gives cities leverage as they set the parameters, said Jean Duncan, director of transportation and stormwater services. "If you have certain requirements [for their use], don't be afraid to ask," she said. "Someone will accommodate them."

The city painted "corrals" in the right of way for companies to position scooters at locations within designated areas in and near downtown. The city limits their speed to 8 miles per hour on sidewalks and 15 miles per hour on roadways and bike lanes. Users can park them upright wherever they end their trips as long as they don't obstruct sidewalks or park on private property.

Geofencing keeps riders from leaving scooters in unapproved parts of the city. The scooters will slow down and the apps will keep charging the rider until the scooter is back in an approved zone, as detected by a GPS signal.

The operating agreements also include clauses that indemnify the city against any accidents. After the yearlong pilot program, Tampa plans to revisit the operating agreements to decide if changes should be made. Meanwhile, Tampa is working on a master plan to link scooters and bike shares to other transit modes: bus, streetcar and ferry. Ideally, users would eventually use a single mobile app to access all their options, Duncan said.



Information About Cities and Scooters

- » *Micromobility in Cities, a History and Policy Overview* is available from the National League of Cities at bit.ly/2W4D951.
- » *Shared Micromobility in the U.S.: 2018* is available from the National Association of City Transportation Officials at bit.ly/2XzokL9.

To read more about what Florida cities are doing with scooters, see the following:

- » Coral Gables: Overview, parking rules and vendor contact information at coralgables.com/docklessmobility.
- » Tampa: Information on shared electric scooter pilot program at bit.ly/2wAphrg.
- » Fort Lauderdale: Information on dockless bike and scooter sharing at bit.ly/2ZbwJ8B.

"We're hoping there's a good portion of [e-scooter use] that is a mobility option for people and not just a novelty for people to buzz around for a little while," she said.

KEEP TABS ON SCOOTER DATA

In Fort Lauderdale, data powers the scooter program. The city launched scooters in November 2018 by issuing one-year permits to four companies, which was the first permanent arrangement in Florida. Scooter companies are required to provide ridership data, which the city uses in its monitoring.

In the first six months, there were half a million scooter rides in Fort Lauderdale. December was the peak month with 131,279 rides. "That sort of speaks for itself, especially in a city that doesn't have a big bike culture," said Robert Modys, mobility planner in Fort Lauderdale's Transportation Division.

The scooters have stickers with a customer service phone number for calls or texts. Residents who find scooters blocking sidewalks or driveways or otherwise creating a nuisance can contact the companies directly. But Fort Lauderdale's transportation employees also conduct spot-checks to make sure the scooter

permit requirements are being followed.

Companies must remove inoperable or damaged scooters within two hours of a complaint (7:00 a.m. to 7:00 p.m.) or within 12 hours on holidays. The city ordinance allows the city to impound scooters. If permit violations aren't addressed "in a timely manner," the scooter company can face revocation.

Fort Lauderdale prohibits scooters on certain sidewalks that become crowded with pedestrians, such as Las Olas Boulevard, Himmarshee Street and A1A along the barrier island. Scooters are banned during some special events, including spring break. Conversely, to ensure equity, the companies are required to provide scooters in all the areas for which they are permitted, and they must provide a way for people to use scooters without having a mobile app.

The strict rules have enabled Fort Lauderdale to enjoy the benefits of scooters with minimal disruptions, said Diaz. "We think we've done a good job of integrating this new model of transportation into our city, and we're excited for the future," she said.

Michele Cohen Marill is a freelance writer. **QC**

ENDNOTES

¹ *Shared Micromobility in the US: 2018*. National Association of City Transportation Officials. bit.ly/2XzokL9.

² *The Micro-Mobility Revolution: The Introduction and Adoption of Electric Scooters in the United States*. A Populus Research Report July 2018. bit.ly/2F1EdmW.

³ Dockless Bike and Scooter Sharing, City of Fort Lauderdale. bit.ly/2ZbwJ8B.

⁴ Dockless Mobility Update, February 5, 2019, City of Fort Lauderdale. bit.ly/31gixky.

⁵ CS/SB 542, Mobility Devices and Motorized Scooters, Florida Senate Bill Analysis and Fiscal Impact Statement. bit.ly/2KaPbuD.

⁶ *Dockless Electric Scooter-Related Injuries Study*, September-November 2018, City of Austin, Texas. bit.ly/2Huu0jj.

Dear E-Mobility Supporters and City Lawmakers,

Ewhipz, LLC. will support an ordinance that promotes a safety first, sustainable e-mobility solution.

Our network believes in an organized e-mobility solution that supports the citizens of this community, meets expectations of city officials, and creates synergies throughout all of St. Johns County.

We suggest this ordinance includes all of the following feedback & suggestions gathered from months of discussions with community members, City, Beach, & County officials, Park & Recreational group, and leaders from our great Police force.

We recommend:

- Helmets made available
- 12 MPH MAX Speed
- Hours of operations 6AM to 9PM (or recommendation from city/police)
- Bike Paths only - no sidewalks
- Required Private &/or Public Docking Stations w/ helmets, riding instructions, and a recharged fleet
- 18+ only & required drivers license verification through application
- % of permit revenue reinvested into improvement into our bike lanes
- Daily inspections & record keeping of all units

We ask for your support to only confirm an ordinance that brings a safe, sustainable transportation option to this community. Join us in supporting these suggestions for an organized, safe, and sustainable e-mobility network!



Join us on instagram @ E_WHIPZ



eWhipz LLC

(248)-755-6000

Mike@eWhipz.com

www.eWhipz.com

1711 Dobbs Rd. - Ste. A
St. Augustine, FL 32084

Projected Network



Ponce de Leon's
Fountain of Youth

St. Augustine

Anastasia
State Park

St. Augustine Alligator
Farm Zoological Park

Anastasia
State Park

(207)

(312)

1

St Augustine
South

Anastasia
Island

St Augustine
Beach

(A1A)

St Augustine
Shores

- 22 -

Google



A Look at e-Scooter Safety

Examining risks, reviewing responsibilities,
and prioritizing prevention

April 2019

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INTRODUCTION: REPORT FROM THE GLOBAL SAFETY ADVISORY BOARD

In 2009, I was appointed by President Barack Obama to lead the National Highway Traffic Safety Administration (NHTSA). During my four-year tenure as Administrator of NHTSA, I investigated Toyota's sudden acceleration problem, advocated for ignition interlocks to prevent drunk driving, led the doubling of fuel efficiency standards, and oversaw the introduction of policy principles for self-driving cars. To help guide Bird's safety policies and products in the new field of e-scooter sharing, I joined Bird's Global Safety Advisory Board as its chair in August 2018.

This time last year, e-scooter sharing was unproven and only available in a few cities. Cities were concerned about safely integrating e-scooters into existing transportation systems, so they conducted pilot tests to measure the viability of e-scooters. These cities wanted proof that e-scooters were safe, equitable, and compatible with existing transportation systems before permitting them in the public right-of-way. A variety of city pilot programs held e-scooters to a higher standard than other modes of travel—which is often the case with innovative technologies, regardless of the potential benefits they may bring.

More than a year and tens of millions of rides later, the viability and benefits of shared e-scooters are clear. Shared e-scooters represent a cleaner, more economical and convenient transportation option that is replacing short car trips.

In cities where Bird operates, a number of measurable benefits have emerged. For example, city officials in Portland, Oregon released a report that revealed one out of three e-scooter trips would have otherwise been made by private car or ride-hail services.

The report “did not find a disproportionate risk” of riding e-scooters versus using other modes of travel. The report also found that e-scooters are a new, affordable transportation option for people in underserved communities.

That might seem surprising given the outsized attention e-scooter injuries have garnered in the media. But this heightened attention understandably comes with the territory of being new and exciting, whereas the story of the numerous injuries and deaths caused by cars is all too familiar. This report adds context to the safety performance of e-scooters compared to other modes of travel, and outlines the steps Bird takes to ensure its fleet operates safely.

With sensible regulation and safe operational parameters, e-scooter sharing can live up to its demonstrated ability to provide a more equitable, sustainable, and convenient way to meet the urban travel demands of today.

David Strickland is the Chair of the Global Safety Advisory Board of Bird Rides, Inc.





EXECUTIVE SUMMARY

The rapid emergence of e-scooters as a new form of transportation in cities across the globe has resulted in impressive progress toward people opting to travel via e-scooter in their community, in many cases to connect to transit, rather than via car. This shift has had a number of positive benefits including reduced congestion in city centers and less CO₂ emissions being generated.

As shared e-scooters become a mainstay and reliable form of transportation in cities, it is important to explore and evaluate the safety of this transportation mode. Bird partnered with David Strickland (Chair of the Global Safety Advisory) to review Bird's internal data and information from a third party to produce an analysis of the safety of e-scooters.

Following are key findings and recommendations:



e-Scooters and bicycles have similar risks and vulnerabilities

Both Bird's internal data and independent research suggest an injury rate that is similar to bicycling. Reported injuries vary substantially between cities, and there is an association between cities with higher scores on bicycling safety as scored by People For Bikes, and fewer injuries being reported to Bird.



Replacing car trips can help increase safety for all road users

Sadly, cars killed more than 6,000 pedestrians in the U.S. in 2018 alone. Even more troubling is the trend that pedestrian fatalities rose by 27% from 2007 to 2016, while other types of traffic deaths dropped by 14%.¹ Data across cities indicate that e-scooters are replacing a significant portion of car trips—on average, 30% of Bird rides are trips that would have otherwise been taken by car. Solutions that replace car trips with safer modes of travel have the potential to contribute to a safer environment. Options like Bird that help connect riders to transit can help displace long car trips as well.



Operators and cities alike must act to improve safety

Bird and other operators have a responsibility to safety that must be fulfilled. Cities can improve safety for e-scooter riders by maintaining smoother streets, managing car and truck speeds, reducing car trips, and achieving safety in numbers. Above all, cities must design for safety. Bird's rider surveys uncover a strong demand for protected bike lanes and better maintained streets. Experience from several cities show that bike lanes and other Vision Zero-related infrastructure investments effectively reduce crash risk for all road users.²



FINDINGS

e-Scooters and Bicycles Have Similar Risks and Vulnerabilities



On average, Bird riders reported one incident resulting in any kind of injury for every 27,000 miles ridden (or in less than 0.01% of trips).³

Calculated on either a per trip or per miles traveled basis, riding a Bird is as safe as, or safer than, bicycling.

In 2015, there were 467,000 reported injuries associated with bicycling.⁴ In 2014, 902 cyclists died and 35,206 cyclists were seriously injured (requiring hospitalization).⁵ The all-age severe injury rate for cycling across the United States according to Buehler and Pucher (2017) is 3.3 hospital admissions per million miles cycled.⁶ Using the methodology in that paper, the national emergency department rate for bicycles is 58.9 emergency department visits per million miles cycled, or one emergency department visit per 16,885 miles cycled.

Bird collects and analyzes reports from its riders on injuries they sustain while riding a Bird. Bird provides a number of ways for riders to report incidents including by email (Hello@bird.co), through an in-app messaging feature, and by phone.

Bird's reported injury rate is 37.2 injuries per million miles, or one per 26,881 miles ridden. This is a different measure from the national bicycling emergency department rate referenced above, because it captures all degrees of injuries reported to Bird—even if they did not result in an emergency department visit, and omits those emergency department visits not reported to Bird.

³ Bird's non-financial claim disclaimer: The injury rate was calculated by Bird and does not take into account, please do not use, Bird's private, confidential, or otherwise proprietary information, data, or other information.

⁴ Bicycling injuries, <https://www.bicycling.com/news/2016/06/12/2015-bicycling-injuries/>

⁵ Pucher, Buehler, "Safer Cycling Through Improved Infrastructure," <https://www.bicycling.com/news/2016/06/12/2015-bicycling-injuries/>

⁶ Pucher, Buehler, "Safer Cycling Through Improved Infrastructure," <https://www.bicycling.com/news/2016/06/12/2015-bicycling-injuries/>








Bike-Friendly Cities = Fewer e-Scooter Injuries



Reported injury rates can vary quite substantially across cities (See Figure 1), a fact that is also true for bicycling injury rates. Indeed, as shown in Figure 1, this early evidence is suggestive of an association between cities with higher scores on bicycling safety as scored by the advocacy group, People For Bikes, and fewer injuries being reported to Bird.⁷

Figure 1 – Fewer e-Scooter Injuries in Bike-Friendly Cities

	TOTAL BIRD REPORTED INJURIES PER MILLION RIDES	"PEOPLE FOR BIKES" SAFETY SCORE
 San Diego	32.4	3.0
 Austin	32.8	3.0
 Phoenix Area	37.3	1.5
 Dallas	38.7	1.5
 San Antonio	51.2	1.0

Source: Bird internal data, People For Bikes, 2018-2019.

A number of recently released and ongoing independent and collaborative studies are augmenting the understanding of injury risk associated with shared e-scooters. Consistent with Bird's internal data, these independent studies also point to parity with bicycling when it comes to measures of safety.



Portland, Oregon. In a recently completed study by the Portland Bureau of Transportation (PBOT), which examined e-scooter-related emergency department visits from urgent care centers and hospitals, as well as bike-related visits from those same facilities, a total of 176 e-scooter visits were counted in comparison to 429 bike visits.

“

We did not find a disproportionate risk that would discourage the city from allowing a scooter ride-share pilot.
Multnomah County Environmental Health Director, Jae Douglas, Ph.D.

”

Kansas City, Missouri. Similarly, Kansas City reviewed 100,000 EMS records between July and October 2018 and found only 19 calls related to e-scooter injuries, a period during which hundreds of thousands of e-scooter trips were completed.

By The Numbers

KANSAS CITY, MISSOURI

Four months of EMS records show less than five e-scooter injuries per month

A manual review of nearly 100,000 EMS records logged between July 2018 through October 2018 shows only 19 accidents involving electric scooters, according to the Kansas City Fire Department.



96,850

19

0

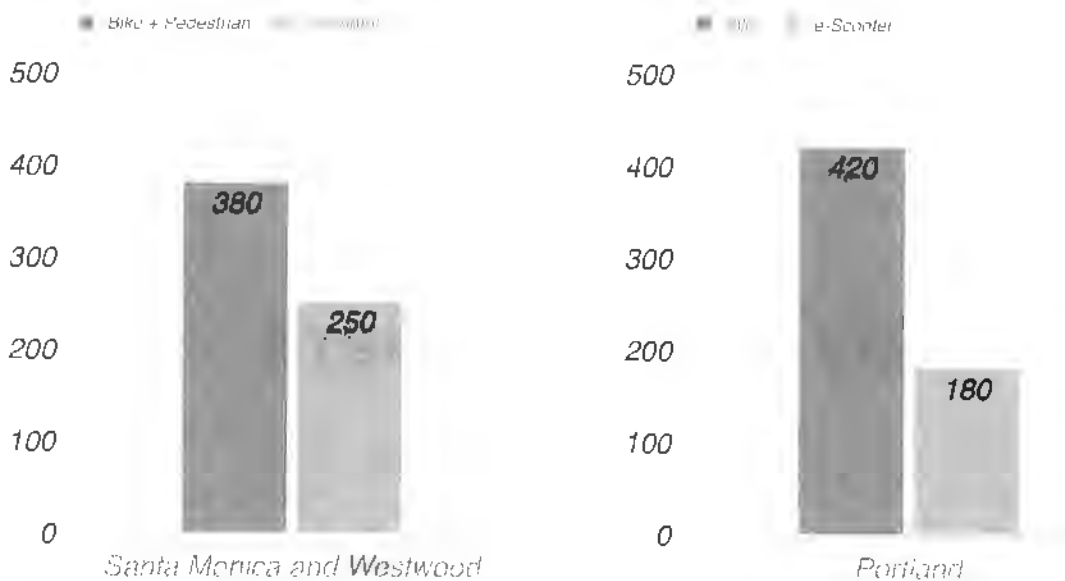
LIFE-THREATENING CALLS



Santa Monica and Westwood, California. A study of 249 reported e-scooter visits at two medical centers in Santa Monica and Westwood published in the JAMA Network Open journal, also identified 376 visits for bicyclist and pedestrian injuries during the same time period at the two emergency departments under study. (See Figure 2)

To put these figures in context, Bird alone completed hundreds of thousands of e-scooter trips in Portland, and millions of miles of trips in Santa Monica and Westwood, during the time period covered by those two reports. Assuming that other e-scooter operators and private operators in Santa Monica and Westwood completed approximately as many trips as Bird, the total number of trip miles would suggest an emergency department visit rate and overall hospitalization rate similar to that of bicycling.⁸

Figure 2 - Bicycle, Pedestrian and e-Scooter Emergency Department Visits (Third Party Data)⁹



Unfortunately, the data currently available to everyone is incomplete—the description of those bicyclists injuries is cursory, and there is no benchmark to the total miles travelled or the severity of the injuries. Nonetheless, it seems that the studies taken together suggest that e-scooter safety is comparable to cycling safety, and that safety can be improved by improving safe bicycling infrastructure in cities.

Cities can help create a more hospitable environment for e-scooter riders and bicyclists by partnering with transportation operators and community organizations to better educate all road users about safety. This includes educating automobile drivers about their obligation to share the road with vulnerable road users as well as educating bicyclists and e-scooter riders about their responsibilities and the benefits of wearing helmets. For example, in Santa Monica, Bird partnered with the city on a public service campaign which included: exterior ads on buses, and light rail trains reminding motorists to check their blind spots, and encouraging e-scooter riders to wear helmets.

⁸ The numbers are based on a study by the JAMA Network Open journal, which reported that e-scooter safety is comparable to cycling safety. The study found that e-scooter safety is comparable to cycling safety, and that safety can be improved by improving safe bicycling infrastructure in cities. The study also found that e-scooter safety is comparable to cycling safety, and that safety can be improved by improving safe bicycling infrastructure in cities.

⁹ JAMA Network Open. 2019;2(11):e193821. doi:10.1001/jamaetworkopen.2019.3821



Bird's Responsibility to Safety

By prioritizing safe infrastructure design and traffic enforcement, cities have the most power to reduce injury and fatality rates for all road users. As cities reorient their own transportation policies around Vision Zero principles to better control motor vehicle speeds and safeguard vulnerable road users to better prioritize safety, Bird is focusing on ways it can help contribute to achieving the Vision Zero goal of zero fatalities and serious injuries.

Bird's industry-leading safety policies and practices include:

- Ceasing operations after midnight, when risk to all road users increases. To our knowledge, Bird is the only e-scooter operator to implement this practice across all of its markets.¹⁰
- Implementing a proof-of-age requirement to deter underage riding.
- Instituting responsible speed limits in consultation with city officials.
- Enabling direct reporting of irresponsible parking behavior through the in-app Community Mode feature.

Operating Parameters

At its inception, Bird made an early operating decision to cease operations overnight, in recognition of the traffic safety literature that finds a disproportionately high crash risk in the late night and early morning hours.¹¹ Indeed, with three of the four known shared e-scooter fatalities in the U.S. having taken place between 1 a.m. and 5 a.m., this was a prescient decision.¹²

Another example of Bird's safe and responsible operating policies is its restriction on underage riding, informed by the strong body of research indicating that children are more likely to be involved in crashes. In a 2017 study by Siman-Tov et al.,¹³ the authors document a total of 795 e-bike and e-scooter injuries—51% of injured motorized scooter riders were age 14 or younger.



¹⁰ Weinberg, C., "Scooters Grapple With Safety After Dark," *The Information*, January 29, 2019, available at <https://www.theinformation.com/articles/scooters-grapple-with-safety-after-dark>.

¹¹ Folkard, S. 1991. "Black times," *biomedical determinants of transport safety*, *Accident Analysis & Prevention*, 23 (4), pp. 411–430.

¹² As of March 1, 2019, Tsloperas, T., "Dallas man, 24, dies a day after apparent electric scooter accident," *Dallas News*, September 3, 2018, available at <https://www.dallasnews.com/news/2018/09/03/dallas-man-24-dies-a-day-after-apparent-electric-scooter-accident/>.

¹³ Lazo, L., and P. Herrmann. "Scooter rider fatally struck by SUV in Dupont Circle, officials say," *Washington Post*, September 21, 2018, available at <https://www.washingtonpost.com/local/scooter-rider-fatally-struck-by-suv-in-dupont-circle-officials-say/2018/09/21/>.

¹⁴ Bird electric scooter rules should have prevented death in Chula Vista," *San Diego Union Tribune*, December 26, 2018, available at <https://www.sandiegouniontribune.com/2018/12/26/bird-electric-scooter-rules-should-have-prevented-death-in-chula-vista/>.

¹⁵ Hollay, P., "Amid a wave of injuries, Irish exchange student is latest person killed in e-scooter accident," *Washington Post*, February 5, 2019, available at <https://www.washingtonpost.com/local/irish-exchange-student-is-latest-person-killed-in-e-scooter-accident/2019/02/05/>.

¹⁶ Siman-Tov, M., Radomislensky, I., Israel Trauma Group, Peleg, K., "The casualties from electric bike and motorized scooter road accidents," *Traffic Inj Prev* 2017 Apr; 18(3): 318–323. Epub 2015 Nov 11.



Vehicles

Bird dedicates significant energy and resources to the continual advancement and improvement of its fleet. As the most experienced e-scooter operator, Bird has evaluated the data from millions of rides taken on its fleet of vehicles to design new e-scooters to include features such as:

- Durable brakes that are designed for consistent braking.
- Reinforced hardware to prevent failure even during heavy use.
- Requiring kick-start before throttle can be engaged (to avoid unintentional or jerky acceleration).
- Non-slip standing surfaces and durable grips for secure riding.
- Clear and prominent labeling to reinforce responsible ridership rules (helmet recommended, no double riding, etc).
- Always-on front light (clear) and rear light (red) coupled with reflectors for extra visibility.
- Front and rear lights configured to remain illuminated for at least 90 seconds after the rider has stopped.
- Manual bells on newer models that can be used to alert other users on the road.
- Vehicles capable of being capped at specific speeds as necessary.

Bird Zero, the newest vehicle in the Bird fleet, is purpose designed and engineered specifically for long-lasting daily shared use. It meets the demands of cities with varying climates and street terrains by providing riders with superior battery life for longer range, enhanced lighting for increased visibility, stability, and improved durability for a longer life-span.

Additionally, Bird's GPS technology allows it to monitor where Birds are located at all times, to create customized zones that regulate speed based on a Bird's physical location, and to send push notifications regarding relevant geo-specific regulations.

Mechanical brakes

enable riders to safely stop and slow down as needed

Integrated digital display

lets riders easily check their speed and the battery level of their Bird

The latest wireless and bluetooth technologies

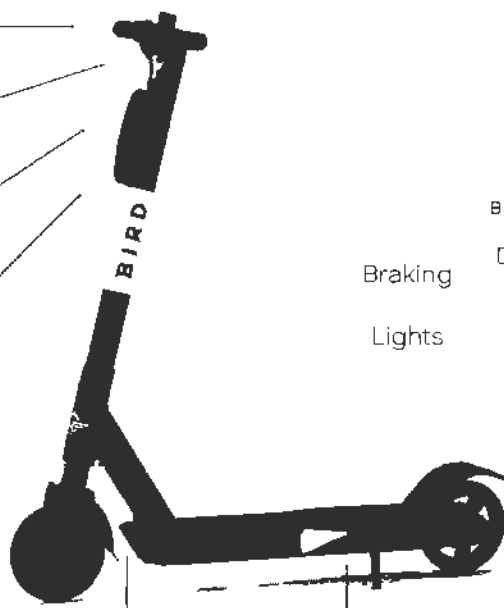
improves communication between a Bird and the app

Longer lasting battery

extends the range of a Bird

Solid tires

withstand a variety of ground surfaces



Low center of gravity
provides a smoother riding experience

Wide riding deck
allows for a more comfortable ride

BIRD ZERO SPECS

Braking Drum Brake + Regenerative Brake

Lights

Headlight + tail light

Large brake lights

Increase vehicle visibility to help keep riders safe



Five Safety Steps for Cities: Protecting the Most Vulnerable



Traditional traffic safety policy that focused on improving safety for drivers and passengers is rapidly being supplanted by Safe Systems,¹⁴ Sustainable Safety, and Vision Zero approaches that prioritize the safety of Vulnerable Road Users as a means of eliminating traffic deaths and serious injuries.¹⁵ Radjou and Kumar (2018) define Vulnerable Road Users (VRUs) as, “having small mass relative to other road users with little or no external protective devices that would absorb the energy of a collision. They include pedestrians, cyclists, and motorized two-wheelers.”¹⁶

More than 45 U.S. cities have officially adopted Vision Zero.¹⁷ Among leading U.S. transportation planners and engineers, 97.3% were recently found to be aware of Vision Zero, and most of these professionals now work in cities that have adopted some aspect of Vision Zero as best practice traffic safety policy.¹⁸

The centrality of VRUs in Vision Zero is in part due to their over-representation in traffic injuries and fatalities,¹⁹ but is also informed by the strong body of evidence that improving safety for VRUs is the most effective way of reducing injuries and fatalities for all road users.²⁰ After the adoption of VRU-focused Vision Zero policies in New York City and San Francisco, traffic casualties among VRUs and motorists alike were reduced 28% and 41% respectively,²¹ bucking the national trend of increasing traffic casualties.

More than just a general focus on VRUs, successful Vision Zero programs have several specific interventions in common.

¹⁴ Kim, L., Huchang, P., John, R. Vision zero's outlook for road safety in the modern era. *WIT Transactions on Ecology and the Environment*, 2017, 217, 1-12.

¹⁵ Constance, A., Logaridis, G. (2019) Protecting vulnerable road users from injury in U.S. New York, 2019-2020.

¹⁶ Vision Zero Network, Vision Zero 101: A Map.

¹⁷ Constance, A., Logaridis, G., Kelly, B. Awareness of Vision Zero among United States' road safety professionals. *Transportation Research Board*, 2018 Nov 5, 2018, 21, 1-12.

¹⁸ Constance, A., Logaridis, G. (2019) Protecting vulnerable road users from injury in U.S. New York, 2019-2020.

¹⁹ Constance, A., Logaridis, G. (2019) Protecting vulnerable road users from injury in U.S. New York, 2019-2020.

²⁰ Constance, A., Logaridis, G. (2019) Protecting vulnerable road users from injury in U.S. New York, 2019-2020.

²¹ Constance, A., Logaridis, G. (2019) Protecting vulnerable road users from injury in U.S. New York, 2019-2020.



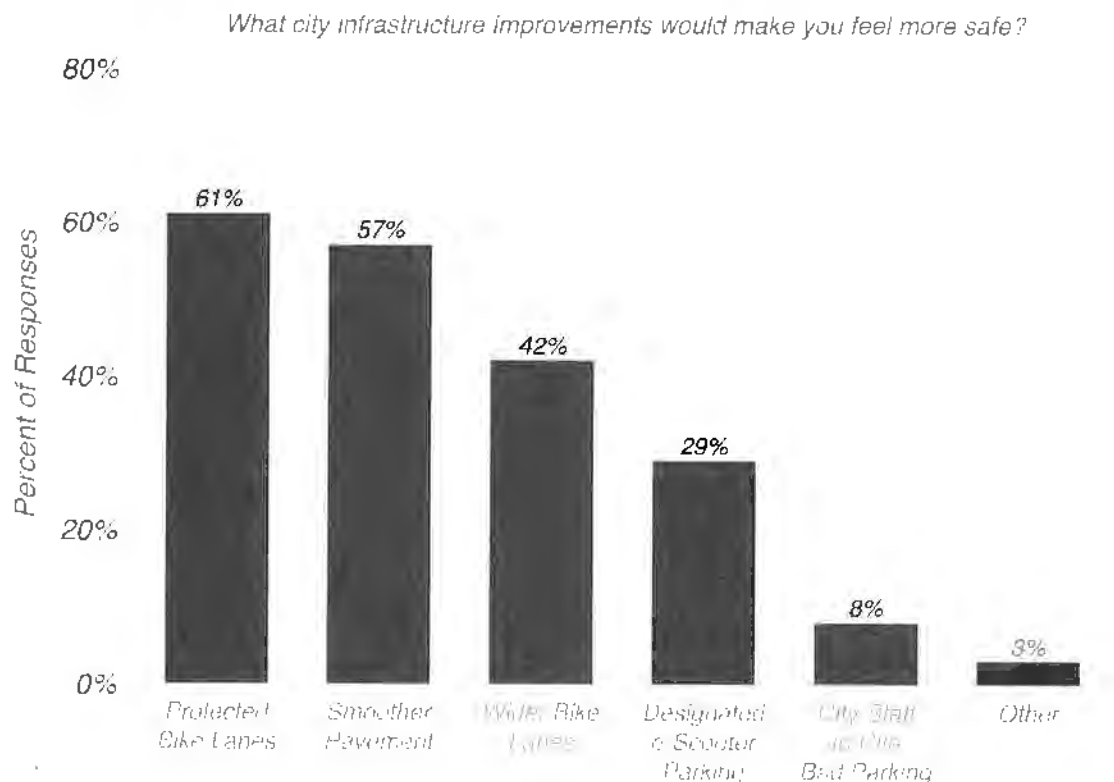
Based on the evidence supporting the efficacy of these common interventions, following are five city actions that hold the most promise for improving safety for e-scooter riders and other road users alike:

1. Design safer streets

The majority of fatalities and severe injuries sustained by VRUs are caused by motor vehicle impacts.²² A large body of independent research has demonstrated that for VRUs, protective road design and infrastructure are likely to be the most important factors in limiting serious injuries.²³ ‘Complete Street’ infrastructure that provides VRUs dedicated space and physical protection, such as protected bike lanes, have been proven to reduce traffic casualties by up to 90%.²⁴ In New York City, protected bike lanes and pedestrian refuge islands that were installed on major avenues in Manhattan reduced traffic injuries to all road users by 37 - 58%.²⁵

This evidence for real safety is consistent with riders’ perception of what will make them feel more safe. In Bird’s surveys, riders identified the following top four improvements in infrastructure that cities can make to improve their sense of safety: protected bike lanes (61%), smoother pavements (57%), wider bike lanes (42%), and designated e-scooter parking (29%) (See Figure 3). Similarly, in Portland’s recent study of e-scooter use during its four month pilot, individuals ranked bike lanes and low car speed streets as their most preferred road types, with sidewalks ranked last (p.6).

Figure 3 - Desired Infrastructure Improvements (Bird Rider Survey)²⁶



²² London System (1) (Google Scholar), Colipavan M, Friedman G, HAN A M, Whitham N, Rayner H, O'Connell M, Babal S, Teschke R. Severity of urban cycling injuries and the relationship with personal, local, and street characteristics: an analysis using four survey datasets. *BMC Injury Prevention*. 2018;5(1):1-10. doi:10.1186/s13047-018-0054-4

²³ Riddler, J, Buehler, R. Safer Cycling Through Improved Infrastructure. *Advances in Urban Planning*. 2016;46(1):201-209.

²⁴ Teschke, J, Harris M, Raynor H, O'Connell M, Babal S, Friedman G, Whitham N, Rayner H, O'Connell M, Babal S. The relationship between infrastructure and the severity of injuries to bicyclists: a Case-Control Study. *Preventive Medicine*. 2017;96:1-10. doi:10.1016/j.ypmed.2017.04.011

²⁵ NYC DOT. "Measuring the Street: New Metrics for 21st Century Streets" 2017

²⁶ Survey of 2,415 Bird Riders, January 2019



Encouraged by the evidence these types of design increase both real and perceived safety, several cities are working to reduce traffic injuries through the implementation of safe design. Following are some illustrative examples:



Santa Monica, CA. The city where Bird first launched, Santa Monica, has planned the construction of 19 miles of new green bike lanes to support the remarkable growth in e-scooter riding.²⁷ Providing spaces where e-scooter riders feel safe has helped to facilitate the explosive growth in ridership there and to prove that micromobility is a viable option for cities.



New York City. Between 2000 and 2017, New York reduced the rate of Bicyclists Killed or Severely Injured (KSI) per Ten Million Cycling Trips steadily from 83.7 to 21.7, a 74% reduction.²⁰ It is not the case that bikes got 400% safer in that time period, or that cars got any less dangerous. However, over this time period, the city did invest in expanding its bike lane network by 321% with an additional 800 miles of bike lanes.²¹ With the city's prioritization to improve safety infrastructure, New York City's streets have become much more friendly to all drivers, cyclists, and pedestrians.



Kansas City. Some organizations have begun to recognize that infrastructure protected from car traffic served more than just bikes, as micromobility continues to grow. In Kansas City, BikeWalkKC created a pop-up mobility lane they labeled for both bikes and e-scooters.³⁰



St. Louis. Bird is currently working with city and hospital safety researchers in several cities to identify streets where safe infrastructure investments would yield the greatest safety benefit. In St. Louis, for example, Bird is working within the newly created Scooter Safety Task Force to identify high-demand, high-crash corridors where protected bike lanes could reduce risk and increase ridership.



2. Maintain safe street conditions

Street conditions play a key role in crash prevention. While severe injuries and fatalities are more likely to involve motor vehicle collisions, minor cyclist injuries are more likely to be caused by “rider only” crashes that do not involve direct collisions with cars but rather are caused by the rider veering to avoid a motor vehicle, cyclist error, poor visibility or unsafe pavement conditions.³¹ Potholes, uneven surfaces and other pavement irregularities are a leading cause of bicycle crashes,³² and it is likely the same will prove true for e-scooters.

Already there is a strong perception among e-scooter riders that road conditions are an important safety factor: “smoother pavements” was second only to “protected bike lanes” as a safety measure desired by Bird riders. (See Figure 3, page 12)



3. Reduce car and truck speeds

Vehicular speeding is a leading cause of death and injury on urban streets. According to Injury Epidemiology, “Vision Zero: a toolkit for road safety in the modern era”:

Vulnerable road users, such as pedestrians or cyclists, should not be exposed to vehicles at speeds over 30 km/h (18.6 mph). If separation is not possible, then reduce the vehicle speed to 30 km/h.³³

Cities that have adopted 25 mph or lower speed limits and enforced with safe street design and automated enforcement have reduced vehicular speeding and pedestrian injuries. In New York City, speeding was reduced by 63% and pedestrian injuries by 23%.³⁴

³¹ Robert P. B. Fisher, “Accident Analysis,” *Accident Analysis and Prevention*, vol. 10, no. 1, pp. 1-10, 1976.

³² “Potholes,” *Wikipedia*, 2017, <https://en.wikipedia.org/wiki/Pothole>.

³³ “Vision Zero,” *World Health Organization*, 2017, pp. 1-10.

³⁴ “Vision Zero,” *World Health Organization*, 2017, pp. 1-10.

³⁵ “Vision Zero,” *World Health Organization*, 2017, pp. 1-10.

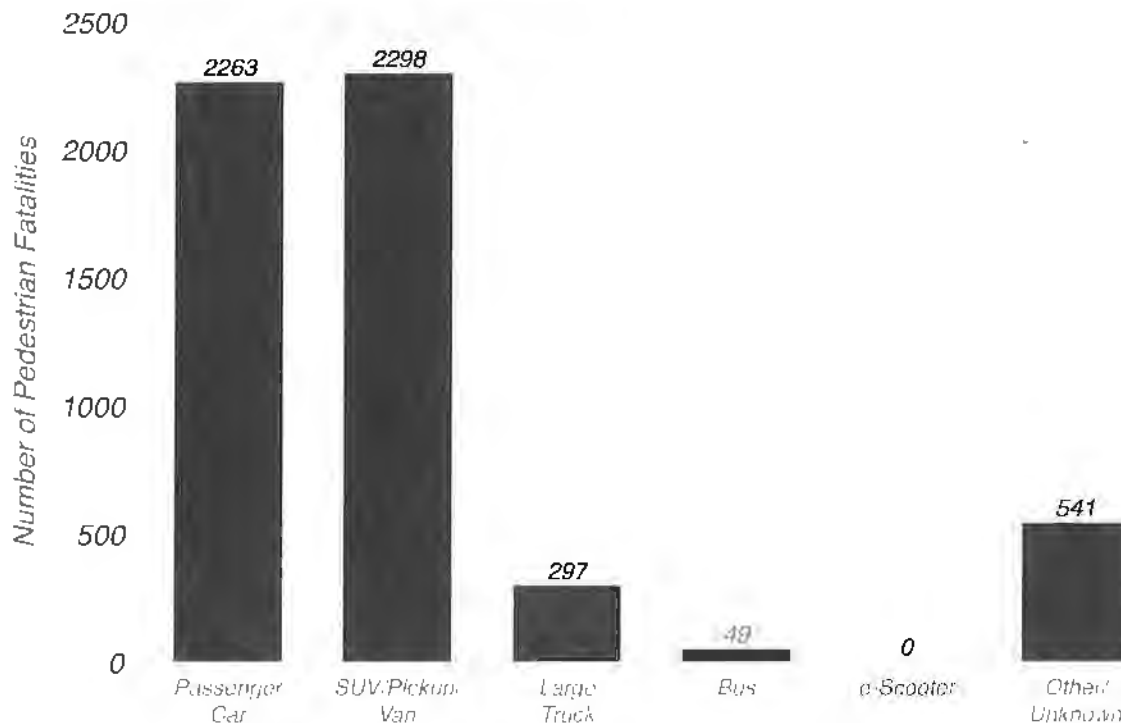


4. Reduce car trips

The biggest threat, by far, to pedestrians and other VRUs comes from cars and trucks (See Figure 4). In 2017, around 6,000 pedestrians were killed by cars in the U.S., or 2 people every 3 hours.³⁵ Additionally, another 100,000 more were sent to emergency departments.³⁶ The risk to pedestrians involved in car crashes of being killed is 150% greater than that to the vehicle occupants.³⁷

It is well established that fatalities and casualties to all road users thus rises or falls in relation to the number of car and truck vehicle miles traveled (VMT)³⁸, and that cities with fewer driving trips and more public transit trips have fewer traffic deaths.³⁹ Conversely, after tens of millions of shared e-scooter trips in the U.S., there have been no reports of e-scooters causing the death of pedestrians, bicyclists, or other vulnerable road users. In the studies conducted to date, even the rate of pedestrian injuries resulting from e-scooters was extremely low: After 700,000 trips in Portland, only 2 pedestrian injuries were reported. And after millions of trips in Westwood and Santa Monica, the JAMA Network Open study documented only 11 cases of non-riders being hit by scooters, none of which resulted in serious injury.

Figure 4 - Number of Pedestrian Fatalities by Mode (NHTSA Data)⁴⁰



³⁵ NHTSA, "2017 Total Motor Vehicle Crashes Overview," October 2018, available at: [https://www.nhtsa.gov/press-releases/2017-total-motor-vehicle-crashes-overview](#).

³⁶ CDC, "Pedestrian Safety," available at: [https://www.cdc.gov/pedestrian-safety/](#).

³⁷ CDC, "Pedestrian Safety," available at: [https://www.cdc.gov/pedestrian-safety/](#).

³⁸ 2/Anaganti et al. (2017). Automobile-dependency as a public health problem: Evidence from the states in the USA. *Accident Analysis and Prevention* 107: 17-25.

³⁹ Dwyer H. (2018). "Public Transit Is Key Strategy in Reducing Vehicle-Related Fatalities." *Transportation* 37: 1-10.

⁴⁰ Based on single-vehicle crashes data from 2016 from NHTSA. [https://www.nhtsa.gov/press-releases/2016-single-vehicle-crashes](#). [https://www.nhtsa.gov/press-releases/2016-single-vehicle-crashes](#).



The strongest variables connected to traffic fatality rates are the number of automobile vehicle miles traveled and vehicles per capita.

To improve safety, cities should adopt policies that induce a shift from car trips to safer, smaller-scale modes of travel or transit. Riding a Bird not only replaces short car trips, but by helping riders connect to transit, Bird rides have the potential to displace even more, and longer, car trips.

Indeed, in the same exhaustive report that found shared e-scooters pose “no disproportionate risk,” the Portland Bureau of Transportation pointed to a significant safety upside of more widespread shared e-scooter use:



With 34 percent of Portland scooter riders stating they replaced car trips with e-scooter trips, an increase in e-scooter use has the potential to contribute to a reduction in serious injuries and fatalities.



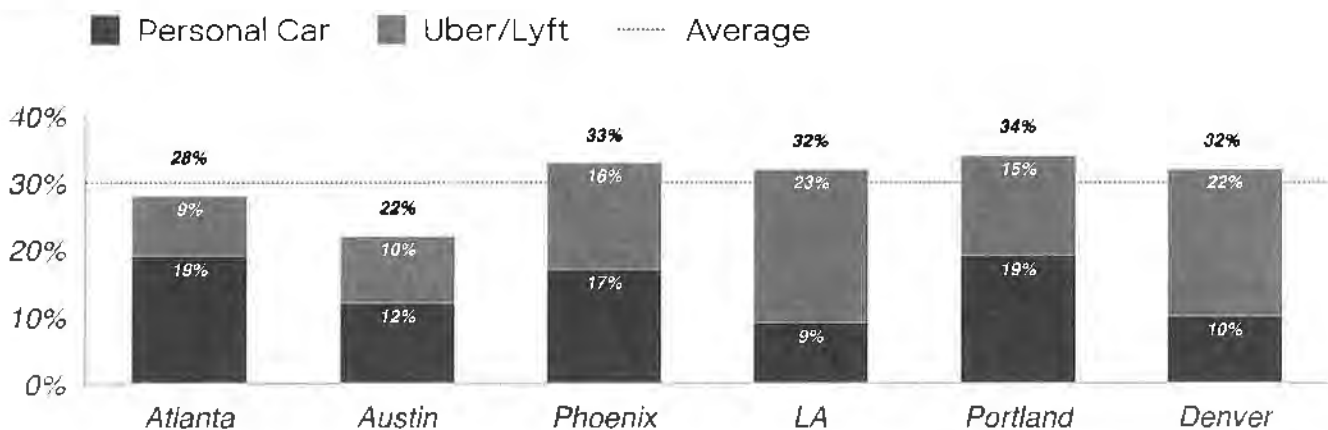
This potential safety benefit is not just relevant to Portland, but any city that is considering the safety benefits of more widespread ridership of shared e-scooters. Indeed, other cities like Denver are conducting surveys and finding similar evidence of significant car trip replacement by shared e-scooters.

Bird's own surveys confirmed these broad patterns. In a survey of 1,148 riders across Atlanta, Austin, Phoenix, and Los Angeles, Bird riders reported mode-switching behavior similar to that found in city-administered surveys in Denver and Portland (see Figure 5).



Surveys conducted by Bird and city-administered surveys both conclude that approximately 30% of shared e-scooter trips would have been car trips.

Figure 5 - Percentage of e-Scooter Trips Replacing Car Trips (Bird and City Surveys)⁴¹



⁴¹ The Bird survey asked riders to think about their last trip taken using Bird and asked "If Bird didn't exist, how would you have gotten to your destination?" Responses included the following: Walk, Personal bike, bike share, Public transit, Personal car, Lyft/Uber, I would not have taken trip.



5. Unlock safety in numbers and the ‘Virtuous Cycle’ of safety

Peter Jacobsen coined the term “safety in numbers” in research published in 2003,⁴² which documented, “the likelihood that a given person walking or bicycling will be struck by a motorist varies inversely with the amount of walking or bicycling.” The force behind “safety in numbers,” according to Jacobsen, is motorists’ expectation of encountering cyclists and pedestrians, which rises with increased prevalence of cyclists and pedestrians.

Safety in numbers is a part of leading municipal Vision Zero policies. As the City of Philadelphia has stated in its own Vision Zero policy, “Successful Vision Zero programs recognize that there is safety in numbers, that increasing numbers of people walking and biking make those activities safer, as well as improve the health of a city.”⁴³ New York City, which adopted and implemented Vision Zero several years before Philadelphia, stated in its 2018 Vision Zero year four Report: “As the number of regular bicyclists has increased cycling has gotten dramatically safer, potentially showing a safety in numbers effect.”⁴⁴

The implication is clear: Policies that increase the number of pedestrians or cyclists increase the individual safety of walking and bicycling, while policies that suppress ridership increase danger. Jacobsen has stated the same effects are likely to hold true for e-scooter riders.⁴⁵

As shared e-scooters gain more mode share from more dangerous and polluting cars and SUVs, crashes, injuries, and fatalities should fall. The safety benefit of e-scooters’ proven car trip replacement potential will be further accelerated as cities build more protected lanes that benefit e-scooter riders, bicyclists and pedestrians alike. In so doing, cities have the power to instigate a ‘virtuous cycle’ of increasing micromobility ridership, decreasing car use, and creating safer streets.



⁴² Jacobsen, P. “Safety in Numbers.” *Accident Analysis and Prevention* 2003;37:235-242.

⁴³ City of Philadelphia, *About Vision Zero*, 2017.

⁴⁴ City of New York, *Vision Zero year 4 report*, March 2018.

⁴⁵ Jacobsen, P. and J. Ingebrigtsen, “E-bikes and the New Safety in Numbers,” *Safe Streets*, October 9, 2015.



CONCLUSIONS AND RECOMMENDATIONS

While the safety data individual companies and cities have regarding e-scooters is undoubtedly incomplete, some preliminary findings are emerging:

- Injury rates for e-scooters are comparable to those for bikes, and when operators act responsibly and cities invest in safe streets, injury rates are lower for all vulnerable road users.
- Data across cities indicate that e-scooters are replacing a significant portion of car trips. As the Portland Bureau of Transportation indicated in its study, this is a favorable finding that may hold future systemic safety benefits as overall crashes do rise and fall with car usage. Further study, however, is needed to better understand and maximize the potential safety benefits of wider scale replacement of car trips with shared e-scooter trips.
- The most important contributing variable is the investment cities choose to make in safe infrastructure such as well maintained streets and connected networks of protected bike lanes and intersections.

Operators and riders alike must put safety first, above expediency and above other operating considerations. Bird is proud of its leadership role, and will continue to lead the industry in the fulfillment of our responsibility to safety. Cities have an equal and even greater responsibility, due to their power to shape streets and set and enforce safe laws regulations for all road users. All crashes are preventable. Best practice evidence shows the way forward: By providing protected lane space, maintaining streets, managing car and truck speeds, replacing car trips, and achieving safety in numbers, cities can dramatically improve safety for all road users.

To further our understanding of crash risk relative to other modes, future e-scooter safety research should situate e-scooter injuries in the broader context of 40,000 annual motor vehicle deaths, or the 4.6 million annual motor vehicle injuries.⁴⁶ Taking the numbers reported by Consumer Reports of 1,545 e-scooter injuries over the past year, **more people are injured by motor vehicles in three hours in the United States than are injured by e-scooters in a year.**

Benchmarking injuries across travel modes is difficult for a variety of reasons. Little is known about the vehicle miles traveled for different modes, injury definitions and the understanding of severity differ across institutions and jurisdictions, and road infrastructure differs dramatically from city to city. New York cycling injury rates have improved 400% over the last 15 years, a much larger difference than the difference between cycling and e-scooter injury rates which look more or less similar.


The aforementioned limitations of the studies to date are acknowledged by e-scooter companies, safety experts, and public health researchers alike. Dr. Tarak Trivedi of UCLA Medical Center, Dr. Lawrence Lewis of Washington University (in St. Louis, MO), and Prof. Chris Cherry of the University of Tennessee are all preparing proposals for more comprehensive studies that will include more in-depth data gathering and analysis necessary to identify causal factors, risk exposure, and comparative risk across modes.

These and other critical research collaborations will yield a more complete understanding of crash risk. This deeper understanding is essential as Bird continues to improve and expand crash prevention policies and practices.



MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 14, 2019

SUBJECT: Legal Services: Discussion of Criteria for Evaluating Applicants for City Attorney

BACKGROUND

At your April 1, 2019, meeting, the current City Attorney, Jim Wilson of the Coquina Law Group, told you of his intention to resign. You agreed for the City staff to prepare a Request for Proposals for legal services. You reviewed the draft of the RFP at your April 29th special meeting, made changes to it, and approved it being advertised.

Two firms responded to the RFP:

1. Ralf Brookes of Cape Coral. His proposed fees were a retainer of \$6,000 a month and \$185 an hour for extra legal work.
2. Stephanie Marchman of the firm of Gray Robinson, Gainesville. In place of a monthly retainer, she proposed charging \$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.

You reviewed these proposals at your June 17th special meeting and accepted neither. Mr. Wilson said he would provide a proposal for the Coquina Law Group for your July 1st meeting which he did. At that meeting, you agreed to raise the monthly retainer for the Coquina Law Group to \$6,000 a month with \$175 an hour for extra legal work. You also agreed in two to three months for the City to advertise again an RFP for legal services.

SCHEDULE FOR PROPOSALS

It is the following:

- a. October 2nd, RFP advertised
- b. November 8th, deadline for proposals
- c. December 2nd, Commission reviews and ranks the proposals.
- d. January 6th, Commission interviews the top two or three firms and selects one. In January, a contract with the firm hired is drafted

- e. February 2nd, at its regular meeting the Commission reviews and approves the contract with the law firm selected.

Attached is a memo from the City Clerk; in which she shows where the RFP was advertised

CRITERIA FOR EVALUATING PROPOSALS

Criteria for the ranking of the proposals are needed to help you decide which law firms to interview

1. Location

It is preferable to have a law firm that is in St. Augustine, or another area of northeast Florida, or within one to two hours' driving time from the City. For firms farther away, the City may be charged mileage, travel time, and hotel expenses.

2. How many years as a practicing attorney in Florida and how many years of experience with Florida municipal law.

3. Thoroughness and quality of the proposal

We suggest that you rank higher those proposals that you believe provide a complete "picture" of the firm and the qualifications and experience of its attorneys and staff in Florida municipal law.

4. Clients that the law firm is now representing or has represented in the past.

We suggest that if the firm has represented or is now representing someone who has or had a conflict with the City, then the firm cannot represent the City.

5. Basis of payment

Whether a monthly retainer or per-hour fee for routine legal work for the City, such as the preparation of ordinances, variance orders, conditional use permit orders, etc., and attending commission and other City board meetings.

If a firm charges a per-hour fee, the City's budget for legal expenses could go up significantly, particularly if the City is charged mileage and other costs for a firm that is located a distance away. There are two regularly monthly meetings the City Attorney must attend, City Commission and Planning Board, plus any special or continuation Commission meetings, plus a Code Enforcement Board meeting if there's a case to be heard.

SCORING SYSTEM

You may want to assign points to each of the criteria you select for evaluating the proposals. For example, if you choose the five criteria listed above, you could assign up to 20 points to each one and then add up the points for a total score.

ACTION REQUESTED

It is that you review the above suggested criteria and change or add to them, and that you decide whether to have a scoring system.

You can then use the criteria and scoring system to evaluate the proposals that will be received by the November 8th deadline and forwarded to you for your individual evaluation. The proposals and your rankings will be on the agenda for your December 2nd regular meeting, when you'll decide which firms to interview of January.



CITY OF ST. AUGUSTINE BEACH

Date: October 17, 2019

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

From: Beverly Raddatz, MMC, City Clerk *BR*

Subject: Request for Proposals for Legal Services

Background:

After receiving notice that City Attorney Jim Wilson wanted to retire, staff did a Request for Proposal (RFP) for legal services. On June 17, 2019, at the Special Commission meeting, the Commission received bid packages for two candidates from an RFP for legal services. After discussing the issue, the Commission decided to continue with the Coquina Law Group and extended their contract for a few months until another RFP could be done. On July 1, 2019, the Coquina Law Group increased its fees and wrote a contract for legal services with the understanding that another RFP would be done in a few months and if the Coquina Law Group wanted to bid, they could do so.

An RFP for Legal Services was published on October 2, 2019 in DemandStar. The closing date is November 8, 2019.

The following is a listing of where the RFP or ad was published:

1. **DemandStar** – Published 10/2/19.
2. **Florida Bar News Journal** – Published 11/1/19 and 12/1/19.
3. **Jacksonville Bar Association and Gainesville Law School** – Published RFP on their Website 10/9/19.
4. **Flagler County Bar Association** – Attorney Alicia Washington, President, advised that she would email all Association members.
5. **Clay County Bar Association** – Attorney Michelle Sweatland advised that she would email all Association members.
6. **Putnam County Bar Association** – Left messages, did not return calls.


7. **St. Johns County Bar Association** - Attorney Heather Maltby, advised that she would email all her Association the RFP.
8. **Florida League of Cities** – published on their webpage.
9. **Martindale Hubbell** – published an ad on their website.
10. **Florida Coastal School of Law** – Left messages, did not return calls.

Budget Analysis:

Staff spent approximately \$400 on advertising on the above mention listing of Associations.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 14, 2019

SUBJECT: For-Profit Events in City: Review of Proposed Policy

INTRODUCTION

At your September 10, 2019, continuation meeting you asked Ms. Walker, the City's Communication and Events Coordinator, to create a policy for for-profit events held in the City, which would include fees and not allowing any races on holidays. Chief Hardwick asked that no for-profit events be permitted from May until September, when public schools resume their schedule of classes.

Attached as pages 1-14 is the suggested policy from Ms. Walker. She will be at your meeting to explain it and to answer your questions.

ACTION REQUESTED

It is that you review the proposed policy with Ms. Walker. The policy can be re-drafted to include any changes you make to it and then adopted by resolution at your December 2nd meeting.

Events Policy

City of St. Augustine Beach, Florida
November 03, 2019

-- Contents --

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Introduction

Mission

The City of St. Augustine Beach City Manager's Office and Police Department work with events held on public property to provide fair, professional, and timely permitting services.

Contact

Permitting and event services coordination for events held on public property in the City of St. Augustine Beach is managed by the St. Augustine Beach City Manager's Office, which may be contacted at:

2200 A1A South, St. Augustine Beach, FL 32080

Phone: 904.471.2122

Email: info@cityofsab.org

Web site: www.staugbch.com

I. Event site

Publicly owned land available for events are classified into these categories: rights-of-way, and open use areas. Level of available services and regulations governing the use of each site varies.

Be advised that weddings can only occur on beaches south of A Street or in Commercial Zones north of A Street (on the beach directly east of Pier Park, hotels, bed & breakfasts, or licensed beachfront vacation rental properties)

Rights-of-Way

Rights-of-Way are generally the City's streets and sidewalks, both those maintained by the city and those under the management of the Florida Department of Transportation (FDOT) or St. Johns County. Events in the rights-of-way have standard operating procedures for all city provided support services and require a rigorous application process, including: sufficient advance notice, application submittal, staff review process, applying appropriate fee schedule upon approval, and approval from FDOT or St. Johns County.

Events held in the rights-of-way may be defined as one of four types based on size and format of the event:

- Parade
- Procession
- Runs/ Walks
- Street event

1. Parade

A parade is an event held at a specified time and date, has a pre-approved route along public streets, and requires the rerouting or interruption of vehicular traffic for more than fifteen minutes, as well as cleaning of rights of way and removal of trash after the event.

2. Procession

A procession is an event held at a specified time and date, has a pre-approved route along public streets, and requires only intermittent interruption of vehicular traffic and never for more than fifteen minutes. Additionally, processions may be small enough to remain on sidewalks and only interface with traffic at designated pedestrian crossing points. Processions are generally not anticipated to require right of way clean up and additional trash removal, but depending on size and type, the City may assess fees for these services if deemed necessary.

3. Runs/ Walks

A run or walk is an event held at a specified time and date, has a pre-approved route along public streets, and requires rerouting or interruption of vehicular traffic for more than fifteen minutes and likely intermittent interruption of vehicular traffic. Runs /walks will also require cleanup and additional trash collection along the route as well as the start/end locations. Any run or walk with a route over 5K in length must have a contracted ambulance on scene for emergency response. Any run/walk route must be approved by the Chief of Police.

4. Street event

Residents and/or businesses in a specified area may request the closure of a street they have in common/share for a street event. The closure must not interfere with the normal flow of business for areas outside the specified area and must not create an impediment to emergency services. Street events will also require right of way cleanup and additional trash collection. Granting a street event permit is allowed only for the enhanced safety of pedestrians attending the event. Additionally, all ordinances regulating activity on a public street remain in force (i.e. signage). Street events are subject to all the requirements as other events (i.e. insurance, etc.).

II. Event Type**Minor Impact**

Weddings of 15 to 99 guests and participants

Special events of 15 to 199 guests and participants

Application must be submitted at least 30 days in advance.

Significant Impact

Weddings or special events of 100 or more guests and participants

Special events of 200 or more guests and participants

Any event involving a public street or that disrupts traffic

Application must be submitted at least 60 days in advance.

III. Event date

Availability

All events require contact with the City Manager's Office to determine the availability of the date and space requested and to determine if the location is the most suitable for the proposed event. To contact the City Manager's Office to determine the availability of the date, call 904-471-2122.

Date and space availability

The first right of refusal of any specific date in a specific location will be given to any organizer who held an event on that specific date or weekend (i.e. 3rd weekend in June) the previous year in the specified location.

Request for specific date and location is addressed with consideration given to:

- Whether or not the date and site requested was used for an event the previous year and, if so, will that event be reoccurring;
- The proximity of the requested date to the date of other events using the same site in order to allow sufficient time for cleaning/recovery; and
- If the requested date coincides with a major holiday or event which is likely to create a significant demand on city services and resources.

Scheduling confirmation

Upon staff determination that the date and space requested are available and are the most suitable for the event, the organizer may submit an application, the non-refundable application fee, and a special events officer request form to reserve the date and space.

Blackout Dates

Events that require traffic disruption will not be permitted from May 1 through the end of Labor Day weekend.

Events that are not hosted by the City and require traffic disruption will not be permitted on holidays.

IV. Event planning

Application

At least 30 days prior to a minor impact event or 60 days prior to a significant impact event, the organizer must submit an application and special events officer request form for review by the St. Augustine Beach Police Department and City Manager's Office.

The application and form can be picked up at the City Manager's Office (2200 A1A South, St. Augustine Beach, FL 32080). You may also request these forms be emailed to you by contacting info@cityofsab.org.

Please note, events may be subject to public safety requirements not outlined in this policy.

Risk Management

All events will be reviewed to identify risk factors related to the event's public safety risk. An Incident Action Plan may be created to become part of the unified operation plan for the event. The Incident Action Plan (IAP) may be coordinated by a multi-jurisdictional team of police, fire, rescue, and marine patrol personnel and other resources. An example of an event with risk management factors considered is Beach Blast Off, the yearly fireworks event on New Year's Eve.

Cleanup and Trash Collection

All events will be reviewed with consideration of the likely requirement of cleanup or additional trash collection. If post event cleanup or additional trash collection is deemed necessary, an additional fee for this service will be included in the permit application.

Application Review

In reviewing the application, the St. Augustine Beach City Manager's Office and St. Augustine Beach Police Department will consider:

- If the site can adequately accommodate the event taking into account the site's infrastructure, the event's expected attendance and format (i.e. festival, concert, fair, run, parade).
- If the event coincides with other events and thus may place an undue burden on the delivery of city services to the event and/or to the community.
- If the event is in compliance with all permitting and licensing requirements from other jurisdictions, including federal, state, county, and city.
- If the event may pose a public threat to residents, businesses, and visitors, while not considering content of speech, message, or reaction to the message.
- How the event will impact neighborhoods in the immediate vicinity (i.e. noise, litter, traffic).

-
- To what extent the organizers adhered to city ordinances or policies or other applicable laws from past events.
 - If the event will place an undue strain on city services including those for crowd control, policing, security, parking, solid waste, or traffic.
 - The organizer's demonstrated ability to manage the event.
 - The amount and location of trash or litter the event will generate which may require post-event cleanup

In reviewing the operations profile, the following will not be considered:

- Content of speech or message that may be conveyed by the event, or the identity or associational relationships of the organizer, or assumptions or predictions as to the public response to the content of speech or message conveyed by the event.

Only time, place and manner may be controlled as necessary to meet rules, regulations and public safety.

If an event's application is denied by the City Manager's Office and the Police Department, the applicant may appeal to the St. Augustine Beach Commission. To appeal a denied event, contact the City Manager's Office at 904-471-2122 to be included in the agenda for a Commission meeting. The Commission shall make their approval determination in accordance with the criteria outlined in the "Application Review" section above.

V. Event Operation

Unified Operations Plan

The Unified Operations Plan, created by the St. Augustine Beach Police Department and City Manager's Office, will specify:

1. The level of city-required support services

The plan will specify levels of city provided services for the event including those associated with site use, solid waste and utility service, public safety, and other personnel and/or equipment. The plan will include an estimated total cost for the services, the amount to be pre-paid, and the amount of any required deposit.

2. The responsibilities of the organizer

The plan will reiterate that an organizer's primary responsibility is adherence to the general policies for events and those specific to the site being used. Additionally, the plan will specify any other responsibilities belonging to the organizer (i.e. securing applicable permits, securing certificates of insurance, informational out-reach to the community regarding the event's impact, securing security personnel and crowd control).

3. Defining specific logistical considerations

The plan will include logistical considerations developed to facilitate both the delivery of city services and the event's operations. Such considerations include temporary removal of obstructions such as trash receptacles, or temporary closing of certain streets, or rerouting of traffic.

St. Augustine Beach Unified Operations Plan:
City Required Support Services and Cost:

<input type="checkbox"/> Permit Application Fee	\$100
<input type="checkbox"/> Bond	\$300
<input type="checkbox"/> Fire/Rescue	\$ _____
<input type="checkbox"/> Police / Security(NOTE: will be invoiced separately)	\$ _____
<input type="checkbox"/> Event Monitor(NOTE: may be invoiced separately)	\$ _____
<input type="checkbox"/> Public works	\$ _____
<input type="checkbox"/> Utilities	\$ _____
<input type="checkbox"/> For-Profit Organization Fee	\$500
<input type="checkbox"/> Staff Preparation Time	\$ _____
<hr/>	
TOTAL	\$ _____
Deposit, Due by _____	\$ _____

Responsibilities of the Event Planner:

- ☐ Proof of Liability Insurance
☐ DOT Permit (if required)
☐ Message Board (if required)
☐ Alcohol permits (if required)
☐ Portable toilets (if required)
☐ Post-Event Clean-Up
☐ _____
☐ _____
☐ _____

Specific Logistical Considerations: _____

Notes: _____

Total Cost: \$ _____

Payment Received: _____ (Date)

_____ Event Planner Signature

_____ St. Augustine Beach Staff Signature

VI. General policies

Compliance

Organizer is responsible for compliance with all applicable City of St. Augustine Beach ordinances including those related to signage, banners, noise, fire prevention, alcohol sales and consumption, occupancy, crowd control, and emergency evacuation.

Insurance

The organizer must provide a certificate of insurance verifying a general liability policy coverage in the amount of not less than \$1,000,000 per occurrence / \$1,000,000 aggregate and include the City of St. Augustine Beach as a certificate holder/additional insured. No event will be held without proof of required insurance.

Portable Toilets

The organizer is responsible for providing sufficient portable toilets, including ADA compliant toilets, hand washing stations and portable holding tanks based on expected attendance, number of days of the event, the nature of cooking and foodservice consistent with the requirements of the Americans with Disabilities Act. The organizer and the provider of the portable facilities shall comply with the Standards for Onsite Sewage Treatment and Disposal Systems, State of Florida Department of Health, Chapter 64E-6.0101, Fla. Admin. Code.

Alcoholic Beverages

The organizer is responsible for ensuring that the distribution and consumption of alcohol is conducted only as allowed by law and in compliance with all required permits. The organizer is responsible for securing and completing the Application for One/Two/Three Day Permit or Special Sales License (Form DBPR-ABT-6003) from the Florida Department of Business & Professional Regulation and securing appropriate signatures from the St. Augustine Beach City Manager's Office and Police Department. Alcoholic beverages may be sold and consumed only where and when permitted by law. Any event allowing sale or consumption of alcoholic beverages will be required to have additional security by the St. Augustine Beach Police Department at a level determined by the department during hours when alcohol is distributed and/or consumed. The Police Department reserves the right to approve the placement of points of alcohol service.

Event Monitor

The City will designate a St. Augustine Beach Police employee to act as Event Monitor who will be the event organizer's primary point of contact for public safety aspects and, if necessary, a Public Works employee as a point of contact for City services. Based on the size and complexity of the event, the Event Monitor will be on-site as necessary and on-call throughout the event to act as liaison between the organizer and all city personnel. The event will pay for all expenses incurred with having the Event Monitor available and on-call during the event.

Public Safety

The City of St. Augustine Beach Police Department is the lead agency for public safety relating to events. The Police Department will work with the organizer to develop a suitable plan that will provide a safe environment for participants and attendees and not impede the event's operations. Representatives from the Police Department will determine the level of service an event requires based on the type of event, location and expected attendance. If the event's impact causes limitations for access to certain areas by the fire/ rescue department, the organizer is responsible for the cost of the establishment of a temporary satellite fire/ rescue unit. The cost of all public safety services is the responsibility of the organizer.

Weapons

Weapons, including firearms, knives, etc., whether modern or historic in nature, are prohibited in any event unless they are an essential part of entertainment, exhibits or demonstrations and their use is approved by the City of St. Augustine Beach Police. Events utilizing historic weapons must meet safety standards set by the St. Augustine Beach Police Department, including proof of applicable certifications and sufficient levels of training with such weapons specifically for public demonstrations utilizing such weapons. If discharge of weapons will occur as part of the demonstration, a trained Historic Weapons Supervisor/Leader must be on scene during firing demonstrations.

Signage and Barricades

Event signs (promotional, directional, etc.) may be displayed only as permitted by law including those in the rights-of-way.

If the event will disrupt traffic, there is a requirement of a minimum of two message boards, placed at the St. Augustine Beach Police Chief's discretion and put out no later than 7 days prior to the event. These message boards will not be provided by St. Augustine Beach Police Department and must be set up by the event coordinator. If the event coordinator wishes to contact St. Augustine Police Department or St. Johns County Sheriff's Office to borrow message boards they can, but it will be the event coordinator's duty to coordinate the setup and take down of such boards.

If the event will interrupt traffic, the event planner must provide a maintenance of traffic (MOT) plan with cone/barricade setup and removal by an insured, FDOT approved company.

Fireworks

Fireworks are prohibited.

Open fires

Open fires are prohibited.

Drones

Drones not operated by licensed operators are prohibited.

Site Maintenance

The City of St. Augustine Beach has an obligation to maintain public property and reserves the right to conduct such measures as is necessary to ensure that maintenance is performed in a timely manner to structures, landscaping and public rights-of-way. Every effort will be made to notify an event organizer of scheduled or emergency maintenance when such maintenance may affect an event, and will work with the organizer to minimize any inconvenience arising from such maintenance. Should the organizer decide not to use the site because of such circumstances, ONLY fees for unused services will be refunded. The City of St. Augustine Beach is not liable for any expenses incurred by the organizer arising from unscheduled or emergency maintenance or rescheduling of an event.

Post-Event Clean-Up

If the public property used as an event site is not returned in the same condition as it was secured before the event, the permit holder shall be billed for cleanup or repair services as recommended by City staff. Cleanup costs are calculated and billed to the event producer.

Cancellation

The St. Augustine Beach Chief of Police, City Manager, or designee on scene may cancel or postpone any event based on extreme hazards; i.e., lightning, natural disaster, etc.

Payment for City services utilized may not be refundable for cancellation of the event by the event planner. However, the permit fee may be refundable.

VII. Fees

Fees associated with events held on public property are determined at a rate sufficient to cover all costs of the services provided by the City of St. Augustine Beach, plus an additional fee for for-profit organizations. There are some basic fixed fees that remain unchanged (i.e. application fee, the bond), and others that vary based on a standard rate (i.e. personnel by the hour or solid waste by the volume). For some events, depending on their complexity, an exact determination of costs prior to the event may not be possible, but City staff will work diligently to provide an accurate estimate based on the past history of the specific event or similar events. Estimation of costs will be determined during the development of the Unified Operations Plan when details and level of city provided services of the event are confirmed.

Events hosted by non-profit organizations will only be charged to cover the City's costs towards managing the event. Non-profit means any bona fide charitable, benevolent, educational, cultural, or governmental institution or organization, or any event for nonprofit purposes regardless of whether the sponsor is a for-profit or nonprofit organization.

Events hosted by a for-profit organization will be charged to cover the City's costs of managing the event and an additional \$500.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 28, 2019

SUBJECT: Police Chief and City Manager: Review of Annual Performance Evaluations by Mayor and Commissioners

As of the deadline to have your agenda books ready for distribution, the City Manager had received evaluations from only the Mayor and Commissioner Rumrell. He suggests that you schedule discussion of the evaluations for your December 2nd meeting. This will provide time for the remaining evaluations to be submitted.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 23, 2019

SUBJECT: Additional Information for Agenda Item #9 re: River-to-Sea Multi-Use Regional Trail

After material for this topic had been copied and put in your books, we received additional information from Ms. Heather Neville. It is the PowerPoint presentation that will be shown to you at your November 4th meeting and is attached.

Mr. Rodney Cooper, County Traffic Engineer and Project Manager of the River-to-Sea planning study, will narrate the PowerPoint presentation. Ms. Heather Neville will help answer any questions you may have.

St. Johns River to Sea Loop (SJR2C)

Multi-use Trail Alignment, Action Items & Next Steps

Presented by:

City of St. Augustine Beach, November 4th, 2019

PRESENTATION OUTLINE

- ❖ St. Johns River to Sea Loop (SJ2C) Background
- ❖ SJ2C Planning Study Findings
- ❖ Review of Preferred Alignment & Maintenance Agreement
- ❖ Next steps and Board Direction

SJR2C TRAIL, A LOOK BACK



September 2008

St. Johns County officials along with 5 other counties and state representatives adopt the St. Johns River to Sea Loop conceptual plan at the Castillo de San Marcos, St. Augustine, Florida.

THE BEACH AND THE SJR2C TRAIL



- ❖ Palatka to St. Augustine Rail Trail Spring 2013, Initial segment opens
- ❖ October 2017 SJC Commission approves support of FDOT Planning Study to establish alignment
- ❖ FDOT Planning Study Meeting at Guy Harvey Resort, July 2019

SJR2C PLANNING STUDY FINAL ALIGNMENT



❖ Guiding Principles

- ❖ Collaboration with local stakeholders
- ❖ Include public comment and interaction

❖ Trail Development Strategies

- ❖ SUN Trail Guidance
- ❖ Separated 10' to 12' trail

❖ Maximize Potential Connections

- ❖ Context of study area
- ❖ Connect to social, cultural and recreational

SUN FUND, ALIGNMENT ADOPTION & MAINTENANCE

- ❖ SUN Fund
 - SJR2C Priority Ranked
- ❖ Alignment Adoption by Resolution
 - Requirement to move to next step
- ❖ Future Maintenance Agreement
 - Requirement to move to next step



COMMISSION ACTIONS REQUESTED



- ❖ Adoption of Alignment by Resolution, example provided
- ❖ Adoption of Future Maintenance by Memorandum
- ❖ Direct Staff to Apply for Funding and Projects

SEGMENT 3 | CITY OF ST. AUGUSTINE BEACH

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 22, 2019

SUBJECT: River-to-Sea Loop Multi-Use Regional Trail; Resolution 19-11, to State City's Support of the Preferred Alignment

INTRODUCTION

The St. Johns River-to-Sea Multi-Use Trail, or SJRC2, is a Florida Department of Transportation project. It is envisioned to be an 8-12-foot-wide concrete or asphalt trail from Palatka east to the ocean. The total distance will be 27 miles. There is a segment already built east of Palatka into St. Johns County. The current plan is for the trail to be continued from Vermont Heights eastwards in the County by means of a bridge over I-95, then into St. Augustine, through its urban core, and across the Bridge of Lions to Anastasia Island and into our City along A1A Beach Boulevard. It will continue south along the Boulevard to SR-A1A, then south along the state road to the boundary with Flagler County.

An alternative route has been proposed in the event the trail cannot go into St. Augustine's urban core and come onto Anastasia Island by means of the Bridge of Lions. The alternative is the segment shown in striped colors on page 2. It would go along U.S. 1 south to 312, then east across the 312 bridge to Pope Road to Beach Boulevard, or to Pope Road to Mickler Boulevard, south along Mickler to either A or F streets, then east to A1A Beach Boulevard.

Planning for the trail started in 2012. The FDOT hired a consulting firm, which has been coordinating the trail's route with staff members from the County, St. Augustine, and our City.

The project is now at the point when the FDOT is requesting each of the three governmental agencies to pass a resolution that will state the agency's support of the proposed alignment, which is shown on page 2 (attached). St. Augustine's Commission will consider the Resolution at its October 28th meeting and the County Commission will consider it at their November 19th meeting.

Ms. Heather Neville, president of VRUM (Versatile Road User Movement) Planning, has been for many years an advocate for bicyclist and pedestrian safety. She has been involved with the planning of the River2C Trail project. According to her, \$40 million has been appropriated by the state for the project, and in an attached email (page 3), she explains the timetable for obtaining the money and that the construction of the entire trail is a 5 to 15-year project.

Also, she has informed the City Manager that a segment of the trail on Anastasia Island north of our City is ready to be constructed.

Ms. Neville will be at your meeting to explain the project in more detail and to answer your questions.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-2, a description of the River2C project with a map of the proposed alignment
- b. Pages 3-4, a memo from Ms. Neville
- c. Pages 5-6, Resolution 19-11
- d. Pages 7-8, the maintenance agreement with the FDOT.

ACTIONS REQUESTED

There are three: First, that you have Ms. Neville present information about the project and answer your questions.

Second, that you have the City Attorney advise you whether the City or the County will be responsible for maintaining any part of the trail that is on the A1A Beach Boulevard right-of-way, which is owned by St. Johns County. Section 2 of the maintenance agreement states that the "local government" shall maintain and repair the trail. Also, Section 6 of the maintenance agreement states that when the trail reaches the end of its useful life, the local government "shall prioritize the Replacement and Reconstruction of the Multi-Use Trail Project as if it was a new Project." Section 8 of the agreement states that the FDOT may require the local government to remove at its expense if the local government doesn't maintain the trail according to FDOT standards.

The question is: Though the trail along A1A Beach Boulevard is in the City's limits, it is on County, not City-owned right-of-way. Which entity, City or County, is responsible for maintaining it?

Third, that if you are satisfied with the information provided by Ms. Neville and the answers provided by the City Attorney, you approve Resolution 19-11.

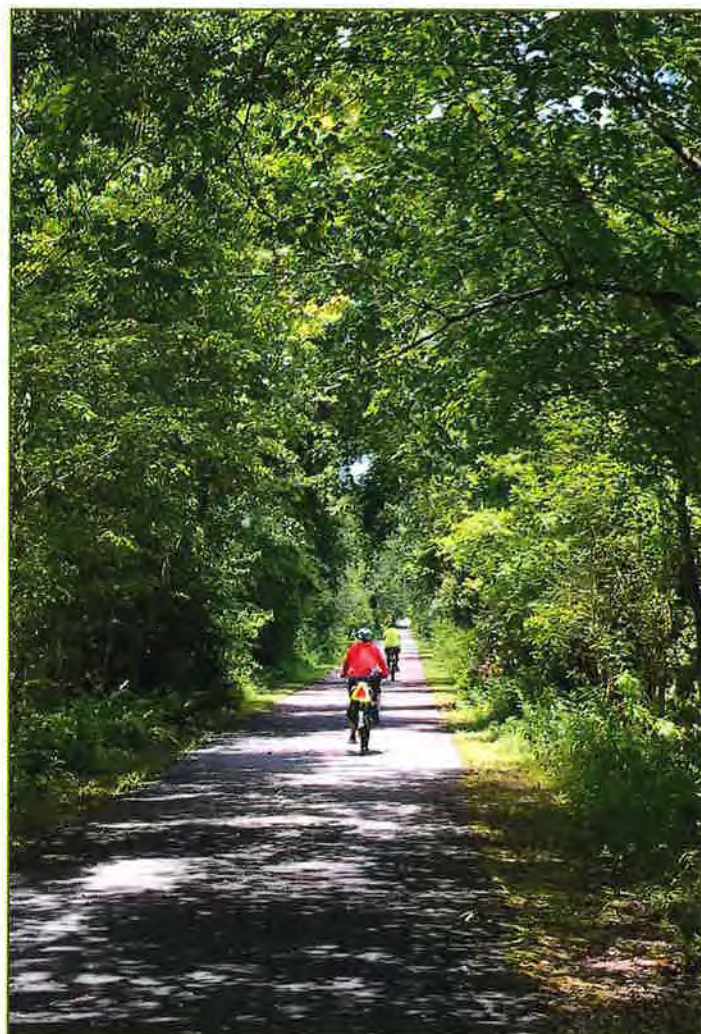


FDOT FPID: 439932-1-14-01
St. Johns County RFQ No: 18-21

PROJECT DESCRIPTION

St. Johns County (County) is completing a planning study for the approximately 26-mile gap of the Shared-Use Nonmotorized (SUN) Trail-St. Johns River to Sea Loop (SJR2C) Loop. The project limits for the study begin at the end of the existing Palatka to St. Augustine Rail-Trail west of Interstate 95 near Concourse Drive and the Smryna Ready Mix Concrete Plant. The trail will go through St. Augustine, across the Matanzas River to State Road A1A and proceed south through St. Augustine Beach to the Flagler County line near Marineland. The planning study process has involved:

1. Identifying potential trail alignments within the County,
2. Determining the feasibility of each alternative,
3. Estimating long-term maintenance costs, and
4. Recommending a preferred option for adoption by resolution for the respective jurisdictional agencies, which include the County, City of St. Augustine and City of St. Augustine Beach.



PURPOSE AND NEED

The purpose of the project is to provide local and regional bicycle and pedestrian connectivity to users of all ages and physical abilities by closing the present gap of the SUN Trail-SJR2C Loop within the County, thus resulting in a complete and continuous multi-use trail system. It will join unincorporated areas of the County with the Cities of St. Augustine and St. Augustine Beach to establish a regional trail connection consistent with SUN Trail criteria. The three primary issues outlining the need for developing the project are:

1. Local and regional connectivity,
2. Quality of life, and
3. Opportunity for economic development.



PROJECT OBJECTIVE

The main objective of the planning study has been to collect information necessary for the County and Cities of St. Augustine and St. Augustine Beach to reach a joint decision regarding the specific location and type of trail improvements required to connect the study area to the SUN Trail-SJR2C Loop. The second objective was to determine the proposed trail route for the project to compete for upcoming SUN-Trail Program funding. Public involvement has been an essential component in the development of this project.



FINAL RECOMMENDED ROUTE



CONTACT INFORMATION

Rodney Cooper, P.E., County Traffic Engineer

St. Johns County Public Works
Traffic & Transportation Department
2750 Industry Center Road
St. Augustine, FL 32084

904.209.0111
rcooper@sjcfl.us



www.sjcfl.us/suntrail

memo

VRUM Planning

To: Reuben Franklin, X Pellicer, John Regan, Max Royle, Bill Tredick, Mark Gibling, Chief Robert Hardwick, Chief Barry Fox, Doug Batille, Billy Zeits, Tera Meeks, Michael Ryan, Phong Nguyen, Jan Tranthum, Michael Roberson, Dick Dsouza, Richard Goldman, Sgt. Terry Shirley, Sheriff David Shoar, Gabe Pellicer, Shelby Dixon, Thomas Ashlock, Steven Cutshaw, Diane Martin

From: Heather Neville

CC: Rodney Cooper, Duane Kent, Neal Shinkre, Greg Caldwell, Patrick

Date: September 12, 2019

Re: SUN Fund Application Planning and Necessary Resolution Steps

VRUM Planning provides the following information regarding steps to advance the St. Johns River to Sea Loop Regional Trail (SJRTC). The notes below correlate to a conversation between VRUM Planning and FDOT representatives on next steps SJC can take since the planning study is not scheduled to be completed until after the SUN Fund and Transportation Alternatives application deadlines of December 13 & 20, 2019.

As a reminder, the state SUN Fund is a dedicated state budgeted program allocated to identified Florida networks. The SJRTC was awarded equal priority status with the state Coast to Coast Trail in mid Florida. This award was based on several factors including local requests coordinated among the 5 counties the SJRTC traverses. As such, the regional system is a priority of the state to complete.

The SUN Fund appropriation is for a 5 year period. SJC is at a point where we can adopt an alignment for this trail and submit for projects. Projects do not have to be built in one continuous segment. Routes must be part of each community by resolution that includes adoption of the alignment and acceptance of future maintenance. The 27 mile gap in SJC is not expected to be complete for 5 to 15 years. Even with dedicated state funds, several factors including our built/urban environment, environmental review and existing natural challenges including the Intercoastal River, require further PD&E. With that said, several segments are potential near term projects and could be completed in 3 – 5 years if the applications can be made in 2019. The funding application process for the SJRTC is applied directly with the state trail management program versus other desired trails that would apply to the NFTP priority process system. SJC is in a unique position within our FDOT and NFTP district to fund this significant project.

VRUM suggested the following schedule which is the plan to meet the state deadline. Municipal leaders and other program partners may use this guideline with local deadlines to meet the expected project application dates provided. Full calendar including deliverables on Table 1. :

- Public Meeting by SJRTC Planning Study Consultant with Projects, October 24, 2019
- SJC & Municipal Partner Director & Municipal Meeting Week of October 7 or October 14
- BOCC Presentation Update & Explanation of Need and Adoption of Resolution November 19, BOCC
- Additional presentation/resolution if needed, December 3
- SJC/COSA/COSAB Fund Application Due On or before December 13 (TAP) and December 20

Table 1. Deliverables by Date

SJRC Adoption and SUN Fund Deadline Project Calendar Project Manager, Rodney Cooper PE Traffic Operations, SJRC Public Works					
Due Date	Deliverable	Due To	Project Mgr.	Production	Complete
9/30/19	Public Meeting Notices	Various SJRC Dept/Ryan	RC	Hanson	✓
10/9/19	Stakeholder Level 1 Meetings COSA, COSAB	PW TE Rodney Cooper	RC	Hanson/VRUM	✓
10/7/19	Post Public Meeting Info	Various SJRC Dept/Ryan	RC	SJRC Comm/PW	✓
10/7/19	Draft PPT for BCC Agenda w/o Alignment	PW Dir. Neal Shinkre	RC	VRUM	✓
10/11/19	Draft PPT for Public Meeting	PW TE Rodney Cooper	RC	Hanson	✓
10/14/21	Director & Municipal Leader Email Update	PW Dir. Neal Shinkre	RC	VRUM	✓
10/21/19	Final BCC Agenda Packet to PW Director	PW Dir. Neal Shinkre	RC	VRUM	
10/24/19	SJRC Preferred Alternatives Public Meeting	SJRC Community	RC	Hanson	
10/25/19	Final PPT for BCC Agenda	PW Dir. Neal Shinkre	RC	VRUM	
10/28/19	COSA Commission Meeting/Disucssion		RF	COSA	
10/28/19	BCC Agenda Packet Due for 11/19/19 meeting	SJRC Legal/Clerk	RC	VRUM	
11/4/19	COSAB Commission Meeting/Move to Adopt				
11/19/19	BCC Meeting/Move to Adopt		NS/RC	VRUM	
11/25/19	BCC Agenda Packet Due (if needed) for 12/13/19		RC	VRUM	
12/3/19	BCC Meeting if needed	PW Dir. Neal Shinkre	NS/RC	VRUM	
12/13/19	SUN Trail Fund App Deadline	SUN Fund Mgr, FDOT	RC	VRUM	
12/20/19	Transportation Alternatives Fund Deadline	State Trail Manager, FDOT	RC	VRUM	

Indicates Commission Level Meeting
 Indicates Significant Due Date

Prepared by Heather Neville, VRUM Planning
Updated 10/22/2019

Links
 FDOT Planning Study Information – www.SJCFCL.us/SUNTRAIL
 FDOT SUN Fund Program Info - <https://www.fdot.gov/planning/systems/SUNTrail/guidance.shtm>

RESOLUTION 19-11

CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY

RE: EXPRESSING SUPPORT FOR THE PREFERRED
ALIGNMENT PRESENTED FOR THE PROPOSED
FLORIDA DEPARTMENT OF TRANSPORTATION ST.
JOHNS RIVER TO SEA LOOP MULTI-USE REGIONAL
TRAIL PROJECT PLANNING STUDY AND ADOPTION
OF MAINTENANCE MANAGEMENT OF ASSET
REQUIREMENT.

The City Commission of St. Augustine Beach, St. Johns County, Florida in regular meeting duly assembled on Monday, November 4, 2019, resolves as follows:

WHEREAS, the City of St. Augustine Beach, Florida desires to make its position regarding preference for St. Johns River to Sea Loop Multi-Use Regional Trail Preferred Alignment and Complimentary Route and Maintenance of Asset known to the Florida Department of Transportation and the public; and

WHEREAS, the City of St. Augustine Beach, Florida finds the "Preferred Alignment and Complimentary Route" as proposed in the St. Johns River to Sea Loop Multi-Use Regional Trail Project Planning Study as the best alternative being considered by the Florida Department of Transportation for the City of St. Augustine Beach and its citizens; and

WHEREAS, the City of St. Augustine Beach, Florida, finds that the adoption of this resolution and expression of support for the "Preferred Alignment and Complimentary Route" as proposed in the St. Johns River to Sea Loop Multi-Use Regional Trail Project Planning Study is in the best interest long-term for the City and its citizens; and

WHEREAS, The City Commission finds that the adoption of this resolution and expression of support for the "Preferred Alignment and Complimentary Route" as proposed in the St. Johns River to Sea Loop Multi-Use Regional Trail Project Planning Study supports the City's Comprehensive Plan and Strategic Goals; and

WHEREAS, the City Commission understands that the adoption of this resolution and expression of support for the Preferred Alignment and Complimentary Route" as proposed in the St. Johns River to Sea Loop Multi-Use Regional Trail Project Planning Study will be funded by Shared Use Network (SUN) Trail Funds, and requires local Maintenance of Asset Adoption; and

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

Section 1. Adoptions and Incorporation of Recitals. The City of St. Augustine Beach adopts the above outlined recitals and incorporate them herein as part and parcel of this resolution.

Section 2. Purpose and Authority for Resolution. This Resolution is adopted for the purpose of expressing support for the St. Johns River to Sea Loop Multi-Use Regional Trail Preferred Alignment and

Complimentary Route and acceptance of Maintenance of Asset known to the Florida Department of Transportation and is adopted pursuant to the authority granted by Chapter "X", Florida Statutes.

Section 3. Adoption of Policy. The City of St. Augustine Beach, Florida, after through and thoughtful considerations, based upon the advice of subject matter experts and for the other reasons expressed herein, expresses its support for the "Preferred Alignment and Complimentary Route" as proposed in the St. Johns River to Sea Loop Multi-Use Regional Trail Project Planning Study.

Section 4. Direction of Staff. Staff is directed to take any action necessary to ensure that the position taken by the City Commission herein is advanced and promoted as effectively as possible, including authorization to execute instruments to convey land rights as necessary to enable the project to proceed with design, construction and maintenance.

Section 5. Effective Date of Resolution. The resolution shall be effective immediately upon adoption of the City Commission of the City of St. Augustine Beach, Florida.

RESOLVED AND DONE, this 4th day of November by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Undine C. George, Mayor

ATTEST:

Max Royle, City Manager

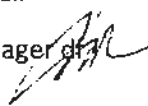
Maintenance MOA Language for Off-system Multi-Use Trail Project

1. The LOCAL GOVERNMENT acknowledges that the DEPARTMENT will require the LOCAL GOVERNMENT to maintain the entire Multi-Use Trail Project, as depicted in the Construction Plans and Specifications of F.P.I.D. # _____, for the useful life of the Multi-Use Trail Project, according to the DEPARTMENT standards, which include, but are not limited to, the Americans with Disabilities Act, Design Standards, and the Standard Specifications, and as amended from time to time.
2. Maintenance items to be maintained by the LOCAL GOVERNMENT shall include, but not be limited to: vegetation management, ornamental landscaping, trail heads, bathroom facilities, parking facilities, repair of slopes/erosion, removal of graffiti, boardwalks, gravity walls, sea walls, traffic barriers, railings, guardrail, signing, pavement markings, pedestrian/bicycle signals, lighting, benches, litter receptacles, aesthetic features, and all other features of the Multi-Use Trail Project. The LOCAL GOVERNMENT shall maintain pavement surfaces free from residue accumulation, algae, vegetation, and other slip or trip hazards. The LOCAL GOVERNMENT shall trim landscaping, mow, sweep, edge and provide weed control along the Multi-Use Trail Project corridor from _____ to _____ from _____ to _____. The LOCAL GOVERNMENT shall ensure the safety of the Public by repairing slope erosion and maintaining signs, sign poles, striping, pavement symbols, traffic markings, detectable warning surfaces, pavers, crosswalks, bollards, delineators, walls, railings, barriers, guardrail, lighting, pedestrian/bicycle signals and any other safety features within the Multi-Use Trail Project corridor in accordance with DEPARTMENT standards. The LOCAL GOVERNMENT shall maintain paint on railings, sign poles, structures, etc. within the Multi-use Trail Project corridor. Repairs to any Multi-Use Trail Project structural or safety feature shall be in kind and to DEPARTMENT standards. The LOCAL GOVERNMENT shall maintain all landscaping to DEPARTMENT standards or higher and all irrigation systems in good operational condition. The LOCAL GOVERNMENT shall maintain and repair the Multi-Use Trail Project at its sole cost and expense, in a good and workmanlike manner, and with reasonable care.
3. The Parties acknowledge and agree that the design plans for the Multi-Use Trail Project may not yet be finalized and are subject to review by the Department. Upon completion of the Multi-Use Trail Project, the Parties shall amend this Agreement to attach the latest version of the construction plans for the Multi-Use Project to this Agreement in order to show the extent of the Multi-Use Trail Project to be maintained by Recipient. The Recipient approves and delegates to Name, Title, the authority to enter into an amendment of this Agreement to attach the latest version of the construction plans as described above. No further Board or Council action shall be required to amend this Agreement for the sole purpose of incorporating the latest construction plans.
4. The LOCAL GOVERNMENT shall pay utility bills for lighting, signals, and irrigation associated with the Multi-Use Trail Project.

5. The LOCAL GOVERNMENT shall conduct an annual inspection of the Multi-Use Trail Project to ensure that any and all safety deficiencies are addressed.
6. When the Multi-Use Trail Project is at the end of its useful life, the LOCAL GOVERNMENT shall prioritize the Replacement or Reconstruction of the Multi-Use Trail Project as if it was a new Project.
7. If at any time the LOCAL GOVERNMENT has not performed the maintenance responsibility on the Multi-Use Trail Project in accordance with this Agreement, the DEPARTMENT shall have the option of (a) notifying the LOCAL GOVERNMENT of the deficiency with a requirement that it be corrected within a specified time; or (b) the DEPARTMENT may perform the necessary maintenance at the LOCAL GOVERNMENT'S sole cost and expense, and send an invoice to the LOCAL GOVERNMENT, equal to the cost incurred by the DEPARTMENT for such maintenance. Any action taken by the DEPARTMENT does not relieve any obligation of the LOCAL GOVERNMENT under the terms and conditions of this Agreement. Failure to perform maintenance of the Multi-Use Trail Project in accordance with this Agreement may impact DEPARTMENT funding participation in future LOCAL GOVERNMENT projects.
8. The DEPARTMENT may require the LOCAL GOVERNMENT to remove the Multi-Use Trail Project in whole or in part and restore the property to the condition that existed immediately prior to the effective date of this Agreement if the DEPARTMENT determines: (a) the Multi-Use Trail Project or project feature is not constructed or maintained in accordance with Section 1. of this Agreement; or (b) the LOCAL GOVERNMENT breaches a material provision (as determined by the DEPARTMENT) of this Agreement. Removal and restoration shall be completed by the LOCAL GOVERNMENT within _____ days of the DEPARTMENT'S written notice, or such time as the DEPARTMENT and the LOCAL GOVERNMENT mutually agree in writing. Removal and restoration shall be completed by the LOCAL GOVERNMENT in accordance with DEPARTMENT standards. Should the LOCAL GOVERNMENT fail to complete the removal and restoration work, the DEPARTMENT may complete the removal and restoration at the LOCAL GOVERNMENT'S sole cost and expense and send an invoice to the LOCAL GOVERNMENT, equal to the cost incurred by the DEPARTMENT for such removal and restoration.
9. This Agreement may be terminated under either of the following conditions: (a) by the DEPARTMENT, if the LOCAL GOVERNMENT fails to perform its duties under this Agreement, following ten (10) days written notice; or (b) by the DEPARTMENT, for refusal by the LOCAL GOVERNMENT to allow public access to public records subject to the provisions of Chapter 119, Florida Statutes.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 23, 2019

SUBJECT: Climate Change Survey: Request by the Sustainability and Environmental Planning Advisory Committee for Approval to Post

Attached is a request from Mr. Craig Thomson, a member of SEPAC, for the survey to be presented to you for your approval. The survey is attached as pages 2-4.

Members of SEPAC will be at your meeting to explain the reasons for the survey and the goal or goals they want it to accomplish.

ACTION REQUESTED

If you agree that the survey is needed, then we ask that you approve the posting of it by the Communications Coordinator.

The results, as Mr. Thomson notes, will be available at the City's Arbor Day celebration next April.

Memorandum

To: Max Royle

From : Craig Thomson

Re: climate change survey

The Sustainability and environmental planning advisory committee approved the climate change survey to be distributed to the public and have the results available for our next arbor day celebration.

You and I reviewed this matter last month as well, and it was also reviewed with Cindy Walker .

Dariana has a copy of the survey which was approved by SEPAC. Her request was that I send you a memo so that you could put it in the book and on the agenda for the next city commission meeting. A representative from SEPAC will be available to present this, if you so require.

Thank you

Craig

Climate Change Survey

The increase in global temperature is significantly altering the planet's climate.¹ The consequences of climate change, include:

- Higher temperatures
- More extreme weather events: more storms, hurricanes and windier conditions
- Increased risk of coastal and inland flooding
- Melting ice and shrinking glaciers
- Sea-level rise

St. Augustine is one of many chronically flooded communities along Florida's 1,200-mile coastline. We have already seen the damage caused by Hurricane's Matthew and Irma, with more extreme weather events likely. To address the climate change related impacts, listed above, we need to slow global warming by reducing carbon emissions. Fortunately, the City of St Augustine Beach recently passed resolutions on sea level rise and climate change to help raise awareness of these issues.

This survey will help gauge the perceptions of the community toward climate change and the motivation of individuals to reduce their carbon emissions. The broad aim of our research is to examine the lifestyle choices of residents in relation to climate change.

Please tick the box or provide the response that best applies to you.

1. What is your current living situation? Please tick one box only.

- ☐ Living in a dwelling I own or am paying off ☐ Renting a home/flat
☐ Other, please specify: _____

2. How motivated are you to reduce your personal climate change emissions?

- ☐ Highly motivated ☐ Moderately motivated ☐ Slightly motivated
☐ Uncertain
☐ Slightly **un**motivated ☐ Moderately **un**motivated ☐ Highly **un**motivated

Transportation - Our personal vehicles are a major cause of global warming.

Click on the link below for more information about carbon emissions from vehicles.

<https://www.ucsusa.org/clean-vehicles/car-emissions-and-global-warming>

A typical passenger vehicle emits about 4.6 metric tons of carbon dioxide per year.²

3. Would you consider , within the next 5 years, of purchasing an electric or hybrid vehicle if competitively priced ?

- ☐ Yes ☐ No ☐ Uncertain

¹ Global warming is caused by heat-trapping greenhouse gas emissions (GHGe), primarily CO₂. The largest source of GHGe from human activities is from burning fossil fuels for electricity (coal, oil, natural gas), heat, and transportation.

² Source: www.epa.gov

Food Production and Diet—about 9% of US greenhouse gas emissions comes from agriculture. Researchers have found that 20% of US diets account for nearly half of all U.S. diet-related greenhouse gas emissions that contribute to climate change. Beef consumption accounted for a large portion of the difference between diets.

4. How likely are you to consider reducing your meat consumption?

☐ Highly likely ☐ Likely ☐ Unlikely

5. How likely are you to select only locally grown produce?

☐ Highly likely ☐ Likely ☐ Unlikely

Buildings contribute 39% of green-house gases from fossil fuels per year in the USA. Most of these emissions come from the combustion of fossil fuels to provide heating, cooling (27% of the energy consumed in Florida homes is for AC) and lighting, and to power appliances and electrical equipment.

6. How aware are you of your energy consumption (carbon footprint) in your home?

☐ Aware ☐ Somewhat Aware ☐ Unaware

Here is a link to estimate your carbon footprint:

<https://www3.epa.gov/carbon-footprint-calculator/>

7. Do you use energy efficient appliances?

☐ Yes ALL my appliances are energy efficient
☐ Yes, some of my appliances are energy efficient
☐ No, I don't take energy efficiency into account when buying appliances

8. Do you use energy efficient light bulbs (e.g. LED)?

☐ Yes ALL my light bulbs are energy efficient
☐ Yes, some of my light bulbs are energy efficient
☐ No, I don't take energy efficiency into account when buying light bulbs

9. Do you set your thermostat to 78-82F during the day, in summer, to reduce energy usage?

☐ Yes ☐ No ☐ Sometimes

10. Would you consider switching to clean renewable energy (solar, wind, etc.) for your electricity source? (See link below in the footnote for how to participate through FPL)³

☐ Yes ☐ No ☐ Uncertain

11. Would you be willing, or have you taken, the FPL energy audit available at

<https://www.fpl.com/save/programs/onsite-energy-survey.html>?

☐ Yes ☐ No ☐ Uncertain

³ FPL SolarTogetherSM will soon provide customers with an opportunity to directly participate in the economic and environmental benefits of solar. See <https://www.fpl.com/energy-my-way/solar/solar-together-res.html>

12. Please rank what you consider the *important* financial and non-financial benefits of incorporating sustainable features into a home. Rank these from 1 (most important) to 7 (least important):

- Reduced home running costs []
- Increased property value []
- Decreased obsolescence []
- Comfortable home temperature []
- Healthy indoor air quality []
- Reducing environmental impact []
- Other, please specify [] _____

BACKGROUND QUESTIONS

To enable us to better compare your responses with those of other people, please complete the following background questions.

13. What is your gender?

- [] Female [] Male [] Other

14. How old were you on your last birthday?

- [] Under 20 years [] 20 - 39 years
[] 40 - 59 years [] 60 years and older

15. What is your estimated total gross household income per annum? Please tick only one box.

- [] Less than \$30,000 p.a.
[] \$30,000 - \$60,000 p.a.
[] \$60,000 - \$100,000 p.a.
[] \$100,000 - \$200,000 p.a.
[] More than \$200,000 p.a.
[] Other, please specify: _____

16. Is there anything we may have overlooked? Please use this space for any additional comments you would like to make.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 28, 2019

SUBJECT: Additional Information for Agenda Item #11 re: Bus Stop Shelters

Commissioner Kostka has requested that the section of the sign code that prohibits certain types of signs be provided to you. It is attached.

I reference that section, 8.00.03 and subsection (7) in the original memo to you concerning Agenda Item #11.

Sec. 8.00.03. - Prohibited signs.

The signs and sign types listed below are prohibited within the city limits and shall not be erected, operated or placed on any property. Any lawfully existing permanent sign structure or sign type that is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of Section 8.00.10, Nonconforming Signs.

- (1) Discontinued signs.
- (2) Animated signs.
- (3) Attached signs that are taller than the wall of the building to which the sign is attached.
- (4) Attached signs that exceed two hundred eighty-eight (288) square feet in sign area.
- (5) Billboards; Off-Site Commercial Message Signs.
- (6) Bandit signs; Snipe signs.
- (7) **Bus bench advertising signs and bus shelter advertising signs.**
- (8) Flashing signs.
- (9) Floodlights and beacon lights, except when required by the Federal Aviation Administration.
- (10) Freestanding or ground signs, including any ground mounted ground signs, which are higher than twelve (12) feet.
- (11) Freestanding or ground signs that exceed one hundred forty-four (144) square feet in sign area.
- (12) Holographic display signs.
- (13) Moving, twirling, or swinging signs, including multi-prism and tri-vision signs.
- (14) Pavement markings, except for official traffic control markings and building address markings required by law.
- (15) Flutter signs, feather signs, streamers, balloons, wind signs, wind activated banners, cold air inflatables, pennants and other fixed aerial signage used for commercial advertising, except that businesses may be allowed up to two (2) temporary signs per business, on that business premises. Such signs may be feather signs no more than twelve (12) feet in height; sandwich boards of six (6) square feet per side or less; or cardboard or plastic freestanding ground signs no larger than 18" x 24" which are attached to the ground by wire supports no larger than 1/8 " wide or less. Such signs may be on the business premises during operating hours, shall be placed in a manner that does not obstruct the view of traffic exiting the premises, and shall be

removed from the view at the close of business each day.

- (16) Portable signs.
- (17) Revolving signs; rotating signs.
- (18) Roof signs.
- (19) Signs within an intersection and sight visibility triangle, as described in Appendix A, Article VI. (Development Design and Improvement Standards) Section 6.02.04(H) (Clear visibility triangle) and 6.06.06 (Intersection visibility) herein, that obstruct a clear view of pedestrian or vehicular traffic.
- (20) Signs attached to a seawall, dock, buoy, tie pole or pier; other than warning signs and safety signs.
- (21) Signs in, on, or over the public right-of-way; traffic control device signs, bus stop informational signs, warning signs; safety signs, vertical streetlight banners, A-Frame signs, T-Frame signs, and awning or attached canopy signs over a public right-of-way as allowed in this article.
- (22) Signs in or upon any river, bay, lake, or other body of water within the limits of the city; except government regulatory signs, warning signs, and safety signs.
- (23) Signs located on real property without the permission of the property owner.
- (24) Signs nailed, fastened, affixed to, or painted on any tree or part thereof (living or dead), or other vegetation.
- (25) Signs, other than traffic control device signs, that use the word "stop" or "danger," or present or imply the need or requirement of stopping or the existence of danger, or which are a copy or imitation of traffic control device signs and which are adjacent to the right-of-way of any road, street, or highway.
- (26) Signs that are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled public rights-of-way thereby creating a potential traffic or pedestrian hazard or a nuisance to inhabitants of an adjacent neighborhood. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.
- (27) Signs that contain any food or other substance that attracts large numbers of birds or other animals and causes them to congregate on or near the sign.
- (28) Signs that emit sound, vapor, smoke, odor, or gaseous matter.
- (29) Signs that obstruct, conceal, hide or otherwise obscure from view any traffic control device sign or official traffic signal.
- (30) Wall wrap signs.


- (31) Vehicle sign or signs with a total sign area in excess of forty (40) square feet on any vehicle, and
- a. The vehicle is not "regularly used in the conduct of the business," and
 - b. The vehicle is visible from a street right-of-way within fifty (50) feet of the vehicle, and
 - c. The vehicle is parked for more than two (2) consecutive hours in any twenty-four (24) hour period within fifty (50) feet of any street right-of-way, and
 - d. A vehicle shall not be considered "regularly used in the conduct of the business" if the vehicle is used primarily for advertising, and
 - e. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during the normal hours of business; and which is currently licensed, insured and operable; provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on such vehicle primarily for the purpose of advertising a business establishment or firm or calling attention to the location of a business establishment or firm.

(32) Signs that have neon or fluorescent paint.

(Ord. No. 16-04, § 2(Exh. A), 7-11-16; Ord. No. 18-05, § 1, 5-7-18)

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 14, 2019

SUBJECT: Bus Stop Shelters and Benches: Presentation of Proposal from Fuel Media Holdings

INTRODUCTION

In early October, the Public Works Director and City Manager met with Messrs. Josh Cockrell and Patrick Mency concerning their proposal to provide bus stops and benches in the City. Attached is a copy of their proposal titled "Proposal for St. Augustine Beach Street Furniture Program."

Crucial for the proposal is that the City allow advertising on the shelters and benches. This would require a change to Section 8.00.03 of the Land Development Regulations, which lists prohibited signs in the City. One of the categories of prohibited signs, Subsection (7), is bus bench advertising signs and bus shelter advertising signs.

The City Commission last discussed allowing advertising on bus stop shelters at its February 5, 2001, meeting and advertising on benches at its March 5, 2001 meetings. The minutes of the discussion at each meeting are attached as pages 1-4.

Beyond March 5, 2001, the records do not show any further action by the Commission on the bench/shelter proposal. The City Manager in the monthly report he subsequently provided to the Commission noted that the companies hadn't provided any follow-up information concerning their proposals.

EXISTING SHELTERS AND BENCHES

At this time, there are only two bus stop shelters in the City. They are located on the east and west side of the Boulevard in the vicinity of pier park. The shelters were constructed by the Council on Aging. There is no advertising on them.

There are benches at several locations along the Boulevard. All but one has been put on a City plaza. There is no advertising on the plaza benches. There is one bench in the right-of-way on the west side of the Boulevard in front of the Best Western Motel. It has the name of one of the trolley companies on it.

POINTS TO CONSIDER

If you are interested in the possibility of having Fuel Media provide shelters and benches at no cost to the City, then we ask that you consider the following:

1. Limited public right-of-way for shelters

Only one of the plazas has room for a shelter. It's on the east side of the Boulevard, north of 10th Street. While shelters could be put on the beautified plazas, such would require removal of some of the existing landscaping. Possibly, Fuel Media could get easements from private property owners to put a shelter and/or bench on their property.

2. Persons waiting for the bus usually are on the Boulevard's east side

It's been the City Manager's observation that popular waiting areas for hotel/restaurant workers who use the Sunshine Bus are on the Boulevard's east side at the pier park, in front of the Hampton Inn, 10th Street, and the driveways to the La Fiesta Inn and the Guy Harvey Resort. People going to work at the hotels and restaurants get off the bus on the Boulevard's west side.

You'll note that the City Commission at its February 5, 2001, meeting discussed having bus stop shelters for school children.

3. Restrictions on advertising

If you agree to allow advertising on shelters and benches, then we suggest the following types of advertising not be allowed:

- Alcoholic beverages
- If legal, not having advertising for out-of-the-City competitors to local hospitality businesses, such as hotels/motels and restaurants, that are located in the City.
- Cannabis oil sellers

ACTION REQUESTED

It's that you discuss Messrs. Cockrell and Mency's proposal and decide whether to allow advertising on benches and bus stop shelters.

PLEASE NOTE: That their proposal will allow 10% of all unused advertising space for use by the City for its events and programs. However, we assume that this means that if all the space on a bench or shelter is used by an advertiser, then there'll be no room for the City to post its notices.

If you agree to allow advertising on shelters and benches, then the City Attorney can do the following:

1. Draft an ordinance to remove Subsection (7) of Section 8.00.03 of the Land Development Regulations that now prohibits advertising on bus stop shelters and benches.
2. Prepare a contract with Fuel Media that will describe the revenue the City will receive from the advertising, who will be responsible for the maintenance and repair of the shelters and benches, and the removal of them if they no longer are needed; liability insurance requirements and so on.

You can review the contract at your December 2nd meeting.

Messrs. Cockrell and Mency will be at your November meeting to explain their proposal and answer your questions.

18. Bus Stop Shelters in City: Review of Proposed License Agreement for Shelters

Commissioner Rowland noted that there are no shelters now in the City or in the County.

Bill Redman with RCG Consulting, representing 20/20 Media, was present, along with Mr. Joel Davis. He proposed providing shelters for mass transit users, working with the County and Council on Aging. These would be 5 by 9 feet, lighted shelters, he said, and advertising would be limited to items lawfully for sale to minors. If the City were to restrict advertising, Mr. Redman said, there could be First Amendment concerns, but as a private concern, the company could do this. The shelters would be maintained on a weekly basis, he said, which would cost \$2,000 per shelter, and the cost of each installed shelter would be around \$10,000. "Non-related agency commissions" in the contract were explained as commissions paid to advertisers and deducted from the gross amount. Mr. Redman said the City Manager or his designee would decide where shelters can be placed and said that four locations had been identified.

Commissioner Rowland asked whether the four locations were on A1A Beach Boulevard. Mr. Redman replied that three were on the Boulevard and one was on Pope Road. He noted that the company had agreed to have shelters in school bus locations but that the School Board had not proposed any sites.

Commissioner Rowland questioned the exclusive license for use of the right-of-way, and Mr. Dobson explained that the statutes do not address exclusivity.

Commissioner Ratz-Broudy asked whether the shelters would violate the City's sign ordinance. Mr. Dobson said that he could prepare an amendment to the sign regulations to exempt the shelters.

Commissioner Rowland asked why a 20-year contract was needed, and Mr. Dobson said the usual purpose of a long term contract was to amortize out the investment.

Commissioner Rowland asked Mr. Davis what income he expected from the shelters. Mr. Davis indicated that a negative cash flow was expected for the first few years. With only four shelters, he said, the company would lose money for quite a few years, but that he anticipated St. Johns County joining the contract.

Mr. Davis explained that an inside and an outside poster would be displayed, and each shelter would provide a 5-foot bench, leaving room for a wheelchair in the corner.

Commissioner Ratz-Broudy asked if adding the school bus locations would involve additional cost. Mr. Davis said there was no cost to the City and that franchise fees would be paid either to the City or the school district.

Commissioner Feaster said the school children need shelters while waiting for the bus during wet weather. Commissioner Rowland said these shelters would need to be put on A1A and 312, which are controlled by the County. Mr. Dobson advised that within the City's limits, permission is needed only from the City, even on State roads.

Commissioner Feaster asked whether the shelters would be lighted at night and cleaned. Mr. Davis said they would.

Commissioner Holmberg was against the shelters and felt the signs were in opposition to the City's beautification efforts. He also noted that there would soon be construction near the Holiday Inn that may not leave room for the shelter there. He preferred to let the County try it first to see if it increased ridership of the buses and felt that if school bus stops were included, 30 or more shelters might be required.

Commissioner Feaster said he had counted only five school bus stops on A1A Beach Boulevard. Commissioner Rowland said that the Council on Aging bus will stop on demand and are doing a lot to encourage people to use the buses. He did not want to discourage these efforts.

Commissioner Ratz-Broudy said that the signs were not the best thing, but that it was the only way to get these shelters at no cost to the City.

Robert Beskind, 416 Ocean Drive, recommended that smoking be prohibited in the shelters to reduce the litter problem and suggested that the shelters be in colors consistent with the City's requirements for commercial structures. He also questioned the type of material used for the shelters and felt aluminum would be the best choice because of corrosion. Mr. Beskind asked that if any shelters are placed on parkettes, the Beautification Advisory Committee be consulted first so the Committee could include them in the developing landscaping plans.

Mr. Davis said that cigarettes are a problem, and he would welcome any help in that regard. The material used, he said, is anodized aluminum, and that the shelters could be any color desired. He said that the bronze color does not show marks easily and that some color schemes may not be appealing after a number of years but could not be changed.

Commissioner Rowland suggested a committee including the City Manager and Commissioner Ratz-Broudy meet to come up with a recommendation to the Commission regarding the shelters.

FROM MINUTES OF CITY COMMISSION MEETING, MARCH 5, 2001

21. Benches on Right-of-Way: Proposal by Mr. Robert Shackleford to Construct Benches and Put Advertising on Them

Mr. Shackleford said that the benches would be used by schoolchildren and for people waiting for the bus. He said that they would be placed anywhere the City wanted them and would have appropriate advertising on them.

Commissioner Ratz-Broudy noted that there are shelters by 20/20 Media under consideration.

Mr. Shackleford said that his benches would be just an added service.

Mayor Pacetti asked if the Beautification Advisory Committee should be considering this proposal prior to the Commission looking at it.

Commissioner Feaster suggested getting the consideration of the shelters completed before looking at benches.

Mr. Shackleford said that the provider of the shelters would be advertising nationally known products while his company would advertise local businesses.

Mayor Pacetti said that he had concerns about the amount of advertising there might be along the Boulevard.

Mr. Royle said that he had suggested to 20/20 Media that they contact Mr. Craig Thomson of the Beautification Advisory Committee, but as yet he has not heard anything.

Commissioner Ratz-Broudy said that the purpose of the meeting she had chaired was for discussion of the shelters and getting information into the City's newsletter so that there could be resident input into the issue. She suggested the possibility of including Mr. Shackleford's proposal as well.

Mr. Royle explained that the newsletter is a quarterly one and that the next issue will not be ready until July.

Mr. Shackelford said that this would be fine.

Commissioner Holmberg remarked that it could still be discussed by the Beautification Advisory Committee.

Commissioner Ratz-Broudy said that the ball had been left in 20/20 Media's lap to contact Mr. Thomson with sketches of possible shelter designs, so it was unclear when they were going to go ahead.

The consensus was to ask Mr. Shackelford to go before the Beautification Advisory Committee, possibly in conjunction with 20/20 Media.

Mr. Royle told Mr. Shackelford that the Committee will meet on March 28th at 7:00 pm.

Mayor Pacetti told Mr. Shackelford that the Committee will be asked to put him on the agenda and that Mr. Royle will send him correspondence telling him the date and time of the meeting.

**Proposal For
St Augustine Beach
Street Furniture Program | Oct 3, 2019**



101 Marketside Ave, 404-177 | Ponte Vedra, FL 32081

Patrick Mency, President
Phone: 855-552-3624 | patrick@fueloutdoormedia.com

Cover Letter

October 3, 2019

Max Royle
St. Augustine Beach
500 San Sebastian View
St. Augustine, FL 32084

Dear Mr. Royle,

For the past twenty years, one street furniture company has been the prominent firm in management of street furniture passenger convenience services: **Fuel Media Holdings (FUEL)**. Our Company is the most well known and respected in the vast majority of municipalities throughout Florida as well as Georgia Louisiana and Ohio for consistent quality of product, high maintenance standards and strong financial stability.

FUEL is eager to bring St. Augustine Beach the best efforts of the industry's most recognized authority. Our proposal summarizes our experience in successfully conducting similar operations in other municipalities and clearly demonstrates our firm's abilities to service St. Augustine Beach' needs at a level far superior than that of our competition.

FUEL has a 95% success rate when competing in an RFP/RFQ selection process and has contracts to provide bus bench services in over 15 municipalities not only in Florida, but throughout the United States. In all of our Cities, we provide a menu of products and services unmatched in the industry. Furthermore, we also have a proven track record in advertising sales. FUEL has increased the number of advertisements sold to over 90% in all of the cities we operate (See Sales Section of Proposal).

Our management team has over 35 years of combined experience in dealing with contractual and service issues common to municipal commercial environments. To implement these services, we have assembled a team of FUEL managers and staff members. FUEL's principals are intimately involved in the day-to-day operations in each City. This allows for a level of focus that St. Augustine Beach can only receive from our firm. We invite a close examination of our service history (See Reference/Recommendation Section of Proposal). It will show our vision, competence, and commitment to excellence in all of our endeavors. We pledge to provide our services in concert with the interests of the citizens of St. Augustine Beach.

Please see the Bus Bench Design section of our proposal. There you will find our exclusive bus benches and shelters the City may choose from, all of which we have currently installed in various cities throughout the US and will fit perfectly with the streetscape throughout St. Augustine Beach. We consider our assorted bus bench and shelter products more as "Street Furniture", which should be an appealing product the City as well as its citizens should be proud of to both view and to utilize.

On behalf of myself and the entire FUEL team, we are firmly committed to this project and trust this Proposal meets with your approval. I wish to thank you again for the opportunity to submit our proposal and look forward to engaging in a long term partnership with St. Augustine Beach, its citizens and local businesses. Please feel free to contact me for any additional information.

Sincerely,



Patrick Mency,
President

Our Approach

FUEL MEDIA HOLDINGS'S MISSION

We exist to deliver superior services and extraordinary financial returns to our clients, municipal partners and members. We act as a vital resource for our municipal partners.

OUR GUIDING PRINCIPLES

- Maximize revenue and growth for our transit partners
- Deliver the highest quality service to our customers
- Respond promptly to our customers' needs and those of our transit partners
- Maintain the highest degree of integrity and professionalism
- Continue to innovate and create new products
- Demonstrate financial accountability

ADVERTISING EXPERIENCE

FUEL delivers financial returns while enhancing the reputation of our municipal partners for more than ten years. Our experience and dedicated resources consistently result in greater revenues for the municipalities we serve. We will have an exclusive focus in the St Johns area selling street furniture advertising. There are no conflicts between competing multimedia interest and the services we provide.

FUEL'S UNIQUE MARKET ADVANTAGES

- Financial strength ensures access to necessary capital to invest in our transit partnerships.
- Sales strategy of long-term local sales in addition to regional and national sales.
- Existing sales and operations team dedicated to the City.
- Proven record of generating more revenue per bus than our competitors.
- Fully integrated services providing a turn-key program for successful transit advertising.

Our Approach

FUEL's objective is to provide a world-class bus bench program that enhances the existing streetscape while providing a functional service that encourages citizens to use public transportation.

We will create more vibrant streets, encourage residents and visitors to walk and bike, and at the same time maximize the revenue potential for the City. Our work plan is a comprehensive one, incorporating all aspects of creating, maintaining, managing and growing the City's Transit Program. We plan to capitalize on our financial strength and depth of experience in all aspects of the bus bench program. Recognizing the City's expectations of providing high-quality and well-maintained street furniture and improving City revenues, the key focus of our plan is:

- > Development of a bus bench family that communicates a Citywide identity
- > Special designs for historical neighborhoods as defined by the City
- > Integration of new technology that provides substantial benefits to the City and the community
- > Aggressive marketing of bus benches as a unique media opportunity, both locally and nationally
- > Comprehensive maintenance program, unmatched in our industry
- > Technology-based reporting and accountable workforce management processes



FUEL proposes an aggressive build-out over the first 180 days of the agreement, after receiving notice to proceed and expect all benches to be installed within that period. Our detailed build-out plan is presented in Maintenance & Operation section.

We believe our proposal will maximize the goals of improving the public realm, encouraging the use of public transportation, providing advanced technology and enhancing revenues to the City. These goals are interdependent and in order to create and sustain such a successful program for the City, FUEL requires a certain mix of revenue-generating benches, all of which will provide value to transit users and pedestrians and added benefits to the City beyond their core use. Our program assumptions are detailed in the Implementation section.

We recognize that our program will require extensive advance preparations with significant input from the appropriate City staff with respect to design, site selection and permitting. Our build-out plan also recognizes that we must establish an efficient working relationship with all appropriate City departments. Our primary goal will be to work with the City to establish a mutually agreeable implementation plan as soon as possible after contract award in order to receive the requisite approvals to proceed. We would request that the City make available the necessary City staff to expedite the site selection and permitting processes in order to facilitate this implementation plan.

Our Approach

Maintenance & Operations

DESCRIPTION OF SERVICES

Anticipating today's fashionable "broken windows" policy approaches for urban environment- fix broken windows promptly and people won't break windows any more- the celebrated urban theorist William H. Whyte back in the Sixties said, "The best way to handle undesirables is to make a place more attractive to everyone else" and "litter follows litter." This dynamic is clearly at work with transit amenities, which is why we maintain constant vigilance and always respond proactively to vandalism and litter. In doing so we serve the interests of the community, plus those of advertisers who don't want their message negatively influenced or made ineffectual by dirt and squalor. Over the years, we observed our competitors and seen first hand the compounding effects of small amounts of litter and the degradations that resulted in the urban environment. Whereupon we resolved to create the industry's most rigorous maintenance protocols. In addition to regular visitation, we research field reports and maintenance records to identify vandalism. These sites become targets of our rapid response crews who fan out and remove graffiti and stickers, often within hours of the defacement. Furthermore, our maintenance database technology is able to create hot-zone maps that identify areas with the most maintenance problems. This gives a graphical ability to utilize additional resources in certain areas of the City and address in a timely manner.

52-WEEK MAINTENANCE PLAN

- > Technology-based reporting and accountable workforce management processes
- > Record-keeping, verification, internal inspections and audit procedures
- > Preventive maintenance
- > Zero tolerance graffiti policy
- > Quarterly submission of maintenance logs
- > Notification process via toll free bilingual number for access by general public and City officials to report damage

CLEANING, INSPECTION & SAFETY SCHEDULE

1. City WIDE/HEAVY TRAFFIC LOCATIONS - Daily Activities:

- > Inspection concerning appearance, any damages and unsafe conditions
- > Removal of trash or debris inside and within 10 feet of bus benches
- > Removal and/or reporting of graffiti
- > Repair of minor damage
- > All other damage reported to the operations center for appropriate repair crews
- > Report of any problems or damage to operations center and recording in database
- > Perform power washing quarterly or as determined by the City contract

2. POSTING OF ADVERTISEMENTS/PUBLIC INFORMATION:

- > Carried out once weekly or according to advertiser's campaign
- > The Fuel Media Maintenance guarantee provides for on time posting and removal of advertisements
- > The Fuel Media Clean Ad Guarantee provides for a clean advertising poster. If advertisement is damaged beyond repair, Fuel Media replaces the ad during the contract period free of charge for the client. No competitor provides this services.

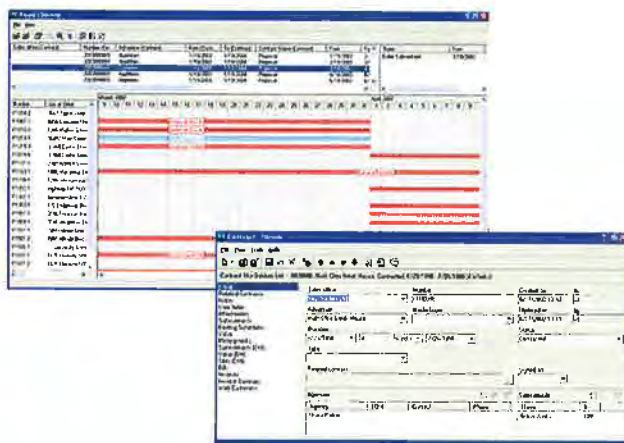
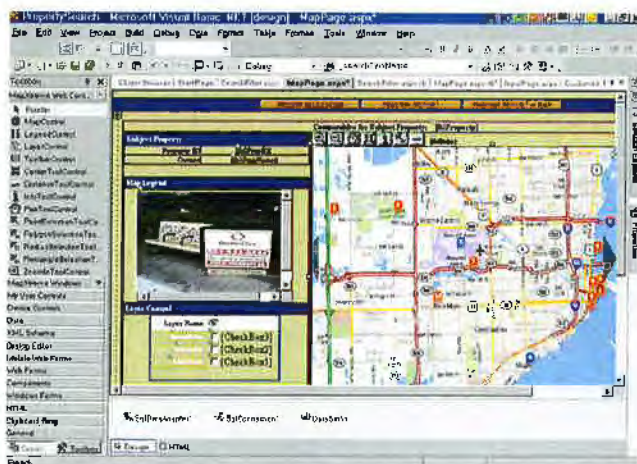


Our Approach

Maintenance & Operations

Our database is kept on a central server in Nocatee, FL. This database is linked into our Scala inventory maintenance program. Scala is a worldwide leader in inventory and maintenance software related specifically to the outdoor advertising industry. As such, there is an unlimited amount of reports and data we are able to obtain in minimal time. Key features of Scala maintenance systems include the following:

- Create single item work orders for expedited tasks, or group similar tasks
- Monitor Benches and Advertising content
- Easily download and upload maintenance tasks to a hand-held unit (RFID technology)
- Define maintenance cycles and routine check routes
- Conveniently upload completed postings with proof-of-performance photos
- Track structure positions across your plant
- Track site revenue generation, maintenance and profitability



Reports will be available to the City on a weekly or as requested basis:

Inventory database by type

Street furniture types

Street furniture locations

PP&E inventory

Maintenance activities performed (daily, weekly, monthly)

Staff member performed / Activity performed (installation, cleaning, repair, etc)

Time performed, including time issue was reported, time at location, time to complete operation, and amount of time taken to complete the site

Other problems, notes, issues, details by site
Cost of repair, installation, parts, labor, fuel, etc. Reports by employee noting average work time, route, maintenance duties performed, etc

Full mapping services by GPS location

Our Approach

Sales & Marketing

Sales prospects for bus benches follow the overall outdoor market. That market has not been very robust in the recent years. However, fuel media has managed to increase sales every year, even through the recession.

When St. Augustine Beach considers the respective revenue generation power of the candidates responding to this RFP, it obviously weighs the merits of potential providers' FUEL will do the superior job. We obtain the highest per bench rate as compared to any of our competitors. Our sales force routinely sells out their inventory at higher rates than competitors and maintains customers for years due to our excellent customer service.

FUEL offers St. Augustine Beach an exceptional experience base and range of skills and coverage. Currently we boast over 1,500 bus bench displays under contract with over 15 municipalities in the US, which yield several millions annually in sales. This achievement reflects the talent and dedication of strong national and local marketing teams and commitment by our executive team.

SALES STRATEGIES

Typically, bus bench advertising has not garnered the national sales attention that other outdoor media has attracted. However, in our experience bus benches is showing strong ability to expand market power by attracting a client base that heretofore did not advertise. Because of our aggressive and talented sales force, we have been able to grow and expand while others were retreating and increased revenues for our municipalities.

LOCAL AND NATIONAL SALES

FUEL has a broad national network of advertising agencies through our national sales force team. This network will operate to ensure that St. Johns' bus benches obtain the maximum throughput of national advertisers as the medium can garner. An important source of revenues will come from national and international advertisers who have close relationships with our sales professionals. Part of the value that we will bring to this program will stem from a capability that no competitor currently possesses. And that is a single organization directed and dedicated to marketing a cohesive, market-wide network of bus benches and other street furniture advertising, which will prove to be very desirable among advertisers, who will be able to reach the entire St. Johns region with one campaign.

FOCUS ON THE BUS BENCH MEDIUM

There is something else we bring to the selling situation, apart from our stature. And that is the five letter word f-o-c-u-s. Bus bench advertising needs focus on the part of the franchise holder. It is focus that brings maximum advertiser throughput. It is focus on the medium that yields the best possible utilization rates. We are determined to make the St Johns bus bench program a top management priority and to frame it as distinctive and worthy of advertiser consideration. We recognize that without a full court-press by us, without strong focus and dedication to this medium, there will be money left on the table. Our bus bench sales strategies have resulted in consistent revenue growth in each market where FUEL holds advertising franchises. We aim to do the same for St. Augustine Beach. In our view, heretofore the revenue potential of bus benches in St. Augustine Beach has not been fully exploited. As a result rates charged to advertisers are not as high as they might be. To achieve potential gains in both rate levels and occupancy, we plan to market the bus bench inventory on a stand-alone basis which will create conditions for attractive pricing. Furthermore, as noted above, we are one of the only dedicated bus bench companies. That means that we focus only on bus benches. The results speak for themselves.

LOCAL REPRESENTATION / OFFICE

We will NOT manage our St. Augustine Beach program "at arm's length". FUEL hires all "in market" Sales and Operations staff. Our systems and processes are like franchises in that we merge our knowledge and expertise with the local business community through our local management team.

Local Office: Project coordinators, sales staff and maintenance staff will all work locally.

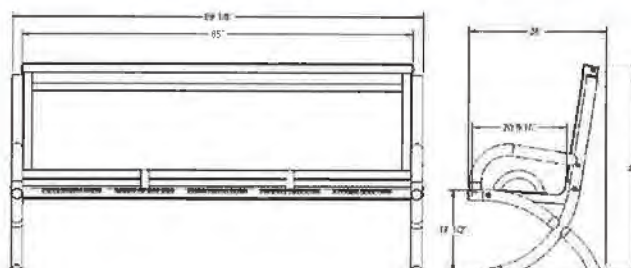
Our Approach

Bench Designs



- Galvanized Steel construction for increased durability
- Ventilated bench seating unit cooler on hot sunny days
- No removable parts, minimizing damage issues
- Low profile advertising minimizes line-of-sight issues
- Thermoplastic closed cell coating to dissipate heat as well as being virtually graffiti proof
- Design and color customized to match overall streetscape vision of the city and neighborhoods
- Narrow Footprint which allows for installation on sidewalks that are less than 6' in width
- Hurricane Rated
- Handles placed to meet ADA requirements as well as deterring use of bench while in a prone position

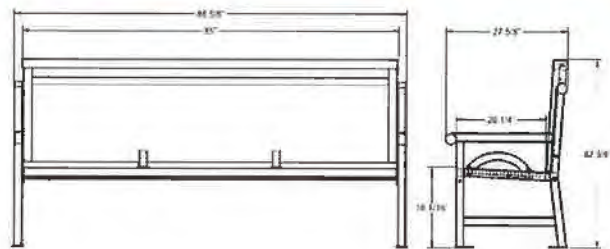
The Standard Half Arm Bench



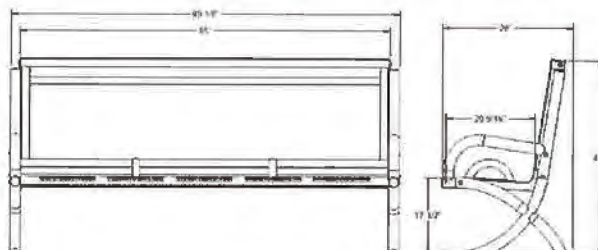
Our Approach

Bench Designs

The Square Classic Bench



The Coastal Bench



Our Approach

Bench Designs

The Retro Bench



Shelter Advertising



Our Approach

Bench Designs

Color Options

ULTRACOAT®
THERMOPLASTIC COLORS

ULTRA BLUE BURGUNDY GREEN BEIGE

BLUE RED BROWN BLACK

STANDARD
POWDER COAT COLORS

ULTRA BLUE BURGUNDY GREEN BEIGE

BLUE RED BROWN BLACK

YELLOW PURPLE DARK GREY MATTE BLACK

RECYCLED PLANKS

- 2" x 10", 2" x 4", 3" x 4", and 4" x 4" sizes
- Rounded edges
- 100% recycled plastic with color
- Ask about custom color options

GRY CDR BRN GRN

WHITE
PREMIUM
POWDER COAT COLORS

BLUE VAIN SILVER VAIN SPARTAN BRONZE METALLIC ULTRA SILVER METALLIC

Seat Plank Design Options

Fiesta

Perforated

Sunburst

Wave

Slat

Firm Qualifications and Experience

As of July 2019, our company owns or operates more than 1,500 advertising displays covering North America in over 15 municipalities.

COMPANY DESCRIPTION

Years in business: 12

Principal contact for Fuel Media Holdings: Patrick Mency, President

101 Marketside Ave, 404-177 | Ponte Vedra, FL 32081

t: 855-552-3624 | e: patrick@fueloutdoormedia.com

As a result of Superior Service, Fuel Media has been awarded the following contracts:

Ohio

2019 Toledo, OH (RFP Award)/ Benches

Louisiana

2018 Lake Charles, LA (RFP Award)/ Buses, Benches & Shelters

Georgia

2016 Hinesville, GA (Sole Source)/ Benches

2017 Walthourville, GA (Sole Source)/ Benches

2019 Macon-Bibb County, GA (Sole Source)/ Benches & Shelters

Florida

2009 Callaway, FL (Sole Source)/ Benches

2009 Baldwin, FL (Sole Source)/ Benches

2010 Lake County, FL (RFP Award)/ Buses

2010 Escambia County, FL (RFP Award)/ Buses, Benches & Shelters

2011 Pensacola, FL (Sole Source)/ Benches & Shelters

2014 Clay County, FL (Sole Source)/ Buses & Benches

2014 Green Cove Springs, FL (Sole Source)/ Benches

2016 Hilliard, FL (Sole Source)/ Benches

2017 Fernandina Beach, FL (Sole Source)/ Benches

2018 Bay County, FL (RFP Award) Buses

2019 Palatka, FL (Sole Source)/ Benches

2019 Northeast Florida Transportation Group (Sole Source)/ Taxi Cabs

Firm Qualifications and Experience

References

Gavin Rollins

Clay County
477 Houston Street
Green Cove Springs, FL 32043
904-541-3819
9 Fixed route buses / 30 Para transit buses
100 Benches

Wells Fargo Bank

1201 North Monroe
Tallahassee, FL 32302
850- 425-2500

Lamar Hobbs

Transit Operations Coordinator
Bay County Board of County
Commissioners Transit Department
840 W. 11th Street
Panama City, FL 32401
850-248-8167
14 Fixed route buses
25 Para transit buses

Donald Christian

Transportation Coordinator - Escambia
County
1515 West Fairfield Dr
Pensacola, FL 32501
850-554-2007
297 Benches / 60 Shelters

Theodis Jackson

Manager - Liberty Transit
115 East ML King Jr Dr.
Hinesville, GA 31313
912-877-0692
50 Benches

Banking References

JP Morgan - Chase Bank

187 Capital Green Dr
Ponte Vedra, FL 32081
904-686-3001

Staffing

Qualifications of Key and Technical Personnel

The Fuel Media team is committed to creating a world-class street furniture program for St Augustine Beach

As will be seen from the resumes of FUEL Media Holdings's key staff members, our company has unusual depth of managerial experience. We also have the ample and diverse skills that these projects require: from understanding and interpreting local conditions, working with communities, manufacturing know-how, and vetting local contractors. All these elements will be brought to bear in the fulfillment of a project that is not lacking in complexity.

PATRICK MENCY

President, Fuel Media Holdings

Patrick Mency has over 12 years of sales, field operations, and management experience. Prior to FUEL, Patrick was a Co-Partner with the nation's largest bench advertising company. The company holds contracts throughout the United States provided bench & shelter advertising for numerous cities. Patrick sold his shares to launch Fuel Media Holdings.

The genesis of the company goes back to a story that Mency's grandmother shared with him. She used to regularly utilize public transportation in Panama City, Florida, where there were no benches for her to rest upon while waiting for the bus. Ultimately, he petitioned the city to place a bench at her stop, so his elderly grandma would have a place to sit and prop up her grocery bags. Ultimately, they refused. That is how he entered the business: placing strategic street furniture within the confines of a mire of city ordinances and laws—with advertising to help cover the cost. And thus, the municipality incurs no expense, riders are at last able to have a comfortable seat, and advertising pays for all costs. Mency also gives the local municipality a portion of advertising revenue, creating a win-win partnership for all involved.

As an expert in local laws, Mency also worked with other outdoor advertising companies, traveling across the country to help that firm forge successful partnerships with municipalities throughout the U.S. He is consistently sought after to help other towns and cities interested in streetscape programs to help write RFP's and educate local governments about the sometimes-intricate process of granting such rights—while helping to revitalize small businesses and increase city revenue.

RHEA MENCY

Vice President Operations, Fuel Media Holdings

Rhea has partnered with four separate outdoor companies as Internal Operations Officer and managing partner. Each sister companies, Rhea has been key in the implementation of all internal processes, inventory management, sales and office management. Rhea has overseen the installation of more than 1,000 bus stop benches and 250 bus stop shelters. Rhea's knowledge and understanding of required permitting on a state and local level will greatly assist with the seamless transition from any current advertising program to the new and improved advertising program.

Rhea is a native of Gary, Indiana and has a Bachelors of Science Degree in Construction Management – Engineering from Purdue University.

Staffing

FUEL Team Organization

The organization chart depicted below lists key personnel that will be responsible for all aspects of the contract.

Executive Team

Patrick Mency
President

Rhea Mency
VP Operations

Cheryl Anderson
VP Marketing & Sales

Management Team

Travis Hartzog
Admin Manager

Julian Cinotti
Local Sales Mgr.

Rayfield Stephens
AP/ AR

Cathy Davis
Procurement Manager

Support Team

Edna Mency
Executive Assistant

Bobby Smith
Local Sales

Gregory Davis
Installation Manager

Larry Wright
Design & Production



Insurance

Upon execution of the Contract, FUEL Media Holdings will add the Oakland Park to it's current insurance policy (example below) to indemnify the City.

451717 Press Print Graphics

Certificate Of Insurance

Page (1 of 2)

5/31/2018 4:23:45 PM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/31/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insureon (BIN Insurance Holdings LLC.) 30 N. LaSalle, 25th Floor, Chicago, IL 60602		CONTACT NAME: _____ PHONE (A/C, No, Ext): (800) 688-1984 FAX (A/C, No): 877-626-9067 E-MAIL: _____ ADDRESS: _____	
INSURED Press Print Graphics 106 North Gulf Blvd., Suite C, Panama City Beach, FL 32413		INSURER(S) AFFORDING COVERAGE INSURER A: Hartford Casualty Insurance Company NAIC #: 29424 INSURER B: The Hartford 30104 INSURER C: _____ INSURER D: _____ INSURER E: _____ INSURER F: _____	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL SUBROGATION WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: _____	Yes	46SBMBQ1769	3/26/2018	3/26/2019	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS	Yes	46SBMBQ1769	3/26/2018	3/26/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/FF MBR EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	46WLCAP6612	7/7/2017	7/7/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E L EACH ACCIDENT \$ 500,000 E L DISEASE - EA EMPLOYEE \$ 500,000 E L DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is named as Additional Insured as their interests may appear in regards to general liability.

CERTIFICATE HOLDER

Bay County Board of County Commissioners
 840 W 11th Street
 Panama City, FL 32401

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03)

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DBE Certification Letter

FUEL Media Holdings, LLC
6951 W Sunrise Blvd, Suite 206
Plantation, FL 33313

In Re: DBE Firm Certification

Dear Patrick Mency,

The Jacksonville Transportation Authority (JTA) is pleased to announce that your firm has been certified as a Disadvantaged Business Enterprise [DBE] in Florida, under a Unified Certification Program [UCP] in accordance with 49 CFR, PART 26.

DBE Certification is continuing from the date of this letter and will conclude on the anniversary date of your firm's certification. Continued certification and participation in the DBE program is contingent upon your firm renewing its eligibility annually through this office. You will be notified in advance of your obligation to continue eligibility in a timely fashion. Failure of your firm's recertification will result in immediate action to decertify the firm.

Your firm's listing in the Florida Department of Transportation's Florida Unified Certification Program is affirmation of your firm's continued certification. This listing can be accessed via the internet at:

<https://fdotxwp02.dot.state.fl.us/EqualOpportunityOfficeBusinessDirectory/CustomSearch.aspx>

Please be advised that DBE Certification is subject to actions by governmental agencies that can impact the disadvantaged status of DBE firms. Be further advised that your DBE Certification with the Florida Department of Transportation dually certifies your firm with all Florida UCP Members. DBE Certification is NOT a guarantee of work, but enables the firm to compete for and perform contract work on all USDOT Federal Aid (FAA, FTA & FHWA) projects in Florida as a DBE contractor, sub-contractor, and consultant / sub-consultant or material supplier.

Original Certification Date
April 4, 2016

Certification Renewal Date
April 4, 2020

If at any time there is a material change in your firm, including, but not limited to name change, principal ownership, officer, Directors, scope of work performed, daily operations, affiliations with other businesses, individuals or physical locations of the firm, you must immediately notify this office in writing. Notification of the aforementioned circumstances should include all applicable supporting documentation. Upon this Authority's receipt of your amendment(s) you will receive necessary instructions.

Accordingly, your firm may compete for and perform work on all USDOT Federal Aid projects throughout Florida that receive credit for works performed in the following areas:

NAICS

NAICS 541850: ADVERTISING SERVICES, INDOOR OR OUTDOOR DISPLAY

NAICS 541850: BILLBOARD DISPLAY ADVERTISING SERVICES

NAICS 541850: BUS DISPLAY ADVERTISING SERVICES

NAICS 541850: DISPLAY ADVERTISING SERVICES

NAICS 541850: INDOOR DISPLAY ADVERTISING SERVICES

NAICS 541850: OUTDOOR ADVERTISING

NAICS 541850: OUTDOOR DISPLAY ADVERTISING SERVICES

NAICS 541850: TRANSIT ADVERTISING SERVICES

FDOT SPECIALTY CODE(S) & DESCRIPTIONS

Indoor and Outdoor advertising. Bus Bench Installation and Maintenance.

Questions or concerns should be directed to this office by mail or telephone. Our telephone number is 904-633-8533 / Fax 904-630-3166.

Sincerely,

Ken Middleton

Director, Diversity & Equity Program

If you have any questions please email us at jtafla@dbesystem.com.

Jacksonville Transportation Authority

Senior Manager, Diversity & Equity Program

<http://www.jtafla.com/>

(904) 632-5275 or 633-8533

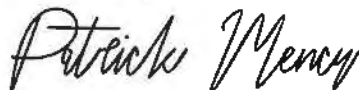
Conclusion

FUEL trusts our proposal summarizes our experience in successfully conducting similar operations in numerous municipalities, and clearly demonstrates our firm's credentials and abilities to service the needs of St. Augustine Beach at a level far superior than that of our competitors. This, along with the services outlined in our proposal that are provided by our firm makes The FUEL is uniquely qualified and virtually the only entity with the ability to perform the requested services and provide all of the materials to ensure that this project is a success to St Augustine Beach.

- Aggressive Revenue Package to St. Augustine Beach
- Partnering with the City by donating 10% of all unused advertising space to be used for city sponsored events and programs.
- Web based monitoring system, allows for 24 hours a day, seven days a week accountability and monitoring of all transit bench and shelter locations.
- Unblemished track record with no litigation.

On behalf of myself and the entire FUEL team, we are firmly committed to this endeavor and as President of FUEL, I will personally be the representative for this project. I wish to thank you again for the opportunity to have a professional relationship with St. Augustine Beach. Please do not hesitate to contact me for any additional information.

Sincerely,



Patrick Mency,
President



MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: September 24, 2019

SUBJECT: Rules of Civility for Public Participation: Request by Mayor George to Discuss

Mayor George would like to discuss with you the City of Sanibel's Rules of Civility for Public Participation at its City Council meetings. A copy is attached.

Should you want to adopt similar rules, a resolution to amend your Policies and Procedures Manual can be prepared for your November 4th meeting.

“RULES OF CIVILITY FOR PUBLIC PARTICIPATION”


In recognition that public discourse is essential to the democratic system of government on April 16, 2002, Sanibel City Council adopted a Proclamation embracing civility in public deliberations. These rules were updated February 22, 2007.

Therefore, Sanibel City Council sanctioned these rules for public participation while conducting meetings and workshops:

1. Speakers are permitted to deliver his or her comments without interruption.
2. Speakers and debates should focus on issues, not on persons or personalities.
3. Persons are encouraged to participate in the governmental process.
4. To allow time to hear all points of view, speakers are allotted 3 minutes each time they are recognized.
5. Sidebar discussions while others are speaking are not permitted in Council Chambers. These discussions are to be removed from the chamber so as not to be disruptive to those conducting and following Council business.
6. Only the speaker recognized by the Chairperson has the floor. Speakers should raise their hand to be recognized. Speakers should identify themselves for the record. Speakers should utilize the microphone so that their comments can be recorded.
7. Anyone wishing to speak on an issue is given an opportunity to speak before speakers are recognized for an opportunity to speak a second time on an issue.
8. We seek to understand one another's points of view.
9. Anger, rudeness, ridicule, impatience and lack of respect for others are not acceptable behavior. Demonstrations in support or opposition to a speaker or idea such as clapping, cheering, booing or hissing or intimidating body language are not permitted in Council Chambers or workshop facilities.
10. We should all take initiative to make things better. Our goal is to foster an environment, which encourages a fair discussion and exchange of ideas without fear of personal attacks.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: October 23, 2019

SUBJECT: Repealing of Preemption of Local laws Regarding the Use or Sale of Single-Use Plastic Bags and Polystyrene Containers: Consideration of Resolution 19-12

Attached is an email from Mr. Thomas Bradford of Tequesta, Florida, as well as explanatory letter from him and a resolution that the Town of Palm Beach approved on October 10, 2019 (pages 1-5). That resolution encourages the Florida Legislature to repeal state laws that preempt cities from passing their own laws to ban plastic items. Mr. Bradford asks Florida cities to pass a resolution similar to Tequesta's.

We have taken that resolution, put it in our format, and assigned a number to it: 19-12. It is attached as pages 6-8.

ACTION REQUESTED

It is that you review Resolution 19-12 and decide whether to adopt it.

If you do adopt it, then copies will be sent to our State Representative Cyndi Stevenson and State Senator Travis Hutson, and to the Florida League of Cities. We will also bring it to the attention of the Board of Directors of the Northeast Florida League of Cities, so that they can ask their respective cities whether they want to pass a similar resolution.

Max Royle

From: Thomas Bradford <tgbradford3@gmail.com>
Sent: Wednesday, October 23, 2019 1:34 AM
To: TUpchurch@citystaug.com; LFreeman@citystaug.com; RHorvath@citystaug.com; NSikesKline@citystaug.com; JValdes@citystaug.com; cosa@citystaug.com; Comm George; Comm England; Comm Samora; Comm Rumrell; Comm Kostka; Max Royle
Subject: OUTSIDE ATTACHMENT:Consideration of Adoption of a Resolution Supporting Efforts to Remove State Statute Preemptions of Local Law Relating to Regulation of Auxiliary Containers, Wrappings or Plastic Bags or Use or Sale of Polystyrene
Attachments: Letter for Plastics Regs Local Option.pdf; resolution 122-2019.docx

* * * * * This message originated from outside of your organization! DO NOT click any links or open any attachments unless you validate the sender and know the content is safe. Please forward this email to IT@cityofsab.org if you believe the email is suspicious. * * * * *

Dear Elected Officials of the Coastal Communities in St. John's County:

All one has to do is walk the tideline and you will see that our oceans have become a human dumping ground, particularly for plastics that either do not breakdown or are slow in doing so. Single-use and other plastic products create unique problems for landfill management and marine life. It is time Florida localities, particularly Florida coastal communities, have the right to regulate these materials that create these problems should they so choose. Our new Governor has stated he is of this same opinion.

Please see the attached letter and resolution asking for your help in giving Florida local governments the ability to regulate plastics and other materials that are detrimental to our environment and marine life. Thank you.

Thomas G. Bradford
44 Chestnut Trail
Tequesta, FL 33469
Tele: 561.744.7640
Mobile: 561.346.6061
Email: tgbradford3@gmail.com

THOMAS G. BRADFORD
44 CHESTNUT TRAIL
TEQUESTA, FL 33469
(561) 744-7640 | tgbradford3@gmail.com

October 23, 2019

To the Attention of Elected Florida Municipal Officials

Re: Consideration of Adoption of a Resolution Supporting Efforts to Remove State Statute Preemptions of Local Law Relating to Regulation of Auxiliary Containers, Wrappings or Plastic Bags or Use or Sale of Polystyrene

Dear Elected Municipal Official:

By way of introduction, I am the former manager of Tequesta and Palm Beach. Today, I serve as a volunteer on the Tequesta Environmental Advisory Committee. However, I am writing to you today as a private citizen and not in any official capacity.

As a native Floridian, I have witnessed the growth of this state and its transition from an agricultural economy to a primarily service sector economy with ever expanding urbanization and a decreasing interconnectedness between man and the environment in which we live, work and play. This results in many environmental problems for the air, the land and our waters. All one has to do is walk the tideline and you will see that our oceans and waterways have become a human dumping ground, particularly for plastics that either do not breakdown or are slow in doing so. Single-use and other plastic products create unique problems for landfill management and marine life. It is time Florida localities, particularly Florida coastal communities, have the right to regulate these materials that create these problems should they so choose. Our new Governor has stated he is of this same opinion.

The content of the attached resolution was approved by the Palm Beach Town Council on October 10 and is being distributed around the state and can easily be amended to fit the resolution format of your community. It enumerates many of the problems of various plastic products. The resolution urges our Florida legislators to support the adoption of SB 182, which, if adopted, will give local government the ability to regulate these materials to help begin the process of restoring the integrity of our waters and help protect the marine life affected by said materials. If SB 182 is signed into law each community can decide to do so or not. The following link will take you to SB 182 for your review: <http://www.flsenate.gov/Session/Bill/2020/182/BillText/Filed/PDF>

Will you consider pursuing adoption of a similar resolution by your governing board? If you do so, could you also send a copy to the Governor, the state legislators serving your municipality, the other municipalities in your area and a copy to me for tracking purposes in order to help build momentum for this important cause? If your community has already issued a resolution on this matter, a reminder letter to your local legislative delegation of your position on preemption of local law in regard to plastics detrimental to our environment and marine life may prove to be important in the 2020 Legislative Session. Your time and efforts in this regard are greatly appreciated.

Sincerely,



Thomas G. Bradford

Enclosures:

TPB Res. No. 122-2019

RESOLUTION NO. 122-2019

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, STRONGLY ENCOURAGING THE STATE LEGISLATURE TO APPROVE SENATE BILL 182, AND ANY COMPANION HOUSE BILLS RELATING TO THE PREEMPTION OF RECYCLABLE AND POLYSTYRENE MATERIALS BY AMENDING SECTION 403.7033 AND SECTION 500.90, , FLORIDA STATUTES, REPEALING THE PREEMPTION OF LOCAL LAWS REGARDING THE USE OR SALE OF SINGLE-USE PLASTIC BAGS AND POLYSTYRENE MATERIALS.

WHEREAS, the Town Council of the Town of Palm Beach is diligent in its efforts to preserve the beautiful environment that supports the tourism industry which is so vital to the economy of the Town of Palm Beach and the State of Florida; and

WHEREAS, plastic bags and polystyrene are detrimental because they do not fully degrade in our oceans or land environment and they introduce unsafe chemicals into our environment; and

WHEREAS, plastic bags and polystyrene create the potential for death of land and marine animals through entanglement and ingestion; and

WHEREAS, the expansive usage of single-use shopping bags and polystyrene containers and their typical disposal rates creates an impediment to the Town's waste reduction and recycling goals while creating unsightly litter; and

WHEREAS, single-use plastic bags and polystyrene containers are difficult to recycle and frequently contaminate material that is processed through the Town's curbside recycling and composting programs; and

WHEREAS, reusable bags and biodegradable containers are considered to be the best option to reduce waste and litter, protect wildlife and conserve resources; and

WHEREAS, Council acknowledges that some businesses have taken affirmative steps to accomplish this goal and recognizes their proactive efforts; and

WHEREAS, it is in the public interest for the Council to encourage and enable the location of a viable reusable bag manufacturing operation in the State of Florida; and

WHEREAS, it is in the public interest for the Florida Legislature to provide statewide deregulation of the proliferation of single-use shopping bags and polystyrene containers; and

WHEREAS, the Florida Legislature under "The Energy, Climate Change, and Economic Security Act of 2008", enacted House Bill 7135, creating Sections 403.7033 and 500.90, Florida Statutes; and

WHEREAS, Section 403.7033 requires the Florida Department of Environmental Protection (DEP) to perform an analysis and submit a report to the Legislature by February 1, 2010, regarding the necessity and efficacy of both statewide and local regulation of bags used by consumers to carry products from retail establishments; and

WHEREAS, the statute also provides that until such time that the Legislature adopts the recommendations of DEP, no local or state government may enact any regulation or tax on the use of such retail bags; and

WHEREAS, the DEP analysis determined a need for new or different regulations of bags used by customers to carry products from retail establishments and recommends the implementation of new standards requiring the prohibition of plastic carryout bags encourages the use of reusable bags to the benefit of the State's environment; and

WHEREAS, Section 500.90 preempts local regulation of the use or sale of polystyrene products; and

WHEREAS, the Town Council supports the efforts to repeal Sections 403.7033 and 500.90, Florida Statutes, so that local government can enact appropriate legislation relating to the regulation of plastic bags and polystyrene containers.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA:

Section 1. The Mayor and Town Council support efforts to repeal Sections 403.7033 and 500.90, Florida Statutes, so that local governments are no longer preempted from enacting appropriate legislation relating to the regulation of plastic bags and polystyrene containers.

Section 2. The Mayor and Town Council encourages approval of Senate Bill 182 and all companion House Bills eliminating preemption language in Sections 403.7033 and 500.90, Florida State Statutes.

Section 3. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 10th day of October 2019.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lew Crampton, Town Council Member

Kathleen Dominguez, CMC
Town Clerk

Bobbie Lindsay, Town Council Member

RESOLUTION 19-12

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

**RE: STRONGLY ENCOURAGING THE
STATE LEGISLATURE TO APPROVE
SENATE BILL 182, AND ANY
COMPANION HOUSE BILLS
RELATING TO THE PREEMPTION OF
RECYCLABLE AND POLYSTYRENE
MATERIALS BY AMENDING SECTION
403.7033 AND SECTION 500.90,
FLORIDA STATUTES, REPEALING
THE PREEMPTION OF LOCAL LAWS
REGARDING THE USE OR SALE OF
SINGLE-USE PLASTIC BAGS AND
POLYSTYRENE MATERIALS.**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on November 4, 2019, resolves as follows:

WHEREAS, the Commission of the City of St. Augustine Beach is diligent in its efforts to preserve the beautiful environment that supports the tourism industry which is so vital to the economy of the City of St. Augustine Beach and the State of Florida; and

WHEREAS, plastic bags and polystyrene are detrimental because they do not fully degrade in our oceans or land environment and they introduce unsafe chemicals into our environment; and

WHEREAS, plastic bags and polystyrene create the potential for death of land and marine animals through entanglement and ingestion; and

WHEREAS, the expansive use of single-use shopping bags and polystyrene containers and their typical disposal rates creates an impediment to the City's waste reduction and recycling goals which creating unsightly litter; and

WHEREAS, single-use plastic bags and polystyrene containers are difficult to recycle and frequently contaminate material that is processed through the City's curbside recycling and composting programs; and

WHEREAS, reusable bags and biodegradable containers are considered to be the best option to reduce waste and litter, protect wildlife and conserve resources; and

WHEREAS, Commission acknowledges that some businesses have taken affirmative steps to accomplish this goal and recognizes their proactive efforts; and

WHEREAS, it is in the public interest for the Commission to encourage and enable the location of a viable reusable bag manufacturing operation in the State of Florida; and

WHEREAS, it is in the public interest for the Florida Legislature to provide statewide deregulation of the proliferation of single-use shopping bags and polystyrene containers; and

WHEREAS, the Florida Legislature under “The Energy, Climate Change, and Economic Security Act of 2008”. Enacted House Bill 7135, creating Sections 403.7033 and 500.90, Florida Statutes; and

WHEREAS, Section 403.7033 requires the Florida Department of Environmental Protection (DEP) to perform an analysis and submit a report to the Legislature by February 1, 2010, regarding the necessity and efficacy of both statewide and local regulation of bags used by consumers to carry products from retail establishments; and

WHEREAS, the statute also provides that until such time that the Legislature adopts the recommends of DEP, no local or state government may enact any regulation or tax on the use of such retail bags; and

WHEREAS, the DEP analysis determined a need for new or different regulations of bags used by customers to carry products from retail establishments and recommends the implementation of new standards requiring the prohibition of plastic carryout bags encourages the use of reusable bags to the benefit of the State’s environment; and

WHEREAS, the Commission supports the efforts to repeal Sections 403.7033 and 500.90, Florida Statutes, so that local government can enact appropriate legislation relating to the regulation of plastic bags and polystyrene containers.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA:

Section 1. The Mayor and Commission support efforts to repeal Sections 403.7033 and 500.90, Florida Statutes, so that local governments are no longer preempted from enacting appropriate legislation relating to the regulation of plastic bags and polystyrene containers.

Section 2. The Mayor and Commission encourages approval of Senate Bill 182 and all companion House Bills eliminating preemption language in Sections 403.7033 and 500.90, Florida State Statutes.

Section 3. This Resolution shall become effective immediately upon passage.

RESOLVED AND DONE, this 4th day of November 2019, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Undine C. George, Mayor

ATTEST:

Max Royle, City Manager

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
NOVEMBER 4, 2019**

CODE ENFORCEMENT/BUILDING/ZONING

The report is attached as pages 1-2.

COMPREHENSIVE PLANNING AND ZONING BOARD

Attached as pages 3-10 are the minutes of its October 15, 2019, meeting.

SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE

The minutes of the Committee's September 12, 2019, meeting are attached as pages 11-15.

POLICE DEPARTMENT

Please see page 16.

PUBLIC WORKS DEPARTMENT

Please see pages 17-19.

FINANCE/ADMINISTRATION

Please see page 20.

CITY MANAGER

1. Complaints

A. No Crosswalk Flags at 13th Street and the Boulevard

An elderly part-time resident complained about the lack of flags at the intersection. She had been told in the past by the County that she could use the 12th Street crosswalk, which has flags. As Chief Hardwick and the Public Works Director are working on getting flags at more intersections, she was directed to call the Chief for an update on whether a crosswalk could be put at 13th Street.

B. Possible Sewer Line Break for House on Oak Road

This complaint was forwarded for action to Mr. Bill Young, County Utility Department Director, who found that the problem might be due to drainage work done by the City. The Public Works Director investigated the problem and found it wasn't due to any work done by the City. The homeowners agreed that the problem was one for them to repair.

C. Condition of Intersection of Kings Quarry Lane and 16th Street

This complaint is the condition of the pavement on Kings Quarry Lane where it intersects with 16th Street. The complaint was forwarded to Mr. Bill Tredik, the City's Public Works Director. He determined the area wasn't on the City right-of-way. The City Manager has asked the County Public Works Director to check whether the broken pavement is on County right-of-way, as 16th Street is owned by the County.

D. Parking on 1st Street

A complaint was received about parking along the south side of the 100 block of 1st Street, west of the intersection with A1A Beach Boulevard. The Public Works Director will post No Parking on Pavement signs on the south side of 1st Street, opposite the Burrito Works business.

E. Ocean Ridge Workers Parking in the Sea Oaks Subdivision

The President of the Sea Oaks Homeowners' Association forwarded this complaint to the Building Official, who told the Ocean Ridge construction manager that Ocean Ridge workers were not to access Ocean Ridge construction sites from Sea Oaks.

2. Major Projects

A. Road/Sidewalk Improvements

1) Pedestrian Safety at Crosswalks on A1A Beach Boulevard

Residents have requested pedestrian flags at the 8th and 13th 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 9th and D Streets. The crosswalk at D Street has been done. No information about when the 9th Street one will be done.

The City has requested funding from the County's \$15.5 million surplus for enhancements, such as flashing warning lights, at three crosswalks. This request may be considered by the County Commission at its November 19th meeting.

2) Opening 2nd Street West of 2nd Avenue

There has been no action by the owners of the lots on 2nd Street west of 2nd 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 8th Street between the Boulevard and 2nd Avenue did. The Public Works Director has sent a letter to the owners of the lots along this section of 2nd Street, asking them if they would support the opening of 2nd Street and providing the utilities, knowing that they would be assessed the costs for the project. Thus far, the owners of 11 out of 16 lots have agreed to pay the costs, the owners of two lots have said no, and the remaining three owners haven't responded.

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 21st 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, the residents/property owners were not in favor of the sidewalk. The City has requested County funding for this project. The County Commission may discuss the request at its November 19th meeting.

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 2nd meeting and authorized the advertising of a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20th 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 13th 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 13th 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 21st deadline. The County staff reviewed them on March 7th and recommended to the County Commission at its April 2nd meeting that the County staff negotiate with Republic Parking System. The County Commission approved this recommendation. At its April 29th 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 29th 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 10th meeting. To date, the residents of two streets west of the Boulevard, 13th and 14th, have requested the parking permit program, as have the residents in the 100 block of 10th Street between 2nd Avenue and the Boulevard.

In the meantime, Mayor George held a town hall meeting on Thursday, February 28th, 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 5th, 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 2nd Avenue.
- Parking areas shared with businesses: remain as unpaid areas

At its April 29th 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 was reviewed at the June 10th regular meeting, and passed on final reading at the Commission's July 1st meeting. Also, passed on final reading at that meeting was an ordinance to make changes to the parking regulations in Chapter 19 of the City Code.

Also, at the April 29th 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 2nd meeting approved the staff negotiating with Republic Parking. The City Commission at its April 29th 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 staff met with a Republic representative on June 24, 2019. The City could have a separate agreement with Republic that is similar to what the County will have. Still to be determined by the County is an hourly parking fee and the formal acceptance of Republic's parking management plan. The County staff has tentatively scheduled for the County Commissioners' November 5, 2019, meeting discussion of a parking management plan and hourly parking rate.

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. The Public Works Director is applying to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms. The deadline for the grant is October 31, 2019. The City will know in early summer of 2020 whether it has received the grant. In addition, the City has requested money from the County's \$15.5 million surplus.

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, October 26, 2019, there were 40 permits active for single-family residences in the City.

SUBDIVISION	ADDRESS	DATE PERMIT ISSUED	
Anastasia Dunes	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
	409 Ocean Forest Drive	07/18/2019	Active permit #P1915009
	1012 Island Way	09/16/2019	Active permit #P1915157
Anastasia Park	491 Pyrus Street	10/01.2018	Active permit #14180
Atlantic Beach	7 16 th Street	07/05/2018	Active permit #14035
	12 13 th Street	09/09/2019	Active permit #P1915242
Chautauqua Beach	4 5th Street	02/02/2017	Active permit #13092
	6 6 th Street	01/30/2019	Active permit #14397
	17 6 th Street	04/19/2019	Active permit #P1914567
	4 12 th Street	04/25/2019	Active permit #P1914615
Coquina Gables	6 F Street	11/14/2018	Active permit #14270
Kings Quarry	613 Old Beach Road	01/16/2019	Active permit #14368
Lake Sienna			
Linda Mar			
Magnolia Dunes			
Minorca			
Ocean Oaks			
Raintree	23 Deanna Drive	10/04/2019	Active permit #P1915282

Sandpiper West	103 Sandpiper Boulevard	02/04/2019	Active permit #14404
	5 Kimberly Lane	07/25/2019	Active permit #P1915047
Sea Colony	612 Ocean Palm Way	09/10/2018	Active permit #P1915252
	332 South Forest Dune Drive	01/17/2019	Active permit #14373
	892 Ocean Palm Way	02/07/2019	Active permit #14417
Sea Grove	1308 Smiling Fish Lane	10/22/2018	Active permit #14224
Sea Oaks			
Sevilla Gardens			
The Ridge	22 High Dune Drive	01/18/2019	Active permit #14376
	94 High Dune Drive	01/24/2019	Active permit #14385
	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
	23 High Dune Drive	06/21/2019	Active permit #P1914906
	261 Ridgeway Road	06/24/2019	Active permit #P1914910
	43 High Dune Drive	07/17/2019	Active permit #P1915008
	462 Ridgeway Road	07/18/2019	Active permit #P1915020
	420 Ridgeway Road	09/13/2019	Active permit #P1915279
Whispering Oaks			

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 5th and 6th 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 Planning Board approved a similar commercial/residential building at its January 15th 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 20th meeting and recommended that the Commission approve the plan. The Commission approved the plan at its December 3rd meeting. A permit for the project hasn't been issued yet.

4. Finance and Budget

A. Audit Report of FY 19 Budget

Staff members of the City's audit firm, James Moore and Company, did field work on the FY 19 budget in early October. They will continue the audit field work in early January.

B. Fiscal Year 2020 Budget

Because of the resignation of the City's Chief Financial Officer, Ms. Melissa Burns, the Assistant Finance Director, Ms. Patricia Douylliez, and the department heads prepared the proposed budget. It was submitted to the City Commission for review on July 23rd. The Commission held a public review of the budget on Wednesday, July 31, 2019. Among the decisions made at the meeting were the set the tentative property tax millage at 2.60 mills and to change some of the major capital projects, such as a second Public Works garage. The Commission reviewed the proposed millage and budget at a public hearing on Monday, September 9th, and lowered the operating millage to 2.50 mills. At its September 23rd special meeting, the Commission lowered the millage to its current FY 19 levy of 2.3992 mills by deleting certain projects and reducing the contingency reserve. The 2020 fiscal year began on October 1, 2019, and will end September 30, 2020.

C. Vendor Checks

Please see pages 21-39.

5. Miscellaneous

A. Permits for Upcoming Events

In late September, the City Manager approved the permit for the Delta Nu Zeta Beach Cleanup on October 26, 2019. In October, he approved the permit for the "Santa Suits on the Loose" 5K run on Saturday, December 14, 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 10th meeting and asked that the Planning Board and the Sustainability and Environmental Planning Advisory Committee be asked to provide their suggestions for the plan. The responses were reviewed by the Commission at its August 5th meeting. The Commission decided to have a mission statement developed. Suggestions for the statement were provided to the Commission for consideration at its September meeting. By consensus, the Commission asked the City Manager to develop a Mission Statement and provide it at a future 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 7th meeting, the Commission approved the hiring of Fleet and Associates. Mr. and Mrs. Fleet held a public hearing on June 26th and a workshop with the Planning Board and the public on July 17th. The Fleets presented the results of those two meetings to the Commission at its August 6th 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 17th 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 19th

meeting and decided to continue its review at the Board's March 19th 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 16th meeting because the Chair, Mrs. Jane West, was away on March 19th. 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 changes with Ms. Fleet at its June 10th meeting, directed that the discussion be continued to a special meeting on July 2nd, and at that meeting made changes to the plan and approved its transmittal to the Florida Department of Economic Opportunity for review and comment. The Department in a report that was received in early October asked the City to include policies in the Comp Plan concerning sea level rise and coastal flooding. Ms. Fleet will prepare the policies for presentation to the Commission at its December 2nd meeting.

MEMO

City of St. Augustine Beach Building & Zoning Department

To: Max Royle, City Manager
From: Brian Law, Building Official
Date: 10--23--2019
Re: Building and Zoning Department Monthly Report

Trees:

1. 09-25-2019—603 11th Street
Removal of oak tree hazardous to single-family residence.
2. 09-25-2019—301 C Street
Removal of maple tree hazardous to single-family residence.
3. 10-03-2109—1 C Street
Removal of cabbage palm tree hazardous to single-family residence
4. 10-16-2019—206 12th Street
Removal of three palm trees hazardous to utilities

Planning and Zoning: (October 15, 2019 regular monthly meeting at 6:00 p.m. at City Hall)

1. Planning and Zoning Board recommended the City Commission approve renewal of a conditional use permit issued December 1, 2014 to Island Prep LLC, a daycare/pre-kindergarten private school in a commercial land use district at 4001 A1A South, Danielle Gwiazda, agent for LP & Fox Holdings LLC, Applicant
2. Planning and Zoning Board recommended the City Commission approve a conditional use permit application for proposed new construction of a single-family residence in a commercial land use district on Lot 18, St. Augustine Beach Subdivision, at 16 5th Street, James and Kimberly Cochrane, Applicants
3. Planning and Zoning Board approved a variance request for rear and side yard setback reductions from 10 (ten) feet to 7 (seven) feet for proposed new construction of an inground swimming pool and rear and side yard setback reductions from 10 (ten) feet to 5 (five) feet for a pool deck in a Planned Unit Development (PUD) on Lot 194, Seagrove St. Augustine Beach Unit 8, at 1349 Smiling Fish Lane, Bruce Cataldo, Caribbean Pools & Spas, agent for David J. and Lyndsey H. Stein, Applicants
4. Planning and Zoning Board approved a variance request for a rear yard setback reduction from 10 (ten) feet to 7 (seven) feet for proposed new construction of an inground swimming pool and pool screen enclosure in a Planned Unit Development on Lot 195, Seagrove St. Augustine Beach Unit 8, at 1353 Smiling Fish Lane, Bruce Cataldo, Caribbean Pools & Spas, agent for William J. and Jennifer A. Piniarski, Applicants

Code Enforcement:

1. Code Enforcement staff continues to monitor progress being made 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.

2. Fees for annual inspections of approximately 140 transient rental facilities are currently being submitted and inspections are almost completed for renewal of business tax receipts for transient rental properties.
3. Code Enforcement Board meeting scheduled for Wednesday, November 20, 2019, at 2:00 p.m. at City Hall, to address and discuss four derelict properties at 106 2nd Street, 201 6th Street, 205 7th Street, and 206 8th Street.

Building:

1. Shell Shack building at 491 A1A Beach Boulevard has been energized and renovation is progressing as expected.
2. Construction of new donut shop on site of former Carriage Realty building at 400 A1A Beach Boulevard has progressed to the installation of exterior windows and doors.



MINUTES

PLANNING AND ZONING BOARD MEETING
TUESDAY, SEPTEMBER 17, 2019, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

I. CALL TO ORDER

Vice-Chairperson Elise Sloan 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, Steve Mitherz, Kevin Kincaid, Senior Alternate Chris Pranis, Junior Alternate Dennis King.
[Recording Secretary's Note: Chairperson Jane West arrived at the meeting at 6:02 p.m. and was not present for roll-call vote.]

BOARD MEMBERS ABSENT: Berta Odom.

STAFF PRESENT: Building Official Brian Law, City Attorney James Wilson, Recording Secretary Lacey Pierotti.

IV. APPROVAL OF MINUTES OF PLANNING AND ZONING BOARD MEETING OF JULY 16, 2019

Motion: to approve the minutes of the July 16, 2019 meeting. **Moved** by Mr. Holleran, **seconded** by Mr. Mitherz, **passed 7-0** by unanimous voice-vote.

V. PUBLIC COMMENT

Sonia Kulyk, 114 13th Street, St. Augustine Beach, Florida, 32080, asked for an update on the height and square footage of the building going up on 13th Street and Beach Boulevard.

Mr. Law said this is a two-story mixed-use building approved by the Planning and Zoning Board in November 2017. A records request may be submitted to get more information.

VI. NEW BUSINESS

- A. Land Use Variance File No. VAR 2019-13, for a rear yard setback reduction from 25 (twenty-five) feet to 4 (four) feet and a street side yard setback reduction from 15 (fifteen) feet to 7 (seven) feet for construction of an open-wall carport with a translucent Lexan roof over existing concrete in a low-density residential and use district on Lot 1, Block E, Woodland Unit B Subdivision, at 691 Pope Road, Arn A. and Loretta R. Miller, Applicants

Mr. Law said the City's Building Inspector, Mr. Glenn Brown, saw a pergola he had never inspected, and upon further investigation found it had been built without a permit by the homeowners, who were unaware that it needed a permit. This is a unique, open-wall carport-like structure with a clear Lexan roof, and as such, it meets the definition of a building. It was built over existing concrete and the applicants have provided three letters from neighbors in support of the structure. It violates no building code as far as fire-rated construction, however, it does violate the setback requirements of the City's Land Development Regulations (LDRs), so the owners have applied for a variance so they can be issued a permit and keep what they've built.

Arn and Loretta Miller, 691 Pope Road, St. Augustine Beach, Florida, 32080, applicants, said they don't have any problem with the neighbors as far as aesthetics and they've made the structure hurricane-proof. They went to Lowe's, Home Depot and Sam's looking for a boat cover and the only reason they put a roof over it was to protect their boat which is parked under it. The existing concrete slab was poured back in 2002 or 2003 and they've had their boat since 2005.

Ms. West asked if the concrete pad has been expanded.

Ms. Miller said no, the columns have been built right against the existing pad.

Mr. Pranis asked if a contractor was hired to put up the structure.

Ms. Miller said no, they did it themselves and a friend helped with the metal clips.

Ms. Sloan asked if the applicants have plans to enclose this structure.

Ms. Miller said they have no plans to do anything else to it other than stain the wood.

Mr. Miller said it is a stout structure and not infringing on anybody's property.

Motion: to approve the variance as requested. **Moved** by Ms. Sloan, **seconded** by Mr. Kincaid, **passed 6-1** by roll-call vote, with Mr. Kincaid, Ms. Longstreet, Mr. Pranis, Ms. West, Ms. Sloan, and Mr. Holleran assenting, and Mr. Mitherz dissenting.

- B. Review of proposed changes to Sections 3.02.02.01, 3.08.00, 3.09.00, 5.01.02, 5.01.03, 6.01.02, and 6.01.03 of the City's Land Development Regulations (LDRs), for the Board's recommendations to the City Commission regarding the drafting of an ordinance to adopt the proposed changes

Mr. Law said this agenda item involves several changes to the City's LDRs, many of which have been in the works for over a year. The first pertains to Section 3.02.02.01 regarding mixed use districts, which requires a minimum lot area of 8,500 square feet. As there are no viable 8,500-square-foot or larger single lots along the Boulevard, the recommendation is to remove this minimum lot size and eliminate the need to apply for a variance. The other change to this section pertains to mixed use signage, which has been revised to strike-out the current requirement that all signage must be approved by this Board and state all signage, ground and wall signs shall be subject to the requirements of the City's new sign code in Article VIII of the LDRs. The second change is to Section 3.08.00, pertaining to overlay districts, with the recommendation to remove the overlay districts entirely, and just require properties within these districts to operate entirely within the LDRs. The third revision pertains to Section 3.09.00, which refers to transient lodging facilities within medium density land use districts, to add verbiage to address how complaints about transient rentals are handled with the involvement of the Code Enforcement Board, which has the ability to impose monetary fines, and/or the Police Department. There was also a part of this section that has been struck out, as it is no longer applicable with the implementation of the

City's new fee schedule. The fourth change is to Section 5.01.02, pertaining to conditions for tree removal, which consists of the insertion of a cut-and-paste from House Bill 1159, which became effective July 1, 2019. In the event the State legislature revokes this bill, it will be struck from the Code. The fifth change pertains to Section 5.01.03, which addresses tree replacement and mitigation and the City's Tree and Landscape Fund, to allow funds in this account to be used for the construction and maintenance of structures and landscaping in City-owned parks, with the recommendation of the City's Public Works Director and approval by the City Commission. The sixth change pertains to Section 6.01.02, which addresses impervious surface ratio (ISR) coverage, to increase the maximum ISR allowed in low density residential land use districts from 40 percent to 50 percent, to stop the variances being requested for pool and additions to existing residential properties. The last changes apply to Section 6.01.03, addressing building setback requirements, to change the setback requirements for single-family residential lots from 25 feet to 20 feet in the rear yard and from 15 feet to 12 feet on street sides, and change the front and rear yard setback requirements for 50-foot-by-93-foot single-family residential lots from 25 feet to 20 feet, from 10 feet to 7.5 feet for side yards and from 15 feet to 12 feet for street side yards, and to also allow any lot with a width of 50 feet or less to have a 7.5-foot side yard setback. Changes to this section are also proposed to allow certain auxiliary structures to be built with minimum 5-foot rear and side yard setbacks and certain architectural features such as roofs over exterior doors, bump-outs, bay windows, etc., to project no more than 2.5 feet, including overhangs, into the required setbacks. The City Commission reviewed these proposed changes at its last meeting and needs the Board's input and recommendation to move forward to get them drafted into ordinance form.

Ms. West asked for public comment on any of the proposed changes.

Mike Stauffer, 22 Bowers Lane, St. Augustine Beach, Florida, 32080, said he supports the proposed revisions, particularly for the setbacks in Section 6.01.03. As an architect designing for his clients, and using a 50-foot-by-100-foot lot as an example, because most property owners of such lots have acquired the additional 7.5 feet of the vacated alley behind their lots, with the current 25-foot front and rear and 10-foot side yard setbacks, the maximum buildable footprint is 30-feet-by-50-feet, or 1,500-square feet, which is less than the 1,750-square-feet allowed per the 35 percent maximum lot coverage for residential properties. People may think decreasing the setbacks allows bigger houses to be built, but that's not true, because even with the proposed reduced setbacks, building size is still limited to the maximum 35 percent lot coverage. Reducing the setbacks, however, allows flexibility to move the footprint of a house and garage around on a lot to widen the architecture and have more room for outdoor living in the form of patios, porches, decks, and pools. The proposed new setbacks will be great for the community and give him and other architects the ability to better serve their clients without giving anyone a super advantage over anyone else, so he asked that the Board approve the recommended changes.

Ms. West asked Mr. Stauffer if clients buying 50-foot-wide lots ever approach him beforehand to understand exactly what they're getting into with the restraints of purchasing such a lot

Mr. Stauffer said yes, always, but if you're limited to 1500-square feet of living space for a lot you paid \$250,000 for, it's kind of restrictive to say if you want more living space you have to build a second- or even a third-story. Some of his clients really don't want a three-story house, but if they want a third bedroom or a study, they're forced to build up. The fact is the average house most of his clients want is around 2,500-square feet, so they're not asking to build huge houses.

Sandra Krempasky, 7 C Street, Apartment A, St. Augustine Beach, Florida, 32080, said many of the Board members were here when a workshop meeting was held in June 2015, and most of the

speakers who spoke in favor of increasing what were then the current setbacks lived in the neighborhoods that have these smaller lots. She recapped some of the comments made by residents at this meeting, and said the room was full of members of the public on that day. At this meeting, Ms. West asked by a show of hands from the public audience who was, and who was not, in favor of the new, and less restrictive, setbacks that went into effect with the passage of Ordinance No. 13-14 in November 2013. Two people raised their hands in favor of the new setbacks, with the overwhelming majority of people in attendance opposed to them. The City Commission, Planning and Zoning Board, and Tree Board worked with a planning consultant on a review of the LDRs, which included a rollback of the new setbacks to the former setbacks. It might be hard for new owners and developers to build houses and pools on these smaller lots, but she doesn't think the City should make it easier for them by changing the Code. People who purchased lots and built prior to 2013 had to make choices and build by the existing Code, so they need to protect the residents who already live here. At the second workshop meeting, Ms. West said no one is forcing people to buy a small lot. You buy into the community, so Ms. West thought the responsible thing to do was to go back to the setbacks that were in place for decades without outcry from the public. This was accomplished, after working for four years to make this change, yet here they are again with proposed changes to reverse the setbacks to be less restrictive.

Ms. West said her position on this has been clear and consistent. They've been working on this issue for a very long time, and quite frankly, there was a significant amount of confusion when the setbacks were changed under Gary Larson's tenure as Building Official, to the extent that there were several years where people purchased property without understanding that there were changes in flux, so they had established property rights. To once again propose that they cause confusion within the City by altering the setbacks and subjecting the entire City to property rights litigation makes absolutely no sense to her whatsoever. Her point of view stands firm that you do buy into a community, and she doesn't think that purchasers of 50-foot-wide lots are going to be architecturally confined to building a box and nothing else, as there are ways to establish architectural features while meeting the setbacks that have been in place for decades. There are a lot of reasons to keep the current setbacks in place, one of which is that the City has flooding concerns, and decreasing setbacks allow greater ISR coverage which exacerbates flooding risks, which is not something they should be doing, per the City's Comprehensive Plan.

Mr. Kincaid asked Ms. West to explain how changing the setbacks increases the liability to the City for property rights litigation and asked if the City ever did get sued over this issue.

Ms. West said under Gary Larson, the setbacks were reduced, and then there was a period where the City was holding workshops to address the changes, as basically people were purchasing these small lots without truly understanding what setback requirements applied to them. This threw the entire City into a state of flux that had people concerned about potential property rights takings, as they did not know where they stood in terms of what they could build. To put the City back into that state of flux and unease is not good for prospective purchasers or for the City, so she doesn't want to do this again. As to whether the City ever got sued, Mr. Wilson was not the City Attorney at that time, so she's not sure, but does know that there were threats of litigation.

Ms. Sloan said first the setbacks were greatly reduced and put back again and now they're looking at changing the rear and side and street side yard setbacks on those small lots. She asked if Mr. Law could tell her how many of the 50-foot-by-93-foot lots in the City are still vacant.

Mr. Law said he doesn't know offhand but with the current setbacks the City could be guilty of a government taking because people are being denied the 35 percent maximum lot coverage use.

Mr. Kincaid said that's his next point, because with the math people aren't allowed to cover 35 percent of their lot, so the lot coverage and setback rules conflict with each other and cause confusion. He's always for people to be able to use their property for their needs if it doesn't impact the character of the City. The older houses on these lots won't last forever but will be rebuilt, and he hasn't heard anything yet that makes him disagree with the changes proposed.

Ms. Sloan said with the point Mr. Stauffer made, they may see fewer three-story houses being built than they would if the more rigid setbacks stay in place.

Ms. Longstreet said even with the relaxed setbacks three-story houses will still be built.

Ms. Sloan said that's always a possibility, but they may have fewer three-story houses if people have more flexibility in designing two-story houses.

Mr. Kincaid agreed, as this will also allow flexibility to move houses around without increasing the 35 percent maximum lot coverage, which he thinks is in everybody's best interest.

Mr. Law said with the current setbacks, the maximum lot coverage that can be built on a 50-foot-by-93-foot lot is 27.4 percent, even though the LDRs allow 35 percent maximum lot coverage.

Mr. Mitherz asked if there are any proposed changes regarding minimum lot sizes, and if transient rentals in commercial land use districts are required to follow the same lot coverage rules.

Mr. Law said there is no intention to make any changes to minimum lot sizes. Transient rental lodgings in commercial land use districts are only allowed by a conditional use permit, which requires recommendation to the City Commission from this Board and then approval from the Commission. If the Commission decides to grant a conditional use permit, it can impose any conditions recommended by the Board to allow residential construction in commercial zoning.

Ms. Sloan said asked if annual inspections are still being done on transient rentals, as she noticed the annual inspection fee of \$40.00 has been struck out in Section 3.09.00.

Mr. Law said the fee schedule has been struck out in three spots as this has all been revised in the City's new fee schedule. An initial inspection is done on every new transient rental and then an inspection is done annually for the increased fee of \$100.00.

Ms. West asked Mr. Wilson if there are proposed bills to repeal the House Bill that is part of the revision made to Section 5.01.02, which addresses conditions for tree removal, and if the City of St. Augustine Beach will be taking a position on this in this next legislative session.

Mr. Wilson said doesn't know if the City will have a lobbyist there to take a position on this, but if this is repealed or revised in the Florida Statutes it must be repealed or revised in City Code.

Ms. West recommended this be struck out of the LDRs, as State law is always going to preempt local government law. To address the impacts of impervious surfaces that are going to come into play as a result of reducing the setbacks, one of the primary considerations that needs to be taken into account is the City's flooding risk. One of the beauties of this Board is that it has the power vested in it to create a subcommittee to further look into issues they are struggling with, so she recommends creating a committee because this is a really important issue to the members of the community. She'd like to form a committee to evaluate the proposed setback changes and hold a workshop meeting to meet with the public and report back to this Board on what the findings are, so they can make an informed decision and recommendation with more public engagement.

Mr. Law said the City has several houses built to these setbacks, so it isn't a new concept. In the event of a true storm event that damages 50 percent or more of these structures under the substantial improvement protocols associated with this Code, they become nonconforming and would not be allowed to be rebuilt to their current footprints. The proposed setback revisions streamline all of that and eliminate the overlay districts, thereby reducing government interference. This is a no-brainer and it's the right thing to do for people paying \$250,000 for a piece of property, by letting them build to 35 percent maximum lot coverage.

Motion: to recommend to the City Commission that the proposed changes to Section 3.02.02.01 be approved. **Moved** by Mr. Kincaid, **seconded** by Mr. Mitherz, **passed 7-0** by unanimous voice-vote.

Ms. West asked the purpose of striking through the entire overlay district section of the LDRs. .

Mr. Law said the overlay districts give reduced setbacks to small platted lots if approved by this Board. His recommendation is to eliminate them and make the LDRs the stringent factor. This will help reduce the number of variances and overlay applications, and the new setbacks for lots with a width of 50 feet or less will apply to the small platted lots in medium density residential.

Ms. West said as the City is its own municipality, there is nothing that prohibits them from enacting more stringent requirements as a coastal community. Having property seaward of the Coastal Construction Control Line (CCCL) in a velocity zone might require some additional scrutiny that this Board has been historically tasked with. She feels she's extremely uninformed regarding the strike-through recommended for Section 3.08.00, pertaining to the overlay district areas.

Ms. Longstreet said if the State decides the County can change the height restrictions and the City has taken this out of the Code, then we've messed ourselves up.

Mr. Law said the height restrictions for the City have not been removed from the Code. The City is bound by the regulations in Articles II and VI of the LDRs, what's been struck from the Code are the specific scenarios that only apply in the overlay districts. No building can violate the building height definition of 35 feet without a variance from this Board.

Motion: to recommend denial of the entire strike-through of Section 3.08.00 from the LDRs with reservations about deleting subsection 3.08.00.A.3, construction requirements, particularly pertaining to construction seaward of the CCCL located in velocity zones. **Moved** by Ms. West, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

Motion: to recommend approval of the proposed revisions to Section 3.09.00 with the addition of more clarity and definition, to be provided by the City Attorney, for a verifiable and valid complaint. **Moved** by Mr. Kincaid, **seconded** by Ms. West, **passed 7-0** by unanimous voice-vote.

Motion: to recommend no revisions be made to Section 5.01.02.D, due to the State's pre-exemption of House Bill 1159, which may be subject to change. **Moved** by Ms. West, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

Motion: to recommend the proposed revision to Section 5.01.03.B be approved. **Moved** by Mr. Kincaid, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

Motion: to recommend the proposed revision to Section 6.01.02.D be approved. **Moved** by Mr. Kincaid, **seconded** by Ms. Sloan, **passed 6-1** by voice-vote with Mr. Kincaid, Ms. Longstreet, Mr. Mitherz, Mr. Pranis, Ms. Sloan, and Mr. Holleran assenting, and Ms. West dissenting.

Motion: to recommend the proposed revisions to Section 6.01.03 be approved. **Moved** by Mr. Kincaid, **seconded** by Mr. Pranis, **passed 5-2** by voice vote with Mr. Mitherz, Mr. Pranis, Ms. Sloan, Mr. Holleran and Mr. Kincaid assenting, and Ms. Longstreet and Ms. West dissenting.

VII. OLD BUSINESS

There was no old business.

VIII. BOARD COMMENT

Mr. Mitherz asked how many houses have currently been built in Ocean Ridge.

Mr. Law said he'd estimate around 30.

Ms. Sloan said Panama Hattie's looks very nice, and she likes the way it's been finished.

Ms. West said she's very pleased with that as well and it's great to have them open for business.

Mr. Law said he'd recommend Chairperson West, in accordance with Section 11.02.02 of the LDRs, come to the next City Commission meeting on October 7, 2019, to explain to the Commission the Board's recommendation to strike-out only parts of the overlay out and not the whole section, because he can't explain the Board's reasoning for this. Section 11.02.02 states the chairperson shall serve as Board spokesperson to the Commission regarding all reports and/or recommendations of the Board, or the chair may delegate this responsibility where appropriate.

Ms. West said she will be in South Florida on this date and won't be able to attend this meeting. She asked if anyone else is willing to step up and volunteer to address the Commission on this.

Mr. Kincaid said this person would have to be comfortable explaining to the Commission what Ms. West is uncomfortable with regarding the overlay district section.

Ms. West said she'll write a memo to explain this.

Mr. Mitherz said he knows what Ms. West is talking about, as he thinks the Board could have made a better judgement about it if it had all been presented and laid out more clearly for them.

Ms. West agreed. The Board members are all volunteers, and while she knows Mr. Law has this stash of information on the tip of his tongue and can spew out the Florida Building Code like nobody's business, and she really appreciates the wealth of information he brings to the City, the Board members are not as well-versed as he is, so they depend on City staff to help educate them. In dealing with a total strike-through of something that looks kind of significant, she feels she's barreling towards being forced into a decision when she doesn't have all the facts, and quite frankly, she feels it would be irresponsible to make a decision without knowing all the information.

Mr. Law said you can't get rid of part of an overlay district, you have to get rid of the whole thing. Keep in mind building height is protected, so no one can violate the 35-foot height maximum without the Board's approval of a variance, and the Code for building height cannot be misinterpreted with the way it's written for special flood hazard areas. When you buy a piece of property it is what it is, so if you happen to be in a high velocity wave action area or seaward of the CCCL, the reference monuments are about 17.4 feet. All the overlays did was repeat everything, so in keeping multiple building height definitions in different spots in the Code, it then has to be revised in all these different areas. In this case, the requirements for lots seaward of the CCCL are picked up and protected in the City's flood ordinance, which is adopted by the State.

Ms. West said her immediate reaction is she doesn't see a problem with repeating the intent of the City through multiple provisions, as this only reinforces the City's position on certain issues so if there is ever any doubt in the eyes of an applicant, they'll have multiple references to refer to.

Mr. Law said imagine the overlay districts as chocolate cake. You can't take certain parts such as flour and chocolate out and then still have chocolate cake, just like you can't take out certain sections of the overlay and then leave the parts that refer to structures seaward of the CCCL in, as it wouldn't make any sense. If the Board chooses to leave both overlay districts in place that's their option, but you can't take part of this section out of the Code and leave the rest in.

Ms. West said she's going to revisit agenda item B and revise her motion with respect to the overlay districts in Section 3.08.00. To explain her position, putting all their eggs in the Florida Building Code without tweaking it in any way, shape or form doesn't take into consideration the unique attribute of living in a coastal community. As its own municipality, the City has the inherent authority as a local government to implement LDRs that are stricter or different from the Florida Building Code, and this is what she'd like to be educated on, along with finding out what the implications of completely wiping out the overlay districts in the City are.

Mr. Kincaid said the opposite of this is that consistency is easier on one level. He asked Mr. Law if there are differences in the overlay district regulations and the Florida Building Code.

Mr. Law said the overlay has no authority over the Florida Building Code, which will only get stricter with time. The LDRs will not tell you how to build in special flood hazard areas, but Chapter 3109 of the Florida Building Code will, in conjunction with Department of Environmental Protection (DEP) approval prior to a building permit application even being reviewed by the Building and Zoning Department. The overlays right now just don't do anything and are of no value as far as regulating construction in velocity zones. Floodplain management is not a zoning code, and that's why the City has a flood ordinance that is adopted by the State.

Motion: to obtain more information from staff on the implications of completely striking through all provisions of the overlay districts before making a recommendation of approval or denial to the City Commission to change or delete Section 3.08.00 of the LDRs. **Moved** by Ms. West, **seconded** by Ms. Sloan, **passed 7-0** by unanimous voice-vote.

IX. ADJOURNMENT

The meeting was adjourned at 7:36 p.m.

Jane West, Chairperson

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.)



MINUTES

SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING THURSDAY, SEPTEMBER 12, 2019, AT 6:00 P.M. CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

Chair Krempasky called the meeting to order at 5:58 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Chair Sandra Krempasky, Vice Chair Alex Farr, Members Craig Thomson, Lonnie Kaczmarsky, and Alternate Jeanette Smith.

Members Lana Bandy and Ann Palmquist were absent.

Also Present: Recording Secretary Dariana Fitzgerald.

Public Works Director Bill Tredik arrived at 7:21 p.m.

Secretary Fitzgerald reported that Mr. Allen Altman had decided to resign from the Committee.

IV. APPROVAL OF MINUTES OF AUGUST 8, 2019, REGULAR MEETING

Chair Krempasky introduced Item IV and then asked for a motion.

Chair Krempasky noted that she shared some typographical errors with Secretary Fitzgerald before the meeting. Members Thomson and Kaczmarsky noted the same errors.

Motion: To approve the Committee minutes for August 8, 2019, with correction of typographical errors. **Moved by** Member Thomson **Seconded by** Member Kaczmarsky. Motion passed unanimously.

V. PRESENTATION OF REPORTS:

1. Review of Draft Resolution on Climate Change

Member Thomson reported that he wrote a letter to Public Works Director Tredik and City Manager Royle on this item. He reported that the simple purpose is to recognize that climate change is affecting the quality of life and that sea level rise is a consequence of global warming.

Chair Krempasky asked if it was necessary to say both *climate change* and *global warming*. Secretary Fitzgerald noted that, according to climate.gov, *global warming* refers to rising

global surface temperatures where *climate change* refers to changing climatic conditions either globally or regionally and is not limited to increase in temperature. The Committee discussed the use of each term and decided that the Commission could make any changes to those terms if they chose.

Secretary Fitzgerald noted potential corrections to remove a redundant word from section 1 and insert "the" in section 2 to make it more grammatically correct.

Member Kaczmarzsky asked if the phrase "such as less impervious surfaces and more trees" should be added to section 1. Member Thomson commented that the Commission is considering increasing the impervious surface ratio. Vice Chair Farr noted that resolutions tend not to be specific and Member Thomson stated that the revised Comprehensive Plan contained a requirement for a Climate Action Plan to be developed within five years.

Member Kaczmarzsky suggested changing "restricting stormwater runoff" to "reducing stormwater runoff" in Section 1. The Committee agreed.

Motion: To recommend the draft Resolution to the City Commission with suggested changes.
Moved by Member Thomson. **Seconded by** Member Smith. Motion passed unanimously.

2. Review of Final Draft of Urban Forestry Management Master Plan

Chair Krempasky commented that she liked seeing Member Kaczmarzsky's comments, which were sent out by Mr. Marcus with his responses. Member Thomson stated that he sent a few comments and asked if the Committee saw them. Secretary Fitzgerald noted that Member Kaczmarzsky's comments were returned because they had notes stating why they were not included; other comments were likely incorporated into the final draft.

Member Thomson asked that Member Kaczmarzsky meet with Director Tredik to help develop a yearly forestry plan for the proposed planting areas. Member Thomson asked that a third of the \$2 per capita required for the Tree City USA certification be used for planting trees each year. He also suggested that there be a yearly forestry review. Vice Chair Farr commented that maintenance is needed on existing trees and Public Works needs to weigh in on how much of an expense that is.

Alternate Smith asked about grants for planting trees. Secretary Fitzgerald noted that that was what was used to pay for the Master Plan this year. Member Kaczmarzsky stated that they were still waiting on the announcement of funding for the next year. Secretary Fitzgerald commented that they were unable to apply for funds to plant trees this year because the state required specific, detailed plans stating the size and species of trees and where they would be planted, along with a detailed six-month maintenance plan and the Committee did not have that available.

The Committee asked for five hard copies of the Master Plan.

3. Discussion of Resiliency Planning Grant from Florida DEP

Member Thomson reported that he wrote to Public Works Director Tredik and City Manager Royle about this grant and having the City's engineering consultant ascertain the areas most susceptible to flooding. Member Thomson outlined several issues with the height of the weir and potential storm surge levels and that the City's drainage plan had not been updated in

twenty years. The Committee discussed those issues, what could potentially be done, and funding for improvements.

Motion: Get fee proposal from Stone Engineering for providing tipping point information on the retention pond and those areas of the City subject to compound flooding. **Moved by** Member Thomson. **Seconded by** Member Kaczmarzsky. Motion passed unanimously.

4. Parkette Signage

Secretary Fitzgerald read comments from Member Bandy (Exhibit A) reporting that Member Bandy and Communications Cindy Walker worked on a press release that will be included in an upcoming city newsletter.

5. Waste Receptacle Art Project

Nothing to report.

6. Educational Film Series

Secretary Fitzgerald read comments from Member Bandy (Exhibit A) reporting that there were 44 attendees to see *The Oldest City Underwater*. She reported that the Library was happy with the event and that they usually only get 20 or so people. She reported that the next film will be *The Smog of the Sea* on October 29th at 6:30 p.m. and that Member Bandy will work with Coordinator Walker on another press release.

Chair Krempasky commented that it would be nice to have an expert there to answer the questions. Secretary Fitzgerald replied that she was not sure whether they had someone arranged yet, but that the film was about plastic pollution so the Matanzas Riverkeeper, Captain Adam Morley, or the Northeast Florida Coastal Caretakers could all be options. Member Kaczmarzsky mentioned a marine biology professor at Flagler College has been sampling for micro-plastics.

Chair Krempasky reported that the Environmental Stewardship Award plaques were handed out at the September 9th Commission meeting. Secretary Fitzgerald noted that there were pictures posted on Facebook and the video of the Commission meeting was posted on YouTube.

Member Thomson noted that information could be provided to the public at low to no cost through events like this, workshops, and the City Facebook and newsletter.

Member Thomson provided a draft climate change survey (Exhibit B). He noted that this would be more of an educational tool than anything else to gauge public interest in the topic. He reported that Coordinator Walker informed him that the survey would need time to gather responses and that the Commission would need to approve it first. He suggested that it be on the November 4th Commission agenda and then citizens would have until March or April to respond. The Committee discussed a few other topics that could be included and decided to review it again at the October meeting.

7. Environmental Policy & Planning Recommendations

Chair Krempasky reported that the Building Department is proposing a change in setbacks on smaller lots to revert to 20 feet in the rear, 12 in the street side, and 7 ½ on the sides. She stated that at a June 2, 2015, Planning Board workshop, a majority of residents who commented on setback were those who lived on the smaller lots. The Committee discussed a brief history of setback changes in the City, making a recommendation to give to the Planning Board, and how much time it would take for these proposed changes to become code. The Committee decided to review the proposed changes and discuss them at their next meeting.

Member Thomson reported that he spoke with Secretary Fitzgerald about why the Committee's PowerPoint research presentations could not be posted on the City's website and asked her to clarify for the Committee. She explained that the primary reason was the Americans with Disabilities Act requirements and related lawsuits, documents need to be compatible with screen readers and all images must be clearly described in words with an alternate text tag and that this process can take hours. She also stated that some information in the presentations was not cited with verifiable sources and the City needed to be careful about posting information that it cannot defend. Member Thomson asked if these could be sent to the Commission and Planning Board. Director Tredik recommended that it be presented to the Commission first and Member Thomson asked that the presentations be scheduled for the October Commission meeting.

Member Thomson proposed a Sustainable Stormwater Management/Runoff Utility Fee, like the City of St. Augustine. He stated that it would identify what runoff is costing and who should be paying for it. Chair Krempasky noted that former-Public Works Director Howell made a presentation on a similar flat fee to the Commission in the past. Member Thomson stated that he wants ways for reduce and restrict runoff by use of swales, elevated building foundations, park and retention areas, and artificial controls like rain barrels. He stated that if the runoff is reduced then the utility fee would be lower, and the City would be paying less. He asked that this be on the agenda for the next meeting.

The Committee discussed this being billed through property taxes and Secretary Fitzgerald noted that the usage of those funds would be limited. Director Tredik stated that typically there would be a capital improvement plan of stormwater projects that would be funded along with a portion of the salaries of those working on those projects. He also noted that there is a specific timeframe that makes it unlikely that such a fee could be implemented before 2022 at the earliest. Member Thomson and Chair Krempasky commented that St. Augustine's was based on the impervious surface ration of a property and Director Tredik stated that he would prefer to keep it as simple as possible, the more complicated the program then the more time and staff are needed to monitor the program, which increases expenses. Secretary Fitzgerald noted that St. Augustine has a dedicated Utility Department to manage their monthly billing, which St. Augustine Beach does not and cannot afford. Director Tredik and Secretary Fitzgerald noted that there are many issues to consider such as how to handle commercial versus residential properties, to present it as a non-ad valorem or ad-valorem tax, and homeowners' associations that manage their own drainage and whether those neighborhoods should be discounted based on their outfall impact. Member Thomson stated that his main concern was that he did not want this to reach the Commission without the goal of conservation being considered. Director Tredik stated that any such fees would

have to be implemented gradually with a thorough legal review and should be based on programs that have already survived lawsuits. The Committee discussed placing this topic on the agenda and decided to list it as Sustainable Stormwater Management Research.

Director Tredik advised that the Committee create a strategic plan and goals to follow. He suggested that the Committee could focus on one specific topic at each meeting, since they want to cover such a broad spectrum.

A. Community Tree Programs

This item was not discussed.

VI. OTHER COMMITTEE MATTERS

VII. ADJOURNMENT

Chair Krempasky adjourned the meeting at 8:10 p.m.

Sandra Krempasky, Chair

ATTEST

Max Royle, City Manager

COMMISSION REPORT

October 2019

TO: MAYOR/COMMISSIONERS

FROM: ROBERT A. HARDWICK, CHIEF OF POLICE

DEPARTMENT STATISTICS – September 23rd – October 20th

CALLS FOR SERVICE 946
OFFENSE REPORTS 54
CITATIONS ISSUED 86
LOCAL ORDINANCE CITATIONS 2
DUI 1
TRAFFIC WARNINGS 415
TRESSPASS WARNINGS 17
ANIMAL COMPLAINTS 16
ARRESTS 9

- 1 DUI
- 2 Moving Traffic Violation- DWLS
- 1 Possession of a Weapon or Ammo by FLA Delinquent Adult Felony
- 3 Battery
- 1 Larc Petit Theft- 2nd degree
- 1 Drug Equip-Posses or use

ANIMAL CONTROL:

- St. Johns County Animal Control handled 16 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES:

- Reading with a Cop -- October 2nd at Seagrove Library
- Coffee with a Cop -- October 4th at the Embassy Suites
- Domestic Violence Awareness Event -- October 8th at the Downtown Plaza
- 4th annual Women's United lunch -- October 11th at the Embassy Suites
- First Responded luncheon -- October 16th at the Hilton bayfront
- Florida League of Cities with K-9 Kilo-- October 17th at the Embassy Suites

MEMORANDUM

Date: October 22, 2019

To: Max Royle, City Manager

From: Bill Tredik, P.E., Public Works Director

Subject: Monthly Report

Grants

In the first half of October, Public Works submitted for the following grants:

- Coastal Partnership Initiative Grant – The city applied to the Florida Coastal Management Program for funding assistance for design and permitting of several Ocean Hammock Park features, required by the Park Management Plan. These features include:
 - Picnic pavilion and observation platform
 - Playscape
 - Additional walkways, trails and benches, including interpretative signage
 - Bike racks and canoe/kayak storage
 - Education/information kiosk
 - Planting/restoration plan

The requested amount of the grant was \$25,000 with a \$25,000 match from the city. If funded, State funds would be available on or after July 1, 2020.

- Resilience Planning Grant – The city applied to the Florida Resilient Coastlines Program for funding to develop vulnerability assessment and adaptability plan. The plan would include:
 - Updating Drainage and Topographic GIS Mapping to determine areas vulnerable to sea level rise and storm surge
 - Updating the Citywide stormwater model
 - Develop strategies to reduce flood risk from sea level rise and storm surge.

The project would include partnering with the Northeast Florida Regional Council on two public meeting to engage the citizens in the process. Outputs from the study will help prioritize planning of future capital improvements. The requested amount of the grant was \$72,500 with no match required from the city. If funded, State monies would be available on or after July 1, 2020.

- Florida Recreation Development Assistance Program (FRDAP) Grant – The city applied to the FRDAP for funding assistance with construction of Phase 2 improvements to Ocean Hammock Park, more specifically:
 - Restrooms with additional handicap parking space
 - Picnic areas
 - Nature trail with interpretative signs
 - Informational kiosk

Work will include accessible connections from the picnic area to the restrooms and to the beach walkway. The requested amount of the grant was \$106,500, with a \$35,500 match from the city. If funded, State monies would be available on or after July 1, 2020. The city is planning to complete design and permitting of these improvements in early 2020 to be ready to construct if funding is appropriated.

Public works will also continue to explore additional grant opportunities.

Maintenance Activities

Rights-of-way and Parkettes – As the growing season ends, required maintenance of these facilities will decrease, allowing Public Works to focus on other functions such as cut-back of trees along S.R. A1A and A1A Beach Boulevard and planting of trees currently stored at the Public Works facility nursery.

Parks – Maintenance of City parks is ongoing. Use of facilities such as Splash Park has decreased since Labor Day, and weekend worker coverage has been reduced to 4 hours per day.

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, to reduce outside repair costs.

Capital Improvements

Mickler Boulevard Ditch Drainage Improvements [CONSTRUCTION] – The base contract with AWA is complete. Change Orders authorized by the City Commission on October 7, 2019 have been executed. The remainder of the sidewalk has been installed and the final punch list/contract closeout is underway. Public Works will coordinate with SEPAC on a planting plan for the right-of-way in this area.

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 scheduled to be complete this year, with construction commencing upon completion of permitting and approval of design by the State. Public Works currently operates the old pump station to maintain water levels in the pond.

3rd Lane Drainage Improvements [CONSTRUCTION] – The 3rd Lane Ditch Drainage Improvements will pipe approximately 450 feet of existing ditch west of the 2nd Avenue right-of-way and east of Sea Oaks Subdivision. This project will address localized stormwater flooding and reduce long term drainage maintenance requirements. Bidding for construction will take place in November with construction anticipated to commence in the beginning of February 2020.

Ocean Hammock Park [DESIGN/CONSTRUCTION] – The City has submitted two (2) applications for funding assistance for Ocean Hammock Park. These grant applications are discussed above. Public Works will begin formal design of Phase 2 components of the park and will be ready to move to construction in July 2020 if funding is appropriated.

11th Street Pipe Repair and resurfacing [DESIGN/CONSTRUCTION]– 11th Street is experiencing subsidence in several locations due to leaks in existing pipe joints. Public Works will begin work on this project this fall. Anticipated improvements include slip-lining of the existing drainage pipe, repair of pavement subbase and base at pipe joints, and resurfacing of the roadway.

Streets / Rights of Way

Lighting – Public Works is working with FPL to install streetlights at seven (7) locations along S.R. A1A, from City Hall south to Madrid Street. FDOT has approved the installation of the lights, and FPL is completing design and the required amendment to the streetlight agreement. Installation of the new lights is anticipated to occur this fall.

Traffic Calming – Atlantic Oak Circle residents have requested that the City consider traffic calming devices (e.g. speed bumps or speed humps). The Police Department conducted a speed study and determined that speeding is occurring in this area, and is supportive of traffic calming in the neighborhood. Public Works is assembling costs and conceptual plans for the potential location of speed bumps/humps and will schedule a public meeting with the homeowners in November.

Events

Beach Blast Off – Staff is currently preparing for the upcoming Beach Blast Off and is participating in regular coordination meetings. Public Works has completed repair of the old stage and is coordinating with Police and Fire departments on final site layout for the upcoming event.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 10/23/2019

Finance

Work continues on the Non-Ad Valorem assessment for Residential Solid Waste services, as well as Commercial Solid Waste. Analysis of the current year of service for Commercial has been put together for discussion at the Commission Meeting.

Communications and Events

October has been a very busy month. The Florida League of Cities dinner was held on October 17th and was very successful. Displays are up during the week of October 21st for the 60th Anniversary of the City. We will end the week with cake on Friday, residents and visitors are invited.

Veteran's Day Ceremony and Beach Blast Off event plans continue to move forward.

Technology

The IT staff has completed the server migration at Public Works. Annual software subscription renewals are currently being installed.

Range of Checking Accts: First to Last Range of Check Dates: 09/01/19 to 09/30/19
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
PO #	Item	Description					Ref Seq Acct
001TDOOPERATING							
42413	09/12/19	FLORI395 FLORIDA DEPARTMENT OF REVENUE					1475
19-02313	1	REEMPLOYMENT TAX	39.28	001-3400-534-2500	Expenditure		1 1
				GARBAGE			
42357	09/13/19	ADVAN010 ADVANCED DISPOSAL				09/30/19	1474
19-02268	1	RECYCLE	11,230.18	001-3400-534-3400	Expenditure		66 1
				GARBAGE			
42358	09/13/19	ADVAP010 ADVANCED AUTO PARTS				09/30/19	1474
19-02194	1	HURRICANE ITEMS	10.80	001-2100-521-5290	Expenditure		15 1
				LAW ENFORCEMENT			
19-02197	1	VEH BLADES	45.54	001-2100-521-5290	Expenditure		17 1
				LAW ENFORCEMENT			
19-02207	1	IMPACT WRENCH TIRES	119.68	001-2100-521-5290	Expenditure		23 1
				LAW ENFORCEMENT			
19-02221	1	REPAIR	6.42	001-1900-519-4620	Expenditure		31 1
				OTHER GOVERNMENTAL			
19-02222	1	HURRICANE SUPPLY	19.47	001-1900-519-5290	Expenditure		32 1
				OTHER GOVERNMENTAL			
			201.91				
42359	09/13/19	AMERIC10 AMERICAN CROSSROADS APPAREL CO				09/30/19	1474
19-02198	1	COMMISSIONER SHIRTS	60.00	001-1100-511-5210	Expenditure		18 1
				LEGISLATIVE			
42360	09/13/19	ATTUV010 AT & T (U-VERSE)				09/30/19	1474
19-02300	1	INTERNET	44.90	001-1300-513-4100	Expenditure		88 1
				FINANCE			
19-02300	2	INTERNET	44.91	001-2400-524-4100	Expenditure		89 1
				PROT INSPECTIONS			
			89.81				
42361	09/13/19	BAKER010 BAKER DISTRIBUTING CO.				09/30/19	1474
19-02275	1	REPAIR	41.35	001-1900-519-4610	Expenditure		69 1
				OTHER GOVERNMENTAL			
42362	09/13/19	BEVER005 BEVERLY RADDATZ				09/30/19	1474
19-02229	1	HR CONF HOTEL	487.77	001-1300-513-4000	Expenditure		39 1
				FINANCE			
42363	09/13/19	BOZAR010 BOZARD FORD COMPANY				09/30/19	1474
19-02258	1	HURRICANE SPARES	465.86	001-2100-521-4630	Expenditure		59 1
				LAW ENFORCEMENT			
19-02304	1	SERVICE & TIRES	211.98	001-2100-521-4630	Expenditure		93 1
				LAW ENFORCEMENT			
			677.84				

October 22, 2019
03:17 PM

CITY OF ST. AUGUSTINE BEACH
Check Register By Check Date

Page No: 2

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
001TDOPERATING				Continued					
42364	09/13/19	BUILD015 BUILDERS STAINLESS.COM				09/30/19	1474		
19-02223	1	TRAILER REPAIR	195.00	001-7200-572-4832	Expenditure		33	1	
				PARKS AND REC					
42365	09/13/19	CDWGO010 CDW GOVERNMENT INC.				09/30/19	1474		
19-02185	1	HP WORKSTATION Z2 DESKTOP	2,464.12	001-2100-521-6430	Expenditure		6	1	
				LAW ENFORCEMENT					
42366	09/13/19	CEDST005 CED-ST AUGUSTINE				09/30/19	1474		
19-02219	1	REPAIR CITY HALL PARK LOT LITE	99.80	001-1900-519-4610	Expenditure		29	1	
				OTHER GOVERNMENTAL					
42367	09/13/19	CINDY005 CINDY WALKER				09/30/19	1474		
19-02301	1	REIMB EXP-TRAVEL	47.00	001-1300-513-4000	Expenditure		90	1	
				FINANCE					
42368	09/13/19	COLON010 COLONIAL SUPPLEMENTAL INSURANC				09/30/19	1474		
19-02226	1	INSURANCE PREMIUMS	607.88	001-229-2100	G/L		37	1	
				Insurance-Other Employee Paid					
42369	09/13/19	COMCA015 COMCAST				09/30/19	1474		
19-02311	1	MEDIA	66.48	001-2100-521-5290	Expenditure		100	1	
				LAW ENFORCEMENT					
42370	09/13/19	COMMU010 COMMUNICATIONS INTERNATIONAL I				09/30/19	1474		
19-02206	1	VEH 129 RADAR CERT	29.50	001-2100-521-4620	Expenditure		22	1	
				LAW ENFORCEMENT					
42371	09/13/19	COQUI005 COQUINA LAW GROUP PA				09/30/19	1474		
19-02288	1	LEGAL	6,000.00	001-1300-513-3100	Expenditure		79	1	
				FINANCE					
19-02289	1	LEGAL	717.50	001-1300-513-3100	Expenditure		80	1	
				FINANCE					
			6,717.50						
42372	09/13/19	CRAFT010 CRAFT'S TROPHIES & AWARDS INC				09/30/19	1474		
19-02302	1	AWARD	77.00	001-2100-521-5290	Expenditure		91	1	
				LAW ENFORCEMENT					
42373	09/13/19	CSAB-030 CSAB - POLICE EDUCATION FUND				09/30/19	1474		
19-02104	1	PE FROM FINES	166.00	001-351-500	Revenue		1	1	
				Court Fines					
42374	09/13/19	DEBOR010 Deborah K. Christopher				09/30/19	1474		
19-02208	1	PAYROLL	1,305.00	001-2100-521-3400	Expenditure		24	1	
				LAW ENFORCEMENT					
42375	09/13/19	DRTDW010 DR TOWNSEND & ASSOCIATES P.A.					1474		
19-02262	1	SERVICES	150.00	001-2100-521-5290	Expenditure		63	1	
				LAW ENFORCEMENT					

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PO #	Item	Description							
001TDOPERATING			Continued						
42376	09/13/19	DYLAN005 DYLAN RUMRELL				09/30/19	1474		
19-02230	1	TRAVEL CONF	307.20	001-1100-511-4000 LEGISLATIVE	Expenditure		40	1	
42377	09/13/19	EVANS010 EVANS AUTOMOTIVE				09/30/19	1474		
19-02276	1	REPAIR	22.95	001-1900-519-4630 OTHER GOVERNMENTAL	Expenditure		70	1	
42378	09/13/19	FIRST070 FIRST BANKCARD				09/30/19	1474		
19-02155	2	FURNITURE FOR 2ND FLR TRAINING	230.11	001-2400-524-5230 PROT INSPECTIONS	Expenditure		4	1	
19-02155	3	FURNITURE FOR 2ND FLR TRAINING	685.55	001-2400-524-5230 PROT INSPECTIONS	Expenditure		5	1	
19-02195	1	HURRICANE SUPPLIES	26.61	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		16	1	
19-02312	1	MARRIOTT ORLANDO-REFUND	155.00-	001-1100-511-4000 LEGISLATIVE	Expenditure		101	1	
			<u>787.27</u>						
42379	09/13/19	FLEET020 FLEET & ASSOCIATES ARCHITECTS				09/30/19	1474		
19-02267	1	EAR FEES	1,000.00	001-1500-515-3400 COMP PLANNING	Expenditure		65	1	
42380	09/13/19	FLORI170 FLORIDA JANITOR & PAPER SUPPLY				09/30/19	1474		
19-02292	1	SUPPLIES	249.19	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		81	1	
42381	09/13/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				09/30/19	1474		
19-02236	1	ELECTRIC	723.11	001-1900-519-4310 OTHER GOVERNMENTAL	Expenditure		46	1	
19-02236	2	ELECTRIC	482.08	001-2400-524-4310 PROT INSPECTIONS	Expenditure		47	1	
19-02237	1	ELECTRIC	116.30	001-1900-519-4310 OTHER GOVERNMENTAL	Expenditure		48	1	
19-02237	2	ELECTRIC	129.72	001-3400-534-4310 GARBAGE	Expenditure		49	1	
19-02237	3	ELECTRIC	201.31	001-131-1000 Due From Road & Bridge Fund	G/L		50	1	
19-02250	1	ELECTRIC	27.53	001-7200-572-4310 PARKS AND REC	Expenditure		51	1	
19-02251	1	ELECTRIC	25.36	001-7200-572-4310 PARKS AND REC	Expenditure		52	1	
19-02252	1	ELECTRIC	985.55	001-2100-521-4310 LAW ENFORCEMENT	Expenditure		53	1	
			<u>2,690.96</u>						
42382	09/13/19	FLORI435 FLORIDA NOTARY DISCOUNT ASSOC				09/30/19	1474		
19-02310	1	NOTARY CERTIFICATION	83.95	001-2100-521-5420 LAW ENFORCEMENT	Expenditure		99	1	

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PO #	Item	Description							
001TDOPERATING			Continued						
42383	09/13/19	FOPLO005 FOP LODGE 113					1474		
19-02297	1	MEMBERSHIP DUES	14.00	001-229-1000	G/L		85	1	
				Miscellaneous Deductions					
42384	09/13/19	GALLS010 GALLS AN ARAMARK COMPANY				09/30/19	1474		
19-02201	1	UNIFORM PANTS	143.95	001-2100-521-5210	Expenditure		19	1	
				LAW ENFORCEMENT					
19-02203	1	UNIFORM PANTS	71.98	001-2100-521-5210	Expenditure		20	1	
				LAW ENFORCEMENT					
19-02205	1	UNIFORM PANTS	71.97	001-2100-521-5210	Expenditure		21	1	
				LAW ENFORCEMENT					
19-02260	1	RAYMOND PANTS	90.95	001-2100-521-5210	Expenditure		61	1	
				LAW ENFORCEMENT					
19-02261	1	CHIEF SHOES	103.95	001-2100-521-5210	Expenditure		62	1	
				LAW ENFORCEMENT					
			482.80						
42385	09/13/19	HAGAN020 HAGAN ACE HARDWARE				09/30/19	1474		
19-02192	1	HURRICANE SUPPLIES	18.99	001-2100-521-5290	Expenditure		14	1	
				LAW ENFORCEMENT					
19-02215	1	SUPPLY SPLASH PARK	18.36	001-7200-572-5290	Expenditure		27	1	
				PARKS AND REC					
19-02285	1	REPAIR OLD CITY HALL	3.50	001-1900-519-4610	Expenditure		77	1	
				OTHER GOVERNMENTAL					
			40.85						
42386	09/13/19	HEATH010 HEATH ELECTRIC				09/30/19	1474		
19-02308	1	FRONT HALLWAY LIGHTS	125.00	001-2100-521-4610	Expenditure		97	1	
				LAW ENFORCEMENT					
42387	09/13/19	HICKS101 HICK'S LAND CLEARING & INCINER				09/30/19	1474		
19-02228	1	DISPOSAL	600.00	001-3400-534-4940	Expenditure		38	1	
				GARBAGE					
19-02296	1	DISPOSAL	150.00	001-3400-534-4940	Expenditure		84	1	
				GARBAGE					
			750.00						
42388	09/13/19	INDIA010 INDIANHEAD BIOMASS SERVICES				09/30/19	1474		
19-02295	1	DISPOSAL	189.36	001-3400-534-4940	Expenditure		83	1	
				GARBAGE					
42389	09/13/19	INNOV015 INNOVATIVE CREDIT SOLUTIONS				09/30/19	1474		
19-02254	1	BRYANT CREDIT CHECK	17.00	001-2100-521-4930	Expenditure		55	1	
				LAW ENFORCEMENT					
42390	09/13/19	JPMOR005 JPMORGAN CHASE BANK N.A.				09/30/19	1474		
19-02309	1	CASE 19-337	5.00	001-2100-521-4930	Expenditure		98	1	
				LAW ENFORCEMENT					
42391	09/13/19	LWHIE010 L.V. HIERS INC.				09/30/19	1474		
19-02224	1	282 GALS UNLD,650 GALS DIESEL	645.16	001-141-0000	G/L		34	1	
				Inventories - Fuel					

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PO #	Item	Description					Ref Seq	Acct
001TDOPERATING				Continued				
42391	L.V. HIERS INC.	Continued						
19-02224	2	282 GALS UNLD,650 GALS DIESEL	1,661.41	001-141-0000	G/L		35	1
				Inventories - Fuel				
			<u>2,306.57</u>					
42392	09/13/19	MUNIC010 MUNICIPAL CODE CORPORATION				09/30/19	1474	
19-02263	1	CODE HOSTING	550.00	001-1100-511-3170	Expenditure		64	1
				LEGISLATIVE				
42393	09/13/19	MYFLO005 MYFLORIDACOUNTY.COM				09/30/19	1474	
19-02299	1	REFUND DUPLICATE CHG	49.00	001-202-4000	G/L		87	1
				Accounts Payable - Other				
42394	09/13/19	NATIO090 NATIONWIDE RETIREMENT SOLUTION				09/30/19	1474	
19-02298	1	DEFERRED COMP	1,664.52	001-235-0000	G/L		86	1
				Deferred Compensation				
42395	09/13/19	PEOPL005 PEOPLEREADY FLORIDA INC				09/30/19	1474	
19-02216	1	LABOR	774.06	001-3400-534-3400	Expenditure		28	1
				GARBAGE				
42396	09/13/19	PUBLI020 PUBLIX				09/30/19	1474	
19-02214	1	LUNCH PWD	102.79	001-1900-519-5290	Expenditure		26	1
				OTHER GOVERNMENTAL				
19-02255	1	HURRICANE ITEMS	11.78	001-2100-521-5290	Expenditure		56	1
				LAW ENFORCEMENT				
19-02256	1	HURRICANE ITEMS	269.39	001-2100-521-5290	Expenditure		57	1
				LAW ENFORCEMENT				
19-02257	1	HURRICANE ITEMS	208.55	001-2100-521-5290	Expenditure		58	1
				LAW ENFORCEMENT				
19-02283	1	SUPPLIES	8.99	001-1900-519-5290	Expenditure		75	1
				OTHER GOVERNMENTAL				
19-02284	1	SUPPLIES	1.65	001-1900-519-5290	Expenditure		76	1
				OTHER GOVERNMENTAL				
			<u>603.15</u>					
42397	09/13/19	SAFET010 SAFETY KLEEN CORP.				09/30/19	1474	
19-02286	1	SUPPLY	168.27	001-3400-534-5290	Expenditure		78	1
				GARBAGE				
42398	09/13/19	SHERW010 SHERWIN WILLIAMS				09/30/19	1474	
19-02274	1	REPAIR	56.78	001-1900-519-4610	Expenditure		68	1
				OTHER GOVERNMENTAL				
19-02280	1	REPAIR	55.87	001-1900-519-4610	Expenditure		72	1
				OTHER GOVERNMENTAL				
19-02281	1	REPAIR	125.40	001-1900-519-4610	Expenditure		73	1
				OTHER GOVERNMENTAL				
			<u>238.05</u>					
42399	09/13/19	SHI00005 SHI				09/30/19	1474	
19-02187	1	CITY SERVER	3,056.18	001-1900-519-6490	Expenditure		7	1
				OTHER GOVERNMENTAL				

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PO #	Item	Description					Seq Acct
001TDOPERATING			Continued				
42399	SHI		Continued				
19-02187	2	CITY SERVER	306.20	001-1900-519-6490	Expenditure		8 1
				OTHER GOVERNMENTAL			
19-02187	3	CITY SERVER	358.48	001-1900-519-6490	Expenditure		9 1
				OTHER GOVERNMENTAL			
19-02187	4	CITY SERVER	3,417.12	001-1900-519-6490	Expenditure		10 1
				OTHER GOVERNMENTAL			
19-02187	5	CITY SERVER	619.58	001-1900-519-6490	Expenditure		11 1
				OTHER GOVERNMENTAL			
19-02187	6	CITY SERVER	1,040.86	001-1900-519-6490	Expenditure		12 1
				OTHER GOVERNMENTAL			
			8,798.42				
42400	09/13/19	SMITH010 SMITH BROS. PEST CONTROL				09/30/19	1474
19-02231	1	PEST CONTROL	25.00	001-1900-519-4610	Expenditure		41 1
				OTHER GOVERNMENTAL			
19-02232	1	PEST CONTROL	52.00	001-1900-519-4610	Expenditure		42 1
				OTHER GOVERNMENTAL			
19-02232	2	PEST CONTROL	30.00	001-1900-519-4610	Expenditure		43 1
				OTHER GOVERNMENTAL			
19-02232	3	PEST CONTROL	52.00	001-1900-519-4610	Expenditure		44 1
				OTHER GOVERNMENTAL			
19-02232	4	PEST CONTROL	25.00	001-1900-519-4610	Expenditure		45 1
				OTHER GOVERNMENTAL			
			184.00				
42401	09/13/19	STAUG050 ST AUGUSTINE ELECTRIC MOTOR W				09/30/19	1474
19-02282	1	REPAIR PWD PUMP STATION	990.00	001-1900-519-4610	Expenditure		74 1
				OTHER GOVERNMENTAL			
42402	09/13/19	STAUG090 ST AUGUSTINE POWER HOUSE				09/30/19	1474
19-02277	1	REPAIR	21.60	001-1900-519-4620	Expenditure		71 1
				OTHER GOVERNMENTAL			
42403	09/13/19	STAUG110 ST AUGUSTINE RECORD				09/30/19	1474
19-02153	1	LEGAL ADS	112.19	001-1300-513-4810	Expenditure		2 1
				FINANCE			
19-02153	2	LEGAL ADS	130.14	001-1300-513-4810	Expenditure		3 1
				FINANCE			
19-02293	1	PZB LEGAL AD	76.29	001-1500-515-4810	Expenditure		82 1
				COMP PLANNING			
			318.62				
42404	09/13/19	STAUG235 ST AUGUSTINE UNITED, INC				09/30/19	1474
19-02210	1	EVENT BOND RETURN	300.00	001-220-0000	G/L		25 1
				Deposits for Events			
42405	09/13/19	SUNLI010 SUN LIFE FINANCIAL				09/30/19	1474
19-02225	1	LIFE INS PREMIUMS	560.28	001-155-0000	G/L		36 1
				Prepaid Items			

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001TDOOPERATING			Continued				
42406	09/13/19	SYMBA010 SYMBOL ARTS				09/30/19	1474
19-02303	1	BADGE	125.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		92 1
42407	09/13/19	THEBA005 THE BANCORP BANK				09/30/19	1474
19-02269	1	LEASE VEHICLE	389.49	001-2100-521-4431 LAW ENFORCEMENT	Expenditure		67 1
42408	09/13/19	TIREH005 TIREHUB LLC				09/30/19	1474
19-02259	1	HURRICANE SPARES	680.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		60 1
42409	09/13/19	VCSOC005 VCSO CHARITY COMMITTEE INC		(void Reason: event cancelled)		09/27/19 VOID	1474
19-02190	1	KP COMPETITION	195.00	001-2100-521-5290 Law Enforcement-Other Operating Supplies	Expenditure		13 1
42410	09/13/19	VERPW010 VERIZON WIRELESS				09/30/19	1474
19-02253	1	PHONES	907.58	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		54 1
42411	09/13/19	WIDEO005 WIDE OPEN MOBILE TECH				09/30/19	1474
19-02305	1	MAINTENANCE	350.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		94 1
19-02306	1	MAINTENANCE	235.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		95 1
19-02307	1	MAINTENANCE	235.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		96 1
			820.00				
42412	09/13/19	WILSO010 WILSON MACHINE & WELDING WORKS				09/30/19	1474
19-02220	1	TRAILER REPAIR	114.00	001-7200-572-4830 PARKS AND REC	Expenditure		30 1
42414	09/27/19	ACQUA005 AQUATIC PLANTS OF FLORIDA				09/30/19	1477
19-01076	3	SEA OATS	3,017.00	001-7200-572-6330 PARKS AND REC	Expenditure		1 1
19-01076	4	SEA OATS PLANTING LABOR	3,448.00	001-7200-572-6330 PARKS AND REC	Expenditure		2 1
			6,465.00				
42415	09/27/19	ADVAP010 ADVANCED AUTO PARTS				09/30/19	1477
19-02340	1	AIR COMPRESSOR	9.90	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		38 1
42416	09/27/19	ALTHE005 ALTHEA WILLIAMS					1477
19-02351	1	PERMIT REFUND	100.00	001-322-300 Events Permits	Revenue		44 1
42417	09/27/19	BOZAR010 BOZARD FORD COMPANY					1477
19-02343	1	VEHICLE MAINTENANCE	82.99	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		41 1

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PO #	Item	Description					Ref Seq Acct
001TDOPERATING			Continued				
42417	BOZARD FORD COMPANY	Continued					
19-02344	1	VEHICLE MAINTENANCE	33.99	001-2100-521-4630	Expenditure		42 1
				LAW ENFORCEMENT			
			116.98				
42418	09/27/19	BUGOU010 BUG OUT SERVICE INC					1477
19-02362	1	PEST TREATMENT	189.00	001-1900-519-3400	Expenditure		57 1
				OTHER GOVERNMENTAL			
42419	09/27/19	CANON010 CANON FINANCIAL SERVICES					1477
19-02329	1	CANON LEASE	125.00	001-2400-524-4430	Expenditure		21 1
				PROT INSPECTIONS			
19-02329	2	CANON LEASE	60.65	001-2400-524-4700	Expenditure		22 1
				PROT INSPECTIONS			
19-02329	3	CANON LEASE	125.00	001-2100-521-4430	Expenditure		23 1
				LAW ENFORCEMENT			
19-02329	4	CANON LEASE	57.07	001-2100-521-4700	Expenditure		24 1
				LAW ENFORCEMENT			
19-02329	5	CANON LEASE	125.00	001-1300-513-4430	Expenditure		25 1
				FINANCE			
19-02329	6	CANON LEASE	67.65	001-1300-513-4700	Expenditure		26 1
				FINANCE			
19-02382	1	COPIER LEASE/USAGE	47.84	001-1900-519-4430	Expenditure		80 1
				OTHER GOVERNMENTAL			
19-02382	2	COPIER LEASE/USAGE	53.36	001-3400-534-4430	Expenditure		81 1
				GARBAGE			
19-02382	3	COPIER LEASE/USAGE	82.80	001-131-1000	G/L		82 1
				Due From Road & Bridge Fund			
19-02382	4	COPIER LEASE/USAGE	15.80	001-131-1000	G/L		83 1
				Due From Road & Bridge Fund			
19-02382	5	COPIER LEASE/USAGE	9.13	001-1900-519-5100	Expenditure		84 1
				OTHER GOVERNMENTAL			
19-02382	6	COPIER LEASE/USAGE	10.17	001-3400-534-5100	Expenditure		85 1
				GARBAGE			
			779.47				
42420	09/27/19	CLERK020 CLERK OF CIRCUIT COURT					1477
19-02317	1	FILING FEES	270.00	001-2100-521-5290	Expenditure		78 1
				LAW ENFORCEMENT			
19-02318	1	FILING FEES	37.00	001-1300-513-5290	Expenditure		79 1
				FINANCE			
			307.00				
42421	09/27/19	CROWN020 CROWN SHREDDING LLC					1477
19-02331	1	DOCUMENT MGMT	218.42	001-1100-511-4970	Expenditure		27 1
				LEGISLATIVE			
42422	09/27/19	CSAB-030 CSAB - POLICE EDUCATION FUND				09/30/19	1477
19-02378	1	PE FROM FINES	126.00	001-351-500	Revenue		75 1
				Court Fines			

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001TD	OPERATING			Continued			
42423	09/27/19	DIVIS020 DEPT OF HWY SAFETY & MOTOR VEH					1477
19-02368	1	TAG RENEWAL	41.75	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		65 1
42424	09/27/19	ENTER005 ENTERPRISE FM TRUST					1477
19-02327	1	LEASE VEHICLES	486.20	001-2100-521-4431 LAW ENFORCEMENT	Expenditure		20 1
42425	09/27/19	FLAGL030 FLAGLER CARE CENTER					1477
19-02370	1	DRUG SCREEN	11.70	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		67 1
19-02370	2	DRUG SCREEN	13.05	001-3400-534-5290 GARBAGE	Expenditure		68 1
19-02370	3	DRUG SCREEN	20.25	001-131-1000 Due From Road & Bridge Fund	G/L		69 1
			<u>45.00</u>				
42426	09/27/19	FLORI170 FLORIDA JANITOR & PAPER SUPPLY					1477
19-02359	1	SUPPLY	78.93	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		56 1
19-02373	1	SUPPLY	73.46	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		72 1
			<u>152.39</u>				
42427	09/27/19	FLORI190 FLORIDA MUNICIPAL INSURANCE TR					1477
19-02376	1	INSURANCE	38,689.25	001-155-0000 Prepaid Items	G/L		73 1
42428	09/27/19	GLACI005 GLACIER HEATING & A/C					1477
19-02372	1	PID STORE ROOM AC	95.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		71 1
19-02379	1	REPAIRS TO SW AC CITY HALL	119.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		76 1
			<u>214.00</u>				
42429	09/27/19	GLDIS005 GL DISTRIBUTORS, INC					1477
19-02341	1	UNIFORM POUCHES	177.88	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		39 1
42430	09/27/19	GULFI005 GULF ICE SYSTEM					1477
19-02358	1	PWD ICE MAKER	440.72	001-1900-519-4620 OTHER GOVERNMENTAL	Expenditure		55 1
42431	09/27/19	HAGAN020 HAGAN ACE HARDWARE					1477
19-02356	1	SUPPLY	17.98	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		53 1
42432	09/27/19	HEATH010 HEATH ELECTRIC					1477
19-02339	1	OUTLET WOMENS LOCKER	95.00	001-2100-521-4610 LAW ENFORCEMENT	Expenditure		37 1
19-02363	1	REPAIR CITY HALL	187.50	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		58 1

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PO #	Item	Description							
001TDOPERATING				Continued					
42432	HEATH ELECTRIC	Continued							
19-02364	1	REPAIR CITY HALL	204.38	001-1900-519-4610	Expenditure		59	1	
				OTHER GOVERNMENTAL					
			<u>486.88</u>						
42433	09/27/19	HICKS101 HICK'S LAND CLEARING & INCINER				09/30/19	1477		
19-02325	1	DISPOSAL	270.00	001-3400-534-4940	Expenditure		18	1	
				GARBAGE					
19-02326	1	DISPOSAL	480.00	001-3400-534-4940	Expenditure		19	1	
				GARBAGE					
			<u>750.00</u>						
42434	09/27/19	HOMED010 HOME DEPOT					1477		
19-02357	1	PITCH FORK	175.39	001-3400-534-5290	Expenditure		54	1	
				GARBAGE					
19-02365	1	PITCH FORKS	375.03	001-3400-534-5290	Expenditure		60	1	
				GARBAGE					
			<u>550.42</u>						
42435	09/27/19	JEANR005 JEAN RAYMOND					1477		
19-02345	1	REIMBURSE FOR SHOES	106.99	001-2100-521-5210	Expenditure		43	1	
				LAW ENFORCEMENT					
42436	09/27/19	LEGAL005 LEGALSHIELD					1477		
19-02335	1	PREPAID LEGAL	15.95	001-229-2100	G/L		33	1	
				Insurance-Other Employee Paid					
42437	09/27/19	LVHIE010 L.V. HIERS INC.				09/30/19	1477		
19-02366	1	191 GALS UNLD,729 GALS DIESEL	458.89	001-141-0000	G/L		61	1	
				Inventories - Fuel					
19-02366	2	191 GALS UNLD,729 GALS DIESEL	1,979.82	001-141-0000	G/L		62	1	
				Inventories - Fuel					
			<u>2,438.71</u>						
42438	09/27/19	LWERN010 L. WERNINCK & SON				09/30/19	1477		
19-02355	1	DECK FOR STAGE	659.00	001-7200-572-4832	Expenditure		52	1	
				PARKS AND REC					
42439	09/27/19	MARIO010 MARIOTTI'S					1477		
19-02377	1	DRY CLEANER	179.23	001-2100-521-5210	Expenditure		74	1	
				LAW ENFORCEMENT					
42440	09/27/19	NORTH020 NORTHEAST FLORIDA LEAGUE OF CI					1477		
19-02337	1	MEMBERSHIP	100.00	001-1300-513-5420	Expenditure		35	1	
				FINANCE					
19-02369	1	NEFL LOC DINNER	75.00	001-1300-513-5430	Expenditure		66	1	
				FINANCE					
			<u>175.00</u>						
42441	09/27/19	POPAL005 POP-A-LOCK					1477		
19-02336	1	REPAIR TO BLDG C	84.00	001-1300-513-4990	Expenditure		34	1	
				FINANCE					

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PO #	Item	Description					Ref Seq Acct
001TDOPERATING			Continued				
42442	09/27/19	SHI00005 SHI					1477
19-02187	7	CITY SERVER	1,215.20	001-1900-519-6490	Expenditure		3 1
				OTHER GOVERNMENTAL			
19-02187	8	CITY SERVER	2,208.08	001-1900-519-6490	Expenditure		4 1
				OTHER GOVERNMENTAL			
19-02187	9	CITY SERVER	1,292.00	001-1900-519-6490	Expenditure		5 1
				OTHER GOVERNMENTAL			
19-02187	10	CITY SERVER	1,628.60	001-1900-519-6490	Expenditure		6 1
				OTHER GOVERNMENTAL			
19-02187	11	CITY SERVER	1,018.00	001-1900-519-6490	Expenditure		7 1
				OTHER GOVERNMENTAL			
			7,361.88				
42443	09/27/19	STANL015 STANLEY STEEMER					1477
19-02338	1	CLEAN FLOORS	480.00	001-2100-521-4610	Expenditure		36 1
				LAW ENFORCEMENT			
42444	09/27/19	STAUG090 ST AUGUSTINE POWER HOUSE					1477
19-02380	1	REPAIR TO SCAG	8.98	001-1900-519-4620	Expenditure		77 1
				OTHER GOVERNMENTAL			
42445	09/27/19	STJOH140 ST. JOHNS COUNTY UTILITY DEPAR				09/30/19	1477
19-02319	1	WATER	70.66	001-1900-519-4320	Expenditure		10 1
				OTHER GOVERNMENTAL			
19-02319	2	WATER	78.81	001-3400-534-4320	Expenditure		11 1
				GARBAGE			
19-02319	3	WATER	122.30	001-131-1000	G/L		12 1
				Due From Road & Bridge Fund			
19-02320	1	WATER	152.60	001-2100-521-4320	Expenditure		13 1
				LAW ENFORCEMENT			
19-02321	1	WATER	389.21	001-1900-519-4320	Expenditure		14 1
				OTHER GOVERNMENTAL			
19-02321	2	WATER	259.48	001-3400-534-4320	Expenditure		15 1
				GARBAGE			
19-02322	1	WATER	441.96	001-7200-572-4320	Expenditure		16 1
				PARKS AND REC			
19-02323	1	WATER	69.33	001-7200-572-4320	Expenditure		17 1
				PARKS AND REC			
19-02333	1	WATER	144.87	001-7200-572-4320	Expenditure		31 1
				PARKS AND REC			
			1,729.22				
42446	09/27/19	SYMPH005 SYMPHONY AT ST AUGUSTINE					1477
19-02371	1	BOOTS & BADGES	100.00	001-2100-521-5290	Expenditure		70 1
				LAW ENFORCEMENT			
42447	09/27/19	THEHA010 THE HARTFORD					1477
19-02334	1	BOND INSURANCE	208.00	001-155-0000	G/L		32 1
				Prepaid Items			

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PO #	Item	Description							
001TDOPERATING Continued									
42448	09/27/19	USBAN005 US BANK VOYAGER FLEET SYS					1477		
19-02353	1	FUEL	1,905.41	001-2100-521-5220 LAW ENFORCEMENT	Expenditure		51	1	
42449	09/27/19	VERIZ010 VERIZON WIRELESS				09/30/19	1477		
19-02332	1	CELL PHONE	111.86	001-2400-524-4100 PROT INSPECTIONS	Expenditure		28	1	
19-02332	2	CELL PHONE	234.53	001-3400-534-4100 GARBAGE	Expenditure		29	1	
19-02332	3	CELL PHONE	234.54	001-131-1000 Due From Road & Bridge Fund	G/L		30	1	
			<u>580.93</u>						
42450	09/27/19	VYSTA005 VYSTAR CREDIT UNION					1477		
19-02342	1	CASE # 19-521	40.08	001-2100-521-4930 LAW ENFORCEMENT	Expenditure		40	1	
42451	09/27/19	WINDS005 WINDSTREAM					1477		
19-02352	1	PHONES	689.79	001-1300-513-4100 FINANCE	Expenditure		45	1	
19-02352	2	PHONES	1,437.07	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		46	1	
19-02352	3	PHONES	316.15	001-2400-524-4100 PROT INSPECTIONS	Expenditure		47	1	
19-02352	4	PHONES	86.22	001-1900-519-4100 OTHER GOVERNMENTAL	Expenditure		48	1	
19-02352	5	PHONES	143.71	001-3400-534-4100 GARBAGE	Expenditure		49	1	
19-02352	6	PHONES	201.19	001-131-1000 Due From Road & Bridge Fund	G/L		50	1	
			<u>2,874.13</u>						
42452	09/27/19	DAVID030 DAVID JENSEN					1478		
19-02385	1	REIMB FOR DUTY BOOTS	130.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		3	1	
42453	09/27/19	DONOV005 DONOVAN GREEN					1478		
19-02386	1	PER DIEM-PEAF TRAINING	40.00	001-2100-521-4000 LAW ENFORCEMENT	Expenditure		4	1	
42454	09/27/19	FOPLO005 FOP LODGE 113					1478		
19-02384	1	FOP DUES	7.00	001-229-1000 Miscellaneous Deductions	G/L		2	1	
42455	09/27/19	NATIO090 NATIONWIDE RETIREMENT SOLUTION					1478		
19-02383	1	DEFERRED INCOME	1,664.52	001-235-0000 Deferred Compensation	G/L		1	1	

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num
PO #	Item	Description					Ref Seq Acct
001TDOPERATING							
Continued							
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:	98	1		123,234.83	195.00	
	Direct Deposit:	0	0		0.00	0.00	
	Total:	98	1		123,234.83	195.00	
002IMPACTFEES							
1572	09/30/19	STJOH020 ST JOHNS COUNTY FINANCE DEPT					1479
19-02394	1	IMPACT FEES-SEPT 2019	23,922.34	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		23,922.34	0.00	
	Direct Deposit:	0	0		0.00	0.00	
	Total:	1	0		23,922.34	0.00	
101TDBANKRDBRG							
20498	09/13/19	ADVAP010 ADVANCED AUTO PARTS				09/30/19	1473
19-02278	1	REPAIR	10.49	101-4100-541-4630	Expenditure		30 1
				ROADS & BRIDGES			
20499	09/13/19	CMT00005 CMT				09/30/19	1473
19-02209	1	3RD ALLEY DRAINAGE	1,520.00	101-4100-541-6383	Expenditure		2 1
				ROADS & BRIDGES			
19-02211	1	SAB HMPG PH2 DESIGN	3,125.00	101-4100-541-6383	Expenditure		3 1
				ROADS & BRIDGES			
19-02213	1	MICKLER DITCH	462.50	101-4100-541-6380	Expenditure		7 1
				ROADS & BRIDGES			
			5,107.50				
20500	09/13/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				09/13/19 VOID	0
20501	09/13/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				09/13/19 VOID	0
20502	09/13/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				09/30/19	1473
19-02233	1	ELECTRIC	10.81	101-4100-541-4310	Expenditure		11 1
				ROADS & BRIDGES			
19-02234	1	ELECTRIC	4,330.69	101-4100-541-5320	Expenditure		12 1
				ROADS & BRIDGES			
19-02235	1	ELECTRIC	93.66	101-4100-541-5320	Expenditure		13 1
				ROADS & BRIDGES			
19-02238	1	ELECTRIC	63.87	101-4100-541-4310	Expenditure		14 1
				ROADS & BRIDGES			
19-02239	1	ELECTRIC	453.70	101-4100-541-4310	Expenditure		15 1
				ROADS & BRIDGES			
19-02240	1	ELECTRIC	27.43	101-4100-541-4310	Expenditure		16 1
				ROADS & BRIDGES			
19-02241	1	ELECTRIC	20.51	101-4100-541-4310	Expenditure		17 1
				ROADS & BRIDGES			
19-02242	1	ELECTRIC	23.99	101-4100-541-4310	Expenditure		18 1
				ROADS & BRIDGES			
19-02243	1	ELECTRIC	14.70	101-4100-541-4310	Expenditure		19 1
				ROADS & BRIDGES			

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PO #	Item	Description							
101TDBANKRDBRG			Continued						
20502	FLORIDA POWER & LIGHT COMPANY	Continued							
19-02244	1	ELECTRIC	41.06	101-4100-541-4310 ROADS & BRIDGES	Expenditure		20	1	
19-02245	1	ELECTRIC	12.14	101-4100-541-4310 ROADS & BRIDGES	Expenditure		21	1	
19-02246	1	ELECTRIC	14.89	101-4100-541-4310 ROADS & BRIDGES	Expenditure		22	1	
19-02247	1	ELECTRIC	433.34	101-4100-541-4310 ROADS & BRIDGES	Expenditure		23	1	
19-02248	1	ELECTRIC	11.44	101-4100-541-4310 ROADS & BRIDGES	Expenditure		24	1	
19-02249	1	ELECTRIC	13.41	101-4100-541-4310 ROADS & BRIDGES	Expenditure		25	1	
			<u>5,565.64</u>						
20503	09/13/19	FUTCH010 FUTCH'S TRACTOR DEPOT		(Void Reason: duplicate pymt)		09/20/19 VOID	1473		
19-02291	1	REPAIR	118.39	101-4100-541-4620 Roads-Equipment Repair & Maintenance	Expenditure		33	1	
20504	09/13/19	HEATH010 HEATH ELECTRIC				09/30/19	1473		
19-02279	1	REPAIR TO VERSAGGI PUMP	760.00	101-4100-541-4610 ROADS & BRIDGES	Expenditure		31	1	
20505	09/13/19	KEL005 KELZ NURSERY				09/30/19	1473		
19-02212	1	PLANTS	660.00	101-4100-541-6360 ROADS & BRIDGES	Expenditure		4	1	
19-02212	2	PLANTS	350.00	101-4100-541-6360 ROADS & BRIDGES	Expenditure		5	1	
19-02212	3	PLANTS	525.00	101-4100-541-6360 ROADS & BRIDGES	Expenditure		6	1	
			<u>1,535.00</u>						
20506	09/13/19	LVHIE010 L.V. HIERS INC.				09/30/19	1473		
19-02200	1	100 GALS MARINE FUEL	257.34	101-4100-541-5220 ROADS & BRIDGES	Expenditure		1	1	
20507	09/13/19	NORTH010 NORTH FLORIDA IRRIGATION EQUIP				09/30/19	1473		
19-02217	1	PALM TREES	66.43	101-4100-541-5270 ROADS & BRIDGES	Expenditure		8	1	
19-02218	1	REPLACEMENT CH	105.74	101-4100-541-5270 ROADS & BRIDGES	Expenditure		9	1	
			<u>172.17</u>						
20508	09/13/19	NUTRI005 NUTRIEN AG SOLUTIONS INC				09/30/19	1473		
19-02290	1	SEED FOR MICKLER	268.98	101-4100-541-5310 ROADS & BRIDGES	Expenditure		32	1	
20509	09/13/19	SANF0005 SANFORD AND SON AUTO PARTS INC				09/30/19	1473		
19-02270	1	REPAIR	168.15	101-4100-541-4630 ROADS & BRIDGES	Expenditure		26	1	
19-02271	1	REPAIR	56.80	101-4100-541-4630 ROADS & BRIDGES	Expenditure		27	1	

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
101YDBANKRDBRG			Continued						
20509		SANFORD AND SON AUTO PARTS INC	Continued						
19-02272	1	REPAIR	66.49	101-4100-541-4630	Expenditure		28	1	
				ROADS & BRIDGES					
19-02273	1	REPAIR	27.78	101-4100-541-4630	Expenditure		29	1	
				ROADS & BRIDGES					
			<u>263.66</u>						
20510	09/13/19	THELA020 THE LAKE DOCTORS				09/30/19	1473		
19-02227	1	WATER MGT	595.00	101-4100-541-3400	Expenditure		10	1	
				ROADS & BRIDGES					
20511	09/27/19	AWACO010 AWA CONTRACTING CO. INC.					1476		
19-02314	1	HURRICANE DORIAN	8,329.54	101-4100-541-4610	Expenditure		1	1	
				ROADS & BRIDGES					
20512	09/27/19	BUGOU010 BUG OUT SERVICE INC					1476		
19-02360	1	PEST TREATMENT	350.00	101-4100-541-3400	Expenditure		4	1	
				ROADS & BRIDGES					
20513	09/27/19	SOUTH010 SOUTHERN HORTICULTURE					1476		
19-02354	1	TREE	99.95	101-4100-541-6360	Expenditure		3	1	
				ROADS & BRIDGES					
20514	09/27/19	SRM00005 SRM					1476		
19-02374	1	BEACH SAND-HURRICANE DORIAN	568.20	101-4100-541-5310	Expenditure		5	1	
				ROADS & BRIDGES					
19-02374	2	BEACH SAND-HURRICANE DORIAN	819.30	101-4100-541-5310	Expenditure		6	1	
				ROADS & BRIDGES					
19-02374	3	BEACH SAND-HURRICANE DORIAN	281.55	101-4100-541-5310	Expenditure		7	1	
				ROADS & BRIDGES					
19-02374	4	BEACH SAND-HURRICANE DORIAN	276.30	101-4100-541-5310	Expenditure		8	1	
				ROADS & BRIDGES					
19-02374	5	BEACH SAND-HURRICANE DORIAN	1,383.15	101-4100-541-5310	Expenditure		9	1	
				ROADS & BRIDGES					
19-02374	6	BEACH SAND-HURRICANE DORIAN	1,691.55	101-4100-541-5310	Expenditure		10	1	
				ROADS & BRIDGES					
19-02374	7	BEACH SAND-HURRICANE DORIAN	843.60	101-4100-541-5310	Expenditure		11	1	
				ROADS & BRIDGES					
19-02374	8	BEACH SAND-HURRICANE DORIAN	168.72	101-4100-541-5310	Expenditure		12	1	
				ROADS & BRIDGES					
19-02374	9	BEACH SAND-HURRICANE DORIAN	492.80	101-4100-541-5310	Expenditure		13	1	
				ROADS & BRIDGES					
19-02374	10	BEACH SAND-HURRICANE DORIAN	160.32	101-4100-541-5310	Expenditure		14	1	
				ROADS & BRIDGES					
19-02374	11	BEACH SAND-HURRICANE DORIAN	487.52	101-4100-541-5310	Expenditure		15	1	
				ROADS & BRIDGES					
19-02374	12	BEACH SAND-HURRICANE DORIAN	264.00	101-4100-541-5310	Expenditure		16	1	
				ROADS & BRIDGES					
			<u>7,437.01</u>						

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PO #	Item	Description					Ref Seq Acct
101TDBANKRDBRG			Continued				
20515	09/27/19	SYNER005 SYNERGY					1476
19-02346	1	EQUIPMENT RENTAL-HURR DORIAN	3,157.45	101-4100-541-5310	Expenditure		2 1
				ROADS & BRIDGES			
20516	09/27/19	USA0025 USA SERVICES					1476
19-02381	1	A1A BEACH BLVD	180.00	101-4100-541-3400	Expenditure		17 1
				ROADS & BRIDGES			
20517	09/30/19	NATUR015 NATURAL RESOURCE PLANNING					1480
19-02027	1	URBAN FORESTRY MGT PLAN	19,450.00	101-4100-541-6360	Expenditure		1 1
				ROADS & BRIDGES			
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
		Checks:	17	3	53,539.73	118.39	
		Direct Deposit:	0	0	0.00	0.00	
		Total:	17	3	53,539.73	118.39	
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
		Checks:	116	4	200,696.90	313.39	
		Direct Deposit:	0	0	0.00	0.00	
		Total:	116	4	200,696.90	313.39	

Totals by Year-Fund Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	9-001	73,438.96	392.00	73,326.21	147,157.17
ROAD & BRIDGE FUND	9-101	53,539.73	0.00	0.00	53,539.73
Total of All Funds:		<u>126,978.69</u>	<u>392.00</u>	<u>73,326.21</u>	<u>200,696.90</u>

Totals by Fund Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	001	73,438.96	392.00	73,326.21	147,157.17
ROAD & BRIDGE FUND	101	53,539.73	0.00	0.00	53,539.73
Total of All Funds:		<u>126,978.69</u>	<u>392.00</u>	<u>73,326.21</u>	<u>200,696.90</u>

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
GENERAL FUND	9-001	73,438.96	0.00	0.00	0.00	73,438.96
ROAD & BRIDGE FUND	9-101	53,539.73	0.00	0.00	0.00	53,539.73
Total of All Funds:		<u>126,978.69</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>126,978.69</u>

PENDING ACTIVITIES AND PROJECTS

Revised October 22, 2019

1. PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER. At its July 1, 2019, meeting the Commission decided to have the reviews done by individual Commissioners by October 21st and for the reviews to be discussed at the Commission's November 4th meeting.
2. LAND DEVELOPMENT REGULATIONS. At the City Commission's September 9th meeting, the Building Official proposed several amendments to the Regulations. The Commission had the amendments reviewed by the Planning Board, which discussed them at its September 17th meeting. The amendments and the Board's recommendations concerning them will be discussed by the Commission at its November 4th 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: At its July 16, 2019, meeting, the County Commission awarded the bid for the improvements to Yelton Construction Company for \$780,000. The County Administrator and the City Manager have discussed the construction schedule, so that the City can use the pier on December 31, 2019, for its New Year's Eve fireworks show. The Administrator has said that repairs won't be started until after December 31st.
 - c. Replacing Ron Parker Park tennis courts: Construction Services and Purchasing are coordinating the completion of this project, which was started in September 2019.
 - d. Routine maintenance at beach access points: Maintenance has been done at 1st, 2nd, 7th, 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 10th meeting. The City Manager asked the Planning Board and the Sustainability and Environmental Planning Advisory Committee for their suggestions for strategic plan goals. What they provided were reviewed by the City Commission at its August 5th meeting. The Commission decided to have a mission statement first, which will be the foundation for the plan's goals. Possible wording for the statement was discussed by the Commission's September 10th continuation meeting. The City Manager is to prepare a mission statement for a future Commission meeting.

5. **PARKING PLAN.** An outcome of the City Commission's joint meeting on March 19th 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 2nd 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 20th 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 13th and 14th Streets west of the Boulevard, where the residents have requested the signs.

The Commission held a special meeting on January 8th 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 4th 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 5th, with residents to discuss the residents' proposed solutions for how to protect residential neighborhoods from parking by beach visitors. At the Commission's April 1st meeting, the Commission decided to hold a special meeting on April 29th, 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 2nd 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 15th, 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.

The County Commission at its November 5, 2019, regular meeting may consider a parking management plan and the hourly fee.

6. JOINT MEETING WITH THE COUNTY COMMISSION. No date 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 7th 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 p.m. Three citizens and one Commissioner attended. The consultant met with the Comprehensive Planning and Zoning Board at its July 17th meeting, and provided the results of the two meetings to the City Commission at its August 6th meeting. The Commission met with the planning consultants, Fleet and Associates, plus members of the Planning and Tree Boards at a workshop on October 17th to review Ms. Fleet's changes to the policies in the current Comprehensive

Plan. At its November 13th meeting, the Commission decided not to hold a special meeting in late November to review the draft of the plan. At its December 17th 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 8th, 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 19th meeting and decided to continue a review of the changes at the Board's March 19th 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 16th 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 10th meeting and continued the review for a special meeting on Tuesday, July 2nd. At that meeting, the Commission made some changes to the Plan and approved the consultant submitting it to the Florida Department of Economic Opportunity and other agencies for review. In early August, the DOE informed Ms. Fleet by letter that the Department had received the City's submission package and that the package was complete. The Department did its review of the City's proposed amendments and sent a report to the City in early October. The Department's one objection concerned the City's need to adopt updated policies concerning sea level rise and coastal flooding. Ms. Fleet met with City staff members in October to discuss proposed policies. She will present them to the Commission at its December 2nd meeting.

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 2020, 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. This item will no longer be included in this report.
10. **CROSSWALKS AND PEDESTRIAN SAFETY.** City residents have asked that the pedestrian safety flag system on A1A Beach Boulevard be provided at 13th and 8th 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 6th 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

11th continuation meeting that the County has proposed putting new crosswalks at 9th and D Streets. The one at D Street has been completed. Ninth Street remains to be done.

11. NEW REVENUE SOURCES: A. 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 17th meeting discussed the proposal and asked for more information. At its August 5th meeting, the City Commission postponed the topic to the September 9th meeting. By majority vote it authorized the City Manager to do the next step in the process, which is to contact the Tax Collector for the date or dates when the public hearing must be held on a resolution to adopt the assessment. At its October 7th meeting, the Commission approved continuing the steps to implement the non-ad valorem assessment in 2020 and agreed to continue the discussion to its November 4th meeting of changes to the commercial solid waste service fees.
12. STREETLIGHTS ALONG STATE ROAD A1A. The City's Public Works Director, Bill Tredik, has taken the lead on this project. He is working with Florida and Light and the Florida Department of Transportation to have lights put at seven locations between the city hall and Madrid Street, opposite the entrance to the Marsh Creek subdivision. He is waiting for approval from the DOT.
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 29th, 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 10th meeting to change the lights throughout the City to LED lights. The Commission decided it needed more information from FPL. Chief Hardwick is working with FPL on a complete review of the lighting along the Boulevard.
15. CITIZEN SURVEY. Currently, no surveys are being conducted.
16. CITY ATTORNEY SEARCH. City Attorney James Wilson announced his intention to resign at the Commission's April 1st meeting. At its April 29th 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 was Friday, May 31, 2019, at 4 p.m. The City received two applications, one from Cape Coral on Florida's southwest coast, the other from Gainesville. At its June 17th special meeting, the Commission discussed the proposals but selected neither one. The current City Attorney, Mr. James Wilson of the Coquina Law Group provided a proposal for the Commission to review at its July 1st meeting. The Commission agreed to have the Coquina Law Group continue to provide legal services for two to three months and increase the monthly retainer from \$3,000 to \$6,000. In October, the City staff prepared a Request for Proposals. The next steps are:
 - a. November 4, 2019: The Commission determines the criteria for evaluating the proposals.

- b. November 8, 2019: Deadline for the proposals to be received.
- c. December 2, 2019: The Commission reviews and ranks the proposals.
- d. January 6, 2020: The Commission interviews the firms ranked the highest and selects the firm to be the City Attorney.

17. REQUEST TO COUNTY FOR FUNDING FOR PROJECTS

The County has a \$15.5 million surplus in its Fiscal Year 2020 budget. County Commissioner Henry Dean at the City Commission's September 9th meeting suggested that the City submit projects for a share of the surplus. At its September 23, 2019, special meeting, the City Commission decided to request funding for the following projects:

- a. Sail shade at Splash Park
- b. Enhanced crosswalks at three locations on A1A Beach Boulevard
- c. Sidewalk and drainage improvements on A Street, east of the Boulevard
- d. Improvements to plazas on Boulevard's west side between A and 1st Streets
- e. Beach access parking lot at Hammock Dunes Park north of the shopping center
- f. Restrooms for Ocean Hammock Park on the Boulevard's east side between the Bermuda Run and Sea Colony subdivisions.
- g. The County Commission will discuss possible uses of the surplus funds at its November 19, 2019, regular meeting.

18. GRANTS. The Public Works Director has prepared and submitted three grant applications:

- a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match would be \$35,500. Total project cost: \$142,000
- b. Coastal Partnership Initiative: \$25,000, to fund planning for other improvements to Ocean Hammock Park: picnic pavilion, observation platform, playscape for children, more trails. City match would be \$25,000. Total project cost: \$50,000
- c. Florida Resilient Coastlines Programs: to do a Vulnerability Assessment and Adaptability Plan. Total amount requested \$72,000. No match required. This will involve updating the City's stormwater model, identifying vulnerabilities and recommending options for inclusion in a future Public Works Capital Improvements Plan.

19. REQUEST TO COUNTY LEGISLATION DELEGATION TO SUPPORT REQUEST FOR AN APPROPRIATION

There is a possibility of the City obtaining an appropriation in the state's Fiscal Year 2121 budget for a project. The County's Legislative Delegation will meet on November 22nd. As that meeting, City representatives could request funding for the Mizell Road retention pond weir project.