



## **AGENDA**

### **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**

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#### NOTICE TO THE PUBLIC

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

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF MINUTES OF SPECIAL BUDGET MEETING SEPTEMBER 9, 2019, REGULAR COMMISSION MEETING ON SEPTEMBER 9, 2019 AND CONTINUATION MEETING SEPTEMBER 10, 2019
- V. ADDITIONS OR DELETIONS OF THE AGENDA
- VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- VII. PRESENTATIONS
  - A. Proclamations:
    - 1) To Declare October 2019 as Domestic Violence Awareness Month (Presenters: Representatives from the Betty Griffin Center)
    - 2) To Recognize October 21 – 27, 2019, as City Government Week (Presenter: Cindy Walker, Communication and Events Coordinator)
  - B. Presentation of Programs by Representatives from the North Florida Green Chamber of Commerce
  - C. Sea Level Rise, Deforestation and Beach Erosion by Members of the City's Sustainability and Environmental Planning Advisory Committee
- VIII. PUBLIC COMMENTS
- IX. COMMISSIONER COMMENTS
- 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)

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

XII. OLD BUSINESS

4. E-Scooters: Continuation of Discussion of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)
5. Mickler Boulevard Piping Project: Request for Approval of Change Orders No. 1 and No. 2 (Presenter: Bill Tredik, Public Works Director)
6. Solid Waste: Non-Ad Valorem Assessment and Proposed Changes to Commercial Solid Waste Regulations (Presenters: Max Royle, City Manager; Patricia Douylliez, Finance Director)
7. Changes to the Land Development Regulations: Consideration of Recommendations from the Comprehensive Planning and Zoning Board (Presenter: Brian Law, Building Official)

XIII. NEW BUSINESS

8. Bocce Ball League: Request to Use Bocce Courts on City Property at Pier Park (Presenter: Representative from the League)
9. Resolution 19-09: Recognizing the Threat of Climate Change and Global Warming (Presenters: Members of the Sustainability and Environmental Planning Advisory Committee)
10. Rules of Civility for Public Participation: Request by Mayor George to Discuss

XIV. STAFF COMMENTS

XV. ADJOURNMENT

**NOTICES TO THE PUBLIC**

1. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** It will hold its monthly meeting on Thursday, October 10, 2019, at 6:00 p.m. in the Commission meeting room at city hall.
2. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, October 15, 2019, at 6:00 p.m. in the Commission meeting room. Topics on the agenda may include: a) request for conditional use permit for Day Care/Pre-Kindergarten Private School, Island Prep, at 4001 State Road A1A South; b) request to build a house in a commercial zone at 16 5<sup>th</sup> Street; c) request for variance to reduce rear and side setbacks from 10 to 5 feet for a swimming pool at 1349 Smiling Fish Lane in the Sea Grove subdivision; d) request for variance to reduce rear setback from 10 to 7 feet for a swimming pool at 1353 Smiling Fish Lane.
3. **CELEBRATING CITY'S 60<sup>TH</sup> BIRTHDAY.** The City was officially created in 1959. A celebration of its 60<sup>th</sup> year will be held on Friday, October 25, 2019, from 5 p.m. to 7 p.m. at city hall. Historic photos and other exhibits from the City's past will be on display. Cake and other refreshments

will be provided. For information contact Ms. Cindy Walker, Communications and Events Coordinator at [cwalker@cityofsab.org](mailto:cwalker@cityofsab.org), or call 471-2122.

**NOTE:**

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

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

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



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## MINUTES

### SPECIAL CITY COMMISSION MEETING

MONDAY, SEPTEMBER 9, 2019 AT 6:00 P.M.

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

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#### I. CALL TO ORDER

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

#### II. PLEDGE OF ALLEGIANCE

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

#### III. ROLL CALL

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

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

#### IV. PUBLIC HEARING FOR FISCAL YEAR 2020 BUDGET

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

Mayor George introduced Item IV. A. and asked for a staff report from City Manager Royle.

City Manager Royle explained that the purpose of this public hearing is to tentatively adopt the millage for the FY 2020. He advised that there will be another hearing to adopt the millage at a date to be determined tonight. Staff provided a budget based on 2.6 mills, which is 14.57% above the rollback millage. He pointed out that ten Public Works employees were in the audience and welcomed them as well as the Police Department employees and other City staff. He asked to break this up into stages, first would be the explanation of the health insurance, then the pay, then other budget matters that the Commission would like to discuss, and final topic would be the millage. He explained that people can speak on the various stages of the budget. He said that the first substantial issue we need to address is the reasons for the 14.57 increase in millage over rollback. He explained that the increase is to restore the money to the City's reserves. He commented that because the millage has been 2.3992 mill for years, the City has lowered the reserves. He explained that there was a deficit in the Road and Bridge Fund and there were no revenues from paid parking as expected.

Mayor George advised that there have been increasing expense costs due to recent hurricanes, which decreases the revenues.

City Manager Royle advised that the reserves are the only revenues that the City can use to help in a severe storm.

Mark Bailey, Bailey Group, 1200 Plantation Island Drive S., St. Augustine, FL, explained and presented a PowerPoint presentation (Exhibit 1). He explained that the employees would have an increase in premiums as well as the City. He commented that staff and the Bailey Group had meetings with the employees to explain their options and the employees preferred Option 2.

Commissioner Kostka asked what St. Johns County's cost was for their health insurance costs to the employee.

Mr. Bailey advised that St. Johns County is self-insured, and their cost is \$967 per employee per month and the dependent care cost is between 45% - 65%. He commented that the City is close to St. Johns County.

Finance Director Douylliez explained that the insurance meetings with staff were to go over out-of-pocket costs, co-pays, and what plans have been presented from the Bailey Group. The buy-up plan would be expensive for employees, but for some employees it would be a good option. She explained that staff and the Bailey Group during orientation this year will go over the employee options and help them make the right decision for their families.

Mayor George explained that Option 2 is what staff has recommended based on employee input.

Finance Director Douylliez advised yes.

Commissioner Samora thanked senior staff and the Bailey Group for educating the staff on their insurance options asked would more employees choose the buyup plan or the base plan.

Finance Director Douylliez advised most will probably go into the base plan because of the cost of the buyup plan.

Mayor George moved on to the employee pay plan and adjustments.

Finance Director Douylliez advised that there was a decrease in the Finance Departments salaries. She explained that staff would like to separate the IT Department from the Finance Department and have IT Manager Anthony Johns to oversee the IT Department for the City because he is doing the job already. She explained that every other employee was kept to the step plan based upon their reviews from their managers. She explained that Public Works Director Tredik will explain the increases for the Service Worker and the Equipment Operator positions.

Public Works Director Tredik explained why the Service Worker and Equipment Operator positions needed to be raised and showed Exhibit 2 on the comparable between St. Johns County and the City of St. Augustine's similar positions. He advised that it is hard to keep and get employees at the rate of pay the City is hiring at. He explained that the Public Works Department is not getting experience workers at the current pay, but workers right out of high school. He proposed to have positions of Service Worker I and Service Worker II and Equipment Operator with a 5% increase between them at a total cost of \$17,000 increase to the budget. He asked the Commission for their consideration for this increase.

Discussion ensued regarding being challenging to get experience employees at the current pay rate; Exhibit 2 being the City of St. Augustine and St. Johns County starting salaries; funding the \$17,000 increase by not getting a flatbed dump truck this budget year; have two vacancies of the Service Workers positions since May, but now are full; personnel salary increases were only 2.09% overall; and thanking the Public Works employees for all their hard work during Hurricane Dorian.

Commission Samora asked if the vacant position in the Police Department is for an officer who has been deployed.



Police Chief Samora advised yes, but he should be back sometime next year.

Mayor George moved on to the Capital Outlay requests.

City Manager Royle advised that staff did reduce the amount for the Public Works facility. He advised that staff could do a design concept drawing of the facility and wait until next year for the drawing of the plans. He explained that the \$70,000 could be reduced in the budget.

Finance Director Douylliez advised that the IT Department was able to reduce \$20,000 from the FY 2020 budget by purchasing computers this year instead of next year.

Mayor George moved on to set the millage.

City Manager Royle advised that budget presented is 2.6 mills and has provided the percentages if the Commission wants to reduce it. He explained that staff doesn't feel that there is a great deal to reduce, unless the Commission takes money out of the contingency funds. The contingency funds are \$210,000, which is a step in the right direction. He explained that the non-ad valorem assessment, which will be discussed at the Regular Commission meeting, would not go into effect until FY 2021 and would have no impact on this budget.

Commissioner Kostka advised that she has been reviewing other cities' budgets and found that many coastal cities have allocated for beach equipment, cleanup, etc. by Tourist Development Council (TDC) funding. She asked if there was a way to ask for TDC funding for the beach vehicle for the Police Department because it is a big part of the tourism in our City. She also suggested A Street sidewalk being funded by TDC because it is a tourism safety issue. She asked if the Commission and staff is exploring all avenues for funding instead of increasing the taxes to the residents.

Mayor George advised that staff and she have continued to ask St. Johns County for more funding from TDC. She explained that there is a State Statute that creates the authority to levy the TDC tax. St. Johns County levies the amount given to the TDC and then the TDC's recommendations must be approved by St. Johns County. She advised that St. Johns County has not changed its ordinance. She suggested that all the Commissioners lobby the County Commissioners for funding and changing the ordinance for a higher percentage.

Vice Mayor England asked Mayor George to advise the Commission when items for the City come up so they can be there to be vocal on why they need the beach clean up and equipment. She commented that St. Johns County should be reimbursing the City more for the beach cleanup and equipment.

Commissioner Kostka advised that the tourists cause a drain on the infrastructure and even though the City likes tourism, the City should have help with the expenditures that are created from the tourism.

Vice Mayor England advised that safety is a high priority for the beach and as a body be more vocal.

Commissioner Rumrell suggested to not put in budget the public works facility this budget year to save \$70,000 and advised that it could be used to keep the current insurance plan for the employees. He asked Police Chief Hardwick if putting a sidewalk in on A Street would make a difference.

Police Chief Hardwick advised he is not sure if the tourists would use the sidewalk because it is a relaxed area where they are entering the beach. He explained that with a sidewalk it would encroach on the residents, but he would leave it to the experts. He commented that no pedestrians have been hit on A Street.

Commissioner Samora explained that there is no point of refuge for the people to walk down the street and there is a drainage issue.

Public Works Director Tredik advised that there is a drainage problem and this project would address it.

Mayor George asked if this project could wait so the Commission could lobby St. Johns County for funding since this is there busiest beach access point.

Public Works Director Tredik explained that the drainage issue is severe there and it should be addressed, and he was concerned about the lack of refuge for the pedestrians.

Commissioner Rumrell suggested asking Port and Waterway for funding because they do give funding for beach access, which A Street is for beach access.

Public Works Director Tredik said that he can research other methods, but he does want to address public refuge and the drainage problem.

Vice Mayor England suggested updating the Master Drainage Plan and do research before you start work on A Street.

Public Works Director Tredik advised yes, but this is a simple fix to address the drainage problem.

Vice Mayor England advised to look at it holistically and asked if this must be done in FY 2020. She commented that she would like to look for grant money and wants staff to review the Master Drainage Plan.

Commissioner Samora advised that the two points that the residents wanted fixed were the speeding and the drainage.

Police Chief Hardwick advised that he was not concerned except for drivers speeding to beat the red light on A Street.

Commissioner Rumrell asked if this project could be broken out into two separate projects.

Public Works Director Tredik advised that it could as a drainage project first and then a sidewalk or widen roadway for phase II.

Mayor George asked if the flatbed dump truck is \$50,000 and the down scale the scope of the design for the Public Works facility would be eliminated to reduce a total of \$70,000. She asked if this would be a conceptional design that would delay the facility.

Public Works Director Tredik advised that it would delay the facility, but would give staff time to plan out the design and give staff options for a facility that would last for the future.

Discussion ensued regarding Florida League of Cities would fund the project if it is \$1 million or more, but would need to be completed within a three-year timeframe; asking the bank for financing; how to commit funds for repaying the debt; having the project be removed from the budget until a funding source can be found; having a conceptional plan done on the Public Works facility this year, which would be less than \$50,000; not pushing the project to next year, but move forward on the conceptional design; this money was pulled to improve the existing Public Works facility so this new facility could be done; if the Commission makes the commitment to do the facility, how does the Commission know there will be a funding source to do it in the future; and limiting the funding to a concept plan for this budget until staff finds a funding source.

After discussion, Mayor George agreed that the conceptional plans should move forward and research should be done on the funding source.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, showed a presentation (Exhibits 3 – 5), then advised that it costs more money than the residents pay for trash pickup which gives them an extra subsidy that some condos do not receive. He suggested to have Advanced Disposal to pick up the waste because it would be more efficient.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, agreed with Mr. Reynolds and said that St. Johns County has increased their waste fees gradually and his concern was that the Commission is increasing the taxes to the residents tri-fold. He explained that St. Johns County has added a fire service fee to all resident and commercial buildings and a stormwater utility fee that the Commission could review for the City. He agreed that the Master Drainage Plan should be comprehensive.

Mayor George closed the Public Comments section and recapped the discussion that the medical insurance would be Option 2, Public Works would delete the flatbed dump truck and not to improve A Street at this time.

Commissioner Kostka advised that she had a grave concern about keeping the 2.6 mills. She explained that the property taxes are already going up six percent because of the property values and now the City wants to increase the taxes another eight percent. She commented that the City needs to do better. She explained that revenues should have been increased by raising the parking tickets and the business tax receipts years earlier. She needs the Commission to be more fiscally responsible.

Mayor George advised that she has kept the 2.3992 mills in the past, but the City has been hit with two hurricanes and the weir broke, which costs the City a lot of money. She commented that she has been exploring other options on paid parking. She explained that we are a coastal city and the reserves need to be increased. She remarked that attorney fees and health insurances are going up and need to be addressed.

Commissioner Kostka agreed and thanked the Police Department and Public Works employees for working together in the storm. She commented that an emergency fund is necessary.

Mayor George advised that even if the Commission modified the budget by not doing the \$70,000 Public Works facility, the flatbed dump truck for \$50,000, and \$40,000 on A Street would total \$160,000 and it would still not bring the budget down to 2.45 mills. She remarked that the Commission could ask staff to bring it down to 2.45 mills, but it would jeopardize some critical improvements and services.

Commissioner Kostka advised that the Commission and staff could do more to lower the mills.

Vice Mayor England advised that she does not want 2.6 mills. She suggested to have staff find items to bring the budget down to 2.5 mills. She explained that staff has done an excellent job on payroll, which was only increased by 2.09%. She suggested looking at technology in order to become a smart city and building the reserves.

Commissioner Samora agreed and the Commission needs to consider today's costs, and everything associated with it. He would like 2.5 mills.

Commissioner Rumrell agreed with 2.5 mills, but not 2.6 mills. He said that he wants to take care of the employees with the health insurance and then the pay raises for the Public Works staff. He commented that the employees were his priority. He advised that the Commission needs more revenue streams to complete the other projects or they will have to wait.

Mayor George asked City Attorney Wilson to read Ordinance 19-14.

City Attorney Wilson read Ordinance 19-14 in its entirety.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-14 as read with an amendment that the reference to the mills would be 2.5 both in the title and in Section 1. **Moved by** Mayor George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item IV.B.

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

Mayor George introduced Item IV. B. and Mayor George asked City Attorney Wilson to read Ordinance 19-15.

City Attorney Wilson read Ordinance 19-15 in its entirety.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-15 with the amendment to the proposed budget as discussed during the meeting equivalent to reduction of expenditures and revenues by \$137,966. **Moved by** Mayor George, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George moved on to Item IV.C.

C. Setting Date and Time for Second and Final Hearing on Millage and Budget Ordinances (Presenter: Max Royle, City Manager)

Mayor George introduced Item IV. C. and asked for a staff report from City Manager Royle.

City Manager Royle advised Commissioner Samora cannot be here on 23<sup>rd</sup> and the only date that works would be Wednesday, September 18<sup>th</sup>.

Discussion ensued regarding Commissioner Samora calling in to vote.

It was the consensus of the Commission to allow Commissioner Samora to call in to vote for the final budget meeting.

After discussion, the Mayor made a motion.

**Motion:** to have the meeting at 5:30 p.m. on Monday the 23<sup>rd</sup> of September. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

V. ADJOURN BUDGET PUBLIC HEARING

Mayor George asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 7:35 p.m.

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Undine C. George, Mayor

ATTEST:

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City Clerk



## MINUTES

### REGULAR CITY COMMISSION MEETING

MONDAY, SEPTEMBER 9, 2019

IMMEDIATELY FOLLOWING THE

SPECIAL BUDGET MEETING AT 6:00 P.M.

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

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#### I. CALL TO ORDER

Mayor George called the meeting to order at 7:42 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, Commissioner Rumrell, and Commissioner Samora.

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

#### IV. APPROVAL OF MINUTES OF SPECIAL BUDGET COMMISSION MEETING ON JULY 31, 2019, AND REGULAR COMMISSION MEETING ON AUGUST 5, 2019

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

**Motion:** to approve Special Commission meeting on July 31, 2019 and Regular Commission meeting on August 5, 2019. **Moved by** Vice Mayor England, **Seconded by** Commissioner Samora. Motion passed unanimously.

#### V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor George asked if there were any additions or deletions of the agenda. She advised that the presentation from the North Florida Green Chamber of Commerce has been rescheduled; however, there will be a presentation for the Anastasia Island Environmental Stewardship Awards by the SEPAC Chair, Sandra Krempasky.

City Manager Royle advised that Item 4 was voluminous and due to Hurricane Dorian, the Committee meeting was changed, so it would be rescheduled to the Final Special Budget meeting.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor George asked if there were any changes to the order of topics on the Agenda. Being none, Mayor George moved on to Item V.

VII. PRESENTATIONS

- A. Presentation of Plaques for the Recipients of the Anastasia Island Environmental Stewardship Awards

Mayor George introduced Item VII. A. and asked Sandra Krempasky, Chair of the SEPAC, to the podium to present the plaques.

Ms. Krempasky explained that the Anastasia Island Environmental Stewardship Awards were to recognize individuals, organizations, and businesses who are working to protect the island's natural resources and enhance its ecosystem. She then presented plaques to Southern Horticulture and to Captain Adam Morley for their conservation efforts.

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

This item has been rescheduled.

Mayor George moved on to Item VIII.

VIII. PUBLIC COMMENTS

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, explained that St. Johns County received \$15.5 million in surplus and suggested the Commission go to County Commissioner Henry Dean or St. Johns County Commission meeting to ask for a portion of the surplus.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, advised that he was glad the City is doing the sustainability awards; thankful that SEPAC is authorized to do workshops and inform people of environmental issues, such as sea level rise; explained that if residents are in a flood plain, residents need to plant trees, reduce runoff by swales and elevated building foundations, etc.; and he suggested hiring a Sustainability Administrator.

Sonia Kulyk, 114 15<sup>th</sup> Street, St. Augustine Beach, FL, asked what the status is on Oceans 13 and was concerned about the height of the building.

Building Official Law advised that the Oceans 13 building would meet the height requirements and he was permitting it tomorrow. He explained that it has been approved by the Planning and Zoning Board and that the drainage would be inspected by Public Works Director Tredik.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, requested having a national search for a new City Manager; suggested doing the seven-generation sustainability test within the City; why is there no money in the budget for police body cameras.

Mayor George closed the Public Comments section.

Mayor George moved on to Item IX.

IX. COMMISSIONER COMMENTS

Mayor George asked Commissioner Samora to give his comments.

Commissioner Samora explained that he attended the Visitors & Convention Bureau (VCB) meeting and advised that the visitor numbers and occupancy rates have increased. VCB will be adopting a new marketing plan and technology for the area. VCB is also following what the City of St. Augustine has been restricting on transient rentals regarding parking requirements and he suggested to watch what changes are going to be done in the Historic City.

Commissioner Rumrell advised that City Manager Royle and he met with Representative Cyndi Stevenson to discuss the projects and funding needs of the beach. He commented that Representative Stevenson will be researching funding from the state level for the City's beach projects. He advised that they are trying to schedule an appointment with Senator Travis Hutson.

Commissioner Kostka advised that she and City Manager Royle, Vice Mayor England, Commissioner Rumrell attended the Florida League of Cities Annual Conference where they received a lot of information and good ideas to share with staff. She advised that it was a great opportunity for networking with other mayors and commissioners.

Vice Mayor England advised that the conference was great and found that the City of Longboat Key did a large project to put underground utilities as well as the drainage. She advised that it was very informative. She explained that the Longboat Key did a special assessment for the underground utilities and paid their assessments in advance, so they did not have to borrow as much. She explained that there is new technology about flooding, so you do not have to worry about flooding of underground utility lines.

Mayor George thanked the Public Works and the Police Department employees for their hard work during Hurricane Dorian. She commented that she worked a lot of hours, but it was only a fraction of the time the Police and Public Works employees worked. She advised that they did a great job keeping the citizens and the properties safe. She explained that she saw everyone working together at the Emergency Operation Center during the storm and new relationships were forged. She advised that her prayers go out to the Bahamas.

Mayor George moved on to Item 1.

X. PUBLIC HEARINGS

1. Ordinance 19-10, Public Hearing and Final Reading: to Levy a Franchise Fee for Solid Waste Haulers (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 1 and then asked City Attorney Wilson for his report.

City Attorney Wilson explained that this ordinance was requested by the Commission and means that any resident who has a private hauler come into the City that hauler would have to pay a franchise fee. He commented that the franchise fee is \$300 per year and will pay 10% of the haulers gross revenues. He advised that the haulers are required to have an office in St. Johns County.

Finance Director Douylliez advised that she like to remove the language on page 9 under number 6 because that the haulers must have an office in St. Johns County because it would limit the City's franchise fees.

City Attorney Wilson advised that if the Commission would like to remove that language, it should be stated in the motion.



City Manager Royle asked if the ordinance should include the word commercial on Section 10-104 (d)(2)(a) on page 10.

City Attorney Wilson advised that he would add the word commercial to the ordinance as requested.

Vice Mayor England asked what would be included in commercial for the condo buildings.

Finance Director Douylliez advised that condos according to the City's codes are considered commercial if they have more than four units.

Vice Mayor England asked if the Commission should add recycling to the ordinance as well.

Finance Director Douylliez advised that haulers pick up from commercial properties recyclables as well as solid waste and construction debris.

City Attorney Wilson advised that recycling is included in the wording of commercial services.

Mayor George suggested on page 10 under A. or B. to include the words recyclable materials.

Finance Director Douylliez agreed with Mayor George in order to cover all the bases of commercial materials.

Discussion ensued regarding whether to include recyclable materials in the ordinance because the City has a contract with Advanced Disposal regarding recyclable materials and it may result in a legal problem.

After discussion, City Attorney Wilson advised that it gives him pause to include recycling because of the current contract with Advanced Disposal. He explained that he didn't want to have an ordinance in breach of the City's contract. He commented that private haulers would include the recycling costs of their 10% gross revenues without putting it in the ordinance and having it conflict with Advanced Disposal's contract.

Vice Mayor England asked if 10 days after the effective date of the ordinance would be enough time to notify the private haulers.

After discussion, it was decided to change the effective date to November 1, 2019, and to notify the private haulers to send back their franchise forms and insurance.

Commissioner Samora requested that the private haulers submit with their franchise fee form their insurance coverage.

Commission agreed.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, questioned if commercial properties must pay the franchise fees and suggested having a franchise fee on the orange and green trains.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, suggested charging everyone, no matter if they have a City contract; agreed with Mr. Reynolds to charge franchise fees for the orange and green trains; and requested to give a livable wage of \$15 an hour.

Mayor George closed the Public Comments section and asked for any further Commission discussion. Being none, Mayor George asked City Attorney Wilson to read the title of the ordinance.

City Attorney read the title of the ordinance. He advised the Commission that the amendments should be changing the effective date to November 1<sup>st</sup> and add the word commercial as discussed and to delete Section 10-104 (b) (6).

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-10 as amended as described by City Attorney Wilson. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item 2.

2. Ordinance 19-13, Public Hearing and Final Reading: to Remove the Requirement of Dog Licenses from the City Code (Presenter: Beverly Raddatz, City Clerk)

Mayor George introduced Item 2 and then asked City Clerk Raddatz for her report.

City Clerk Raddatz advised that there have not been any changes since the hearing on August 5, 2019 and it would be up to the Commission to move forward or not.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked if the dogs will have to still have rabies shots.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, disagreed with removing dog licenses because it is a safety issue; asked if Police Chief Hardwick has any objections; and requested to table this item.

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

Mayor George advised that she opposes this being removed, but asked Police Chief Hardwick his opinion.

Police Chief Hardwick advised that staff gave factual data regarding this and he doesn't know what more they want from the staff.

Vice Mayor England advised that even though the City doesn't have dog licenses, St. Johns County would be enforcing this.

Police Chief Hardwick advised that St. Johns County is enforcing this, and they are the experts.

City Attorney Wilson advised that the State of Florida enforces the vaccinations. He then read the title of the ordinance.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-13. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka. Motion passed 4 to 1, with Mayor George opposing.

Mayor George moved on to Item 3.

XI. CONSENT

3. Budget Resolution 19-08 and 19-09, to Appropriate Money to the Debt Service Fund and the Road/Bridge Fund's Vehicle Repair and Maintenance Account

Mayor George asked the Commission if they wanted to discuss Item 3 of the Consent Agenda. Being none, Mayor George asked for a motion.

**Motion:** to approve the Consent Agenda. **Moved by** Mayor George, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George moved on to Item 4.

XII. OLD BUSINESS

4. Liability, Workers Compensation, Vehicle and Property Insurance: Review of Proposals (Presenter: Beverly Raddatz, City Clerk)

This item has been rescheduled to the Special Commission meeting on September 23<sup>rd</sup> at 6:00 p.m.

5. Denial of Conditional Use Permit to Build a Single-Family Residence in a Commercial Land Use District at 16 5<sup>th</sup> Street (Lot 18, St Augustine Beach Subdivision): Request by Applicant, Mr. James Cochran, for Commission to Allow New Application for Permit in Accordance with Section 10.03.02.A.3 and 4 of the Land Development Regulations (Presenter: Brian Law, Building Official)

Mayor George introduced Item 5 and then asked Building Official Law for his report.

Building Official Law advised that in April 2019 a single-family home was turned down to construct a transient rental and applicant has requested to exercise his right to waive the requirement to wait one year before reapplying. He explained that the Comprehensive Planning and Zoning Board recommended approval by a motion of 5 to 2 and it was denied at the Commission meeting.

James Cochran, 328 South Forest Dune, St. Augustine Beach, FL, explained that in order to waive the one-year requirement the exception says he must prove that there was an injustice. He commented that his property has been the only conditional use permit denied and since then the Commission has approved identical properties for conditional use permits for single-family homes for a large hotel group. He explained that he has been the only one denied since 2016. He presented Exhibit 1 and explained that all around his property are commercial properties and transient rentals. He advised that the Commission has evolved and changed their minds about transient rentals, and he agrees with that because it is the best for the City but wants the same treatment that everyone else has received. He commented that the perception in this City is that large organizations with deep pockets get different treatment than citizens. He explained that the taxes on this property when the transient rental is constructed would give \$6,000 - \$8,000 in tax revenues to the City. He commented that the lot is not sellable or developable as it currently exists. He agreed with not giving a transient rental in a residential area; however, this area is mostly a transient rental area. He asked for the waiver of the 12 months and secondly the approval of the conditional use permit that he should have received in April. He said that City Attorney Wilson says that he must go back and start the whole process over and have the Comprehensive Planning and Zoning Board reapprove the property, which makes no sense. He explained that he has wasted over \$10,000 in time and money by not receiving a permit. He asked the Commission to allow him to come

back to the Commission for another decision, but not make him start the process all over with the Comprehensive Planning and Zoning Board.

Mayor George asked City Attorney Wilson to explain the impact of the request.

City Attorney Wilson advised that the condition use permit was denied by the Commission and Mr. Cochran didn't appeal the decision, so he must file a new application according to the City's codes. He explained that there needs to be notification again to the neighbors and must advertising for public hearings.

Mayor George advised that at this meeting the Commission could not approve the conditional use permit because it has not been publicly noticed.

City Attorney Wilson advised that this meeting is to see if the Commission wants to give him a waiver for the 12-month requirement or not. He advised that he feels sorry for him, but he didn't do the appeal process and the Commission needs to follow the City's code.

Mayor George asked if denying the conditional use permit is the same as an injustice or must he prove why there was an injustice in the process.

City Attorney Wilson advised that the Commission could waive the requirement to prevent injustice or to facilitate the development of the City.

Mayor George asked if the City has ever waived this requirement.

City Attorney Wilson advised that he was not aware of anyone ever applying for it. He explained that it would have to be a new application and not the same application applied for as before.

Building Official Law advised that this area has been approved for mixed use development and the southernly parcel is under the Public Works Director's review currently. He explained that it is a three-story transient unit being constructed. He advised that the bike shop is being changed and they will be going back to the Comprehensive Planning and Zoning Board for approval.

Commissioner Samora asked if the owner has enough parking spaces if the land is developed.

Building Official Law advised that they do, but they had to do variances. He commented that this would be coming up for discussion on Item 12. He explained that the Comprehensive Planning and Zoning Board recommended on Mr. Cochran's property to have a gravel driveway or 10% or greater permeable pavers. He advised that parking must comply, or the owner would have to get a variance. He explained that Mr. Cochran wants a five-bedroom home, so he would need five parking spaces.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Mr. Cochran and believes he has a valid argument for a waiver and suggested that he go back through the process. He explained that the City of St. Augustine amended their codes on waivers and suggested the Commission review them.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that he has been mistreated and he believes in property owner rights.

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

Mayor George asked Mr. Cochran if he would like to rebut the testimony.

Mr. Cochran advised that he had nothing further to say.

Commissioner Kostka advised that she feels very comfortable with the decisions that were made at the time because the lots on the other side of the street behind Ed's Garage have not been approved at that time for transient rentals and the surrounding properties did not have a formalized plan moving forward. She commented that the Commission discussed at great length whether to approve transient rentals because the Commission did not want a surplus of transient rentals. She explained that there are residential units on that side of A1A Beach Boulevard. She remarked that now, six months later, there is new information so if the owner wanted to go through the process again, it might be looked at differently. The question tonight is whether the Commission would allow a one-year waiver.

Mayor George advised that that was correct, as it has never been applied for before there are no criteria to look at to follow and it could open a precedent. She commented that she was not in the position to say that she made an injustice at the time the Commission made their decision. She explained that the point of the 12-month rule is to stop people from applying repeatedly and it would be an abusive process.

Commissioner Kostka validated Mayor George's concern about setting a new precedent. She commented that we should not change the procedures because of the situation.

Commissioner Rumrell advised that the owner should have come and appealed the decision. He agreed with Mayor George and Commissioner Kostka in not changing the procedures and setting a precedent.

Commissioner Samora explained that he was comfortable with the decision the Commission made at the time with the information that was presented. He disagreed that this is the same as the ones that have just been approved. He explained that when this was presented, he wanted to preserve the commercial properties along the Boulevard. He has received more information tonight and there is now a plan in place to develop commercially mixed-use developments for the lots on the Boulevard, which is a huge change in the direction that the Commission wants to go. He commented that he wouldn't mind waiving the one-year requirement but on the grounds that it would facilitate the proper development of the City.

Vice Mayor England commented that when the decision was made on Mr. Cochran's property, she was concentrating on limiting transient rentals in the commercial districts. She advised that she is leaning towards waiving the 12-month requirement to facilitate proper development. She commented that she was not saying that the decision would change because it would depend on the application.

Mayor George asked Mr. Cochran if he wants to rebut.

Mr. Cochran advised that he is surprised by the Commission because the lot is identical to the lots that have been approved. He commented that Building Official Law advised the Commission that these lots are not viable commercially. He remarked that this transient rental will rent for \$10,000 a month. He advised that the lot is not on the Boulevard. He commented that all the ordinances need to be followed because that is what would generate revenues for the City. He explained that the City's ordinance says that he is entitled to this waiver. He explained that he didn't put in an appeal because it was going to cost \$15,000. He came to the Commission meeting the next month and asked that the Commission would consider it and the Commission directed staff to reconsider it and said it was in the minutes. He said that the ordinances said he was entitled to the conditional use permit. He explained

that he had in writing from the City Manager's office that the conditional use permit would be approved. He asked the question to staff could he get it in writing before he purchased the property and the answer from staff was no. He said that the Commission position on transient rentals has evolved, which was clear by the hotel group at the last meeting.

Mayor George asked why Mr. Cochran should be exempted from the rule everyone else is bound to.

Mr. Cochran stated that he should get a waiver because it is beneficial for the City's development and it's the reason the Commission approved the hotel group's lots. Secondly, he is giving the Commission an opportunity to the perception of impropriety.

Mayor George disagreed with the statements regarding classifying the Commission's actions as well as the allegations of identical scenarios with the hotel group. She stated that she was very concerned about creating a precedent. She commented that it has been six months and makes her uncomfortable. She advised that the Commission can't always make everyone happy no matter what the perception is. She explained that the Commission treats everyone equally and she believes she has accomplished that in her role.

Commissioner Rumrell asked Building Official Law if this City allows, with the owner's consent, to go through an approval of a piece of property prior to purchase and base your purchase on the approval of the City.

Building Official Law advised that the City has an authorization form that is like St. Johns County's form.

Vice Mayor England advised that that was brought up at the first public hearing with Mr. Cochran. She explained that it is disconcerting that Mr. Cochran has indicated that he asked the question and he was told no.

Building Official Law advised that there was a confusion in the question that was being asked by Mr. Cochran. He explained that after the plan review, they contacted the planner because they found out the home would be a transient rental to explain that the cap was reached in the medium density zone. He explained that Deputy City Clerk Fitzgerald was confused by the question asked by Mr. Cochran and what he wanted. He explained that the City was not at fault with any injustice, but proper development would be the only thing that Mr. Cochran could rely on because of the site conditions. Mr. Cochran would have to get everything to the Building Department by Monday or Tuesday to be heard in October and then go to the Commission in November.

Mayor George agreed with Building Official Law that there was no neglect or fault of the City. She then asked if anyone would like to make a motion.

Commissioner Samora made a motion to waive the one-year waiting requirement to reapply for the conditional use permit.

Mayor George asked on what grounds.

Commissioner Samora advised on the grounds to facilitate proper development for the City.

Vice Mayor England seconded Commissioner Samora's motion but amended the motion to waive the 12-month waiting period in order to facilitate proper development of the City and due to some confusion in communication in regard to the initial application.

Commissioner Kostka advised that she doesn't not feel comfortable with the amendment to the motion because it put liability on the City, which she didn't believe that there was. She

explained that she was really comfortable with the decision that was made at the time. During the last approval when the Commission approved all the lots next to the hotel, the Commission asked for research on the number of transient rentals east of the Boulevard so the Commission had a good idea of what was being developed in the City and what was the percentage because they don't have to register them and some owners don't get their business tax receipt licenses. She explained that the motion is to waive the one-year requirement or not.

Vice Mayor England withdrew her amendment to the motion.

Commissioner Rumrell said that there could be an argument for what has been discussed; however, there are rules for a reason. He commented that if we do this by proper development does that set a precedent. He advised that the process has to be done over again, but because the Commission has had more information, he was not sure.

City Attorney Wilson advised that this would not set a precedent and advised that even if Mr. Cochran does the application over does not mean he will get his conditional use permit approved.

**Motion:** amended his previous motion to allow for the waiver of the 12-month waiting period in order to properly facilitate the development of the City based upon new information coming to light of the development plans for the adjacent lots. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England.

Mayor George asked for a rollcall vote.

City Clerk Raddatz call the roll as follows:

<b>MAYOR GEORGE</b>	<b>No</b>
<b>VICE MAYOR ENGLAND</b>	<b>Yes</b>
<b>COMMISSIONER KOSTKA</b>	<b>No</b>
<b>COMMISSIONER RUMRELL</b>	<b>Yes</b>
<b>COMMISSIONER SAMORA</b>	<b>Yes</b>

**Motion passes 3 to 2.**

Commissioner Kostka asked to extend the meeting.

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

Mayor George moved on to Item 6.

6. Electric Scooters: Review of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 6 and then asked City Attorney Wilson for his report.

City Attorney Wilson explained that based on the characteristics for the City and his experience with this type of business he has proposed an ordinance. He suggested the following: 1) an non-exclusive franchise agreement; 2) payment of a franchise fee; 3) required insurance; 4) limit the speed to 15 mph or lower on all devices; 5) devices could not be left unattended in City rights-of-way, sidewalks, or City parking lots unless they are put in a docking or bicycle stand; 6) not have docking stations on City properties; 7) minor charge per

unit to be operated; and 8) City may want to limit the number of devices in the City per franchise holder for safety reasons. He explained that these devices could be a nuisance on the streets and sidewalks if left unattended.

Mayor George asked the vendors to come to the podium.

Steven Dennison, FROG Scooter Company representative, 217 Arricola, St. Augustine, FL, explained that FROG has been responding to Requests for Proposals and receiving their business tax receipts when they became involved with any city. He explained that FROG has insurance, which would indemnify the City and is owner-operator model and hires locally which make them more accountable to the City. He explained that FROG's e-scooters are the first commercial grade e-scooters and FROG gives back 1% of their revenues to local organizations. He would like to launch an educational program throughout the City when the time comes.

Mike Wauldron, EWHIPZ, LLC. representative, 5053 Cypress Links Blvd., Elkton, FL, thanked the Commission for hearing him and explained that EWHIPZ, LLC is an independent operator of Bird, which is a multi-billion-dollar company throughout the United States. He advised that the same operations they have in Atlanta, GA would be used here and offer multi e-bike series. His goal is to bring out a network of e-mobility units. He requires that anyone renting a bike would have to read the local laws and is looking for a pilot program to put in place a mobility network system with multi units. He commented that he is local and has a business and a warehouse locally. He advised that he wants to do business throughout St. Johns County.

Mayor George asked about the e-bike and e-mobility units and asked what the primary focus would be on the network.

Mr. Wauldron advised that the two options now would be the e-bikes and e-scooters, which would be on the same network throughout St. Johns County for Phase 1. Phase 2 would include World Golf Village, Nocatee, Ponte Vedra, Vilano Beach, which would be on private properties with local businesses.

Vice Mayor England asked if there would be a local site within the City at the local businesses.

Mr. Wauldron explained that his team and the business would be located on 1711 Dobbs Road in St. Augustine. He commented on his team but advised it would not be in the City limits, but it would be only five minutes away.

Vice Mayor England commented that the Commission would want great customer service within their jurisdiction and help for tourist or residents really quickly.

Mr. Wauldron advised that his people would give good customer service and would teach safety and be an enforcer of the program to help people.

Commissioner Samora asked if a physical location in the City could be a part of the franchise agreement.

City Attorney Wilson advised that it would not have to be the office, but might want someone within the City limits and to be accessible.

Mayor George asked if the e-bikes or e-scooters would be operable in 24 hours a day 7 days a week.

Mr. Wauldron advised that he would operate them according to what Police Chief Hardwick would allow.



Commissioner Rumrell asked where they would be housed.

Mr. Wauldron advised that Salt Life is his partner and he would setup on private property within the City was a business that would like to be a part of this venture. He explained ten e-bikes in one parking station. He commented that it will help businesses who need more parking for their employees if they use the e-bikes, etc.

Vice Mayor England advised that it would be like the beach chair business at a hotel with docking station.

Mr. Wauldron advised that is correct and he would pick them up and maintain the e-bikes and e-scooters and would manage the flow and volume of them between stations. He explained that he would start with e-scooters and then e-bikes. E-bikes would not have pedal assist. He advised that the public can pre-reserve the bikes or scooters. He explained that Phase I will be St. Augustine Beach.

Commissioner Samora asked if they would be using City properties at all.

Mr. Wauldron advised that he would like to have a station at city hall and at the pier. He would like to get information out to the residents because he could see value in not using cars anymore.

City Attorney Wilson advised that he would put together an ordinance and bring it back to the Commission in October.

Discussion ensued regarding to continue the meeting to September 10, 2019 at 5:30 p.m.

Paul Susea, FROG representative, advised that they don't deal with the private sector. He explained that FROG partners with the City and does what the City requests. He commented that the City tells them where the stations should be and they have their own employees pick up the e-scooters that are left. He explained that what Mr. Wauldron is doing is a novelty and he was not aware of any other city working with private businesses. He explained that there would be a lot of problems dealing with private properties. He advised that they pay a franchise fee and a fee per day for the use of the e-scooters so that City could make money. He explained that they do all the things EWHIPZ, LLC. does, but they partner with the City, not the private businesses.

Vice Mayor England advised that the beach chair businesses have someone there onsite to help the customers.

Mr. Susea advised that the people who use the e-scooters would be leaving the beach or going to another place so that is why his employees would go to get the e-scooters and put them back at the City stations. He said that the City has the opportunity to tell us where to put the e-scooters. He explained that he only does e-scooters at this point. He commented that he is working with St. Johns County, City of St. Augustine, and City of Jacksonville Beach, as well.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that e-scooters are not a good thing and explained San Diego was not happy; however, he did like EWHIPZ's model to have the stations on private properties. He explained that people would get fatter and mentioned e-skateboards.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, disagreed with hearing from salesmen; advised that this is not ready to move forward on; requested \$15 an hour living wage for their

employees; does not like independent contractors; needs to check on the safety of the devices; and need a reasonable percentage of the revenues.

Mayor George closed the Public Comments section and thanked Bird and FROG companies for coming. She then moved on to adjourn.

XIV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

**Motion:** to continue this Regular Commission meeting until September 10, 2019 at 5:30 p.m.

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

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

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Undine C. George, Mayor

ATTEST:

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City Clerk



## MINUTES

### CONTINUATION OF THE REGULAR CITY COMMISSION MEETING

TUESDAY, SEPTEMBER 10, 2019, AT 5:30 P.M.

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

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I. CALL TO ORDER

Mayor George called the meeting to order at 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, Commissioner Rumrell, and Commissioner Samora.

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

IV. CONTINUATION OF THE REGULAR COMMISSION MEETING OF SEPTEMBER 9, 2019

Mayor George advised that County Commissioner Henry Dean is in the audience and would like to speak to the Commission.

County Commissioner Henry Dean advised that he received an email from Mr. Tom Reynolds regarding the \$15.5 million of surplus the County Commission has received and suggested a portion of the money go to City's projects. He advised that the St. Johns County Commission will be adopting their budget on September 24, 2019 and then will have another meeting to discuss how to separate the \$15.5 million. He explained that the City would get approximately \$400,000 to \$500,000 for City projects and asked the City to come up with a list of projects they would like to do with that money. He advised that he would present to his fellow County Commissioners the listing from the City at the meeting when this is discussed.

Mayor George requested to add this agenda item on the next Special Budget Commission meeting. She advised that the Commission could review the list that was proposed to the County Commission and to keep in mind the priority projects brought to the Commission's attention from the Public Works Director to formulate an appropriate list. She thanked County Commissioner Dean for all his good work.

County Commissioner Dean advised that he appreciated the City Commission as well and thanked Mr. Reynolds for contacting him.

Mayor George advised that there was a press release saying that the e-scooter topic would be heard tonight even though we finished that discussion yesterday. She opened the floor to anyone who wanted to speak about it tonight. Being none, she moved on to Item 7.

7. Ordinance 19-16, First Reading: to Repeal Ordinances 19-03 and 19-04, Which Prohibit Certain Plastic Items (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 7 and then asked City Attorney Wilson for his report.

City Attorney Wilson advised the ordinances that were passed regarding plastic items were based on a Circuit Court decision for the City of Coral Gables, Florida. He explained that a law was just passed that anyone who sues a municipality and wins is entitled to lawyers' fees. He commented that the City of Coral Gables case sat in the courts for two years until the District Court decided that the ordinances were invalid except the plastic straws, which would be difficult to separate out of the City's ordinance the way it is written. He recommended to the Commission to repeal the ordinances, like every other city is doing, until it goes further up the courts. He explained that the Circuit Court and District Courts both say at this point it is not allowed and he would not be comfortable keeping them as law. He advised that Commissioner Kostka asked if we could ban plastics at City events and he suggested to do that by contract, which would be better for the City.

Mayor George asked about the new statutes.

City Attorney Wilson advised that the statutes say that attorney fees can be charged to the party that wins the case, including citizens groups. He commented that several cities feel that the new statutes would apply to these ordinances.

Mayor George asked if the City changes the effective date would that still hold the City liable.

City Attorney Wilson advised that the statutes say if the City doesn't repeal within 60 days that would open the door for the Restaurant Association to sue the City. He then read the title of the ordinance.

Commissioner Samora advised that he agrees with the repeal and liked to have a discussion regarding adding our name in support of the City of Coral Gables.

City Attorney Wilson advised that he could talk with others and have this back at a later meeting.

Mayor George suggested when this item comes back to have recognition or award to those businesses in the City who voluntarily implemented the ban on plastics. The customers in the City wanted this for the environmental request. She then opened the Public Comments section. The following addressed the Commission:

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that he appreciated all that was done to prohibit plastics in the City; requested the voters not to vote for Senator Travis Hutson because he voted against this and should be voted out of office.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that Attorney Jane West and Captain Morley are not in the audience and suggested tabling this until they are present; asked for legal research to be done; and requested to do an ordinance on straws.

Mayor George closed the Public Comments section and asked whether it was in the best interest of the City to repeal the ordinances.

City Attorney Wilson said yes, because of the existing laws. He explained that the City is not part of the City of Coral Gables lawsuit and if the Restaurant Association sues us the City would be liable for attorneys' fees if we lost the case.

Commissioner Kostka asked about the resolution that asks business owners to voluntarily stop using plastics.

City Attorney Wilson advised yes, but that is not a law and could not be enforced. He advised that the resolution could still be in effect.

**Motion:** to approve Ordinance 19-16. **Moved by** Commissioner Kostka, **Seconded by** Commissioner Samora. Motion passed unanimously.

Mayor George moved on to Item 8.

8. Non-Ad Valorem Assessment to Pay Costs to Collect Household Waste, Recyclables and Yard Trash (Presenter: Patricia Douylliez, Finance Director)

Mayor George introduced Item 8 and then asked Finance Director Douylliez for her report.

Finance Director Douylliez presented a PowerPoint presentation (Exhibit 2). She explained that the expenses for solid waste collection come out of the General Fund revenues. She advised that for her presentation she used FY 2018 because it would show the full year of expenses. Residents make up 93.83% of the City and then 183 commercial properties, which are made up of transient rentals and true commercial businesses. She told the Commission she would like to focus on residential for this meeting because commercial units have a lot of different components that need to be worked on and cleaned up. She suggested changing the rate per can on the correct amount expended. She explained that four cans a month would cost the commercial business \$7.04 for the minimum and advised that it is too low and needs to be increased. She suggested doing an audit semi-annually on the commercial pickups and restructuring the billing and the structure of the commercial solid waste collections. She explained that for residential collection of solid waste taking into a full cost analysis annually is \$460.34 per household, which includes trash, construction debris, recycling, special pickups and yard waste. She showed that St. Johns County is \$230 for FY 2020 and will increase for the next five years. She explained that some cities bill in the utilities and some in the taxes. She explained that \$230 is more in line with other municipalities for what services are being provided. She commented that St. Johns County and other municipalities do not pick up construction debris and they limit the volume of waste being picked up at residential homes, which the City does not. City of St. Augustine provides their residents with one toter per residence and if they go over that, it will not be collected.

Discussion ensued regarding how the municipality tracks the toters; must use city provided toters; City is still doing the service whether the residence puts out or not; special pickup items are limited; mechanics on the pricing for each pickup if invoicing would be different; whether the cities have inhouse collections or use private companies; outsourcing for toters; residents sign up for the number of toters and they are charged per toter; cities bill inhouse; whether to ask St. Johns County if the City could bill through their utilities; increasing the solid waste collection fees annually per residence of \$156 or \$13 per month, which would give the City an additional \$436,000 annually of revenues; \$436,000 would go towards new vehicles, the Public Works facility, trash disposals, etc.; and vehicles usually are not housed in a facility because of combustible engines, unless the facility has a compression system; vendor to spray wash the vehicles that are used on the beach a couple times a week to keep the vehicles longer.

Mayor George pointed out for a \$200,000 home a \$156 would be a 30 -32% increase in the tax bill, which is significant and would not be an ad-valorem tax so they cannot be deducted in taxes. She commented that looking long-term it would be beneficial because it would be delegated to one purpose and could not be used for other purposes.

Commissioner Samora asked when the Commission would have to make a decision.

Finance Director Douylliez advised that an ordinance would have to be done by December 2019 in order to get it to the Property Appraiser's Office on time.

City Manager Royle advised that there are requirements for public hearing, which will be done, and the Commission could decide by public opinion whether to continue on with the ordinance.

Commissioner Rumrell asked to clean up the properties that are showing residential that are really commercial according to the City's code of ordinances. He advised that that would give another source of revenue. He advised that he would like to wait to see what money that gives before moving forward with this. He explained that if he can show residents a service being done at a value, then it would make sense to do.

Vice Mayor England asked how the Property Appraiser would charge the transient and short-term rentals if they were in a residential area.

Finance Director Douylliez advised that staff is currently charging commercial fees for those properties and staff would notify the Property Appraiser when any rental homes are active or inactive as rental homes for the next budget year.

Vice Mayor England asked about software that would make it more efficient to work with St. Johns County.

Finance Director Douylliez advised not, but she would research it.

Commissioner Kostka said that trash service is in the City Charter as a responsibility of the City and the City has been charging \$74 to supplement the trash pickup to defer the cost. She advised we don't want to increase over 100% when this year the Commission is asking the taxpayers to pay an additional 6% on top of the increase in property values and .5 mills for debt reduction. She suggested researching the commercial properties to see what the revenues would be once it changes from residential to commercial. She explained that a lot of the residents are on fixed income and how will they be able to afford the increases.

Commissioner Samora advised that he has an equally hard time with the way the City is doing things right now. He advised that he has the following concerns: 1) the City is already paying a non-ad valorem for part of the trash collection, which doesn't come to near covering the cost of it; 2) part of the reason we have to increase the millage this year is because the City had to replace the garbage truck which costs \$50,000 out of the General Fund each year for five years; 3) he explained that each tenth of a mill is \$137,000, which is 3 mills out of the General Fund for the garbage truck that would be done through the increase in the non-ad valorem solid waste collection fee, which could decrease the City's taxes; 4) tax bills are paid through the millage, which the commercial properties pay, so they are paying twice because they are paying separately; and 5) vacate land owners are paying for trash collection with no service. He advised that this non-ad valorem brings the cost in line with the services being received.

Commissioner Rumrell asked to clean up what we already have to see what monies we really have for solid waste collection. He explained that if there are more than five units, then they need to be charged at a commercial rate. He thanked staff for bringing in new ideas for revenues and he supports that, even if the Commission doesn't always agree. He commented that he is looking long-term.

Commissioner Kostka advised that she understands the rising costs and the need for more money, but should the City keep passing the burden off to the citizens. She explained that she is concerned about the fixed incomes and the larger houses compared to the smaller houses.

Mayor George asked what amount the increase should be and whether the Commission likes the structure of the non-ad valorem or ad valorem fees. She asked if the current ad valorem tax money could have an account that could be segregated for long-term capital improvements savings plan for major purchases like a new truck.

Finance Director Douylliez advised that that would be along the lines of funding the building and having a designated funding source, which would be set aside for that. She explained that designating a part of an ad valorem would need a referendum. She advised that the little bit of money that is left is going to the reserves to build that back up because they are being depleted because of not having additional resources for the Road and Bridge Fund, which are coming out of the General Fund. She commented that she doesn't see a way to segregate the funds unless there is a referendum.

Vice Mayor England advised that the Commission discussed that budget and did not get to do all the projects that were needed, and the Commission set it at 2.5 mills. She advised that the 2.3992 was steady for several years and she hopes that the Commission can keep steady the 2.5 mills for a while. She explained that the Commission needs other sources of revenues, which this is one. She commented whether the driver picks up one bag or two, the City still needs the personnel, the equipment and gas. She explained that the Property Appraiser already said to do it on square footage, but she advised that the way the staff is doing it by deciding which is commercial that includes rental property, and which is residential is more stable and doable. She commented that she wants to build up the reserves and by keeping this in a special account, the money would not be taken out of the General Fund and the reserves. She advised that the City needs to be a smart city. She remarked that she is in favor of reducing the cost of trash pickup if possible. She explained that it is time to build the reserves and looking in the future what the needs are for the City and not ignore it any longer.

Discussion ensued regarding the monies will go into the General Funds but will only be used for Public Works expenses.

Vice Mayor England asked if the funding would be constrained too much.

Mayor George advised what is proposed would constrain it.

Finance Director Douylliez explained that the \$436,000 would not go into a special fund that would be held. She explained that it would fund the general operation of the solid waste services annually, so it will offset the annual \$800,000 costs for solid waste services.

Mayor George advised that the \$436,000 can only be used for the service that it is meant to provide instead of any other projects.

Finance Director Douylliez advised that the \$436,000 would go into the General Fund and be used towards the \$800,000 of expenses, but that would free up the \$436,000 General Fund money we are using toward the solid waste services.

Mayor George asked if there was any way to do it by ad valorem taxes.

Finance Director Douylliez advised no, unless the Commission wants a referendum.

Commissioner Kostka advised that she would feel more comfortable with an ad valorem than a non-ad valorem tax.

Mayor George agreed.

Commissioner Samora asked if there was a way to assess ad valorem just to residential units or does it apply equally to vacant land.

Discussion ensued regarding whether vacant lots are paying the non-ad valorem tax; having the Property Appraiser tell the difference between approved and unimproved land; not charging a vacant lot owner for services they don't use; not using a private company, but doing the services inhouse; the increase in recycling costs when an Request for Proposal was done; whether to implement the non-ad valorem in stages, but designate it to a department to cover the expenses; what the costs are to do a referendum; getting public input; survey responses was 50 / 50 on a non-ad valorem tax , but the comments on how the Public Works Department is doing were very good; and not cutting back on the staff if the City wants to keep the services we have.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, commented that users should pay user costs; Commission cheating the condo units who pay the General Fund; suggested going to a private company and use the staff for Parks and Recreation Department.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, welcomed the new Finance Director; asked not to rush the process and continue paying with the millage, but to have hearings on whether the public wants the non-ad valorem tax or not; and the non-ad valorem taxes will continue to go up in the future.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Nick Binder and Commissioner Kostka that the non-ad valorem tax should not be done; vacant lot owners should still pay for solid waste pick up because it is part of the cost of a civil society; commented that if a portion of the City had non-for-profits, then a non-ad valorem tax would work; asked to put this out for referendum to have the people decide; and give the employees up to a living wage of \$15 an hour.

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

Mayor George asked City Clerk Raddatz to research the costs of a referendum per item and/or find out if it would be the same cost for multi items. She also requested the deadlines to go forward with a referendum. She asked staff what is required of the Commission now.

City Manager Royle advised that he would like to know where the Commission wants to move forward on the non-ad valorem tax or not. He advised that if the Commission wanted to proceed, then we would set up the notifications and hearings for the public. He suggested that the Commission should hold a special meeting on this subject. He also advised the Commission that they could stop this process at any time if the Commission doesn't want to continue to move forward.



Commissioner Rumrell asked if the commercial properties could be cleaned up so the Commission could see the real numbers before moving on with this action.

Finance Director Douylliez advised that the commercial properties are a large item that staff will need a couple of months to analyze. She also advised that the City needs to research whether these commercial units need a dumpster or not depending on the number of units they have. She explained that if more commercial properties go to dumpsters, the City would be getting 10% of the private company's revenues and will not be doing the services, which is found revenue for the City. She suggested moving forward with the residential properties first and then after staff has analyzed the commercial properties components, move forward with them second.

Mayor George asked if a duplex pays two \$74 fees.

City Manager Royle advised that he owns a duplex and yes both sides pay \$74 each.

Finance Director Douylliez advised that the commercial properties being taxed as residential units should have the ad valorem taxes removed and have them pay for a dumpster through their Homeowner Associations.

Public Works Director Tredik asked to move forward with this because the City is more vulnerable without a non-ad valorem tax than we are with it due to the financial impacts of storms. He explained that the City has guaranteed solid waste pick up, drainage, and drivable roadways to the citizens. Competing with funds that are want to have instead of need to have hurt the services that the City currently provides. He recommended moving forward with the non-ad valorem tax.

Mayor George asked for a motion.

**Motion:** to move forward to increase the non-ad valorem tax for residential solid waste pick up and disposal. **Moved by** Vice Mayor England, **Seconded by** Commissioner Samora.

Mayor George asked for a roll call vote.

City Clerk Raddatz read the roll call as follows:

<b>MAYOR GEORGE</b>	<b>No</b>
<b>VICE MAYOR ENGLAND</b>	<b>Yes</b>
<b>COMMISSIONER KOSTKA</b>	<b>No</b>
<b>COMMISSIONER RUMRELL</b>	<b>Yes</b>
<b>COMMISSIONER SAMORA</b>	<b>Yes</b>

Motion passed 3 to 2

Vice Mayor England asked what the latest date the non-ad valorem tax could be stopped.

City Manager Royle advised that he would have to find out for the Commission.

Vice Mayor England asked to clean up the commercial properties as quickly as possible in order to follow the City's codes. She advised that there might be loss of support if the City does not reduce the overall costs of the commercial pick-ups and the overall costs. She suggested educating the public on this as well, so everyone understands it.

Mayor George advised that there will be more public meetings to get the word out to the citizens when moving forward. She explained that the survey was closed, but the public hearings would give the Commission more of the pulse of the citizenry.

City Manager Royle advised that now that the Commission has given direction to staff, they will move forward with the process, unless the Commission changes their mind. He commented that he would check on the deadlines for the Tax Collector. He explained the timeline given to the Commission in their books and what specific dates are necessary to complete the non-ad valorem tax roll for FY 2021.

Commissioner Kostka asked that the commercial aspect needs to be worked on as soon as possible.

Mayor George requested at the last Special Budget meeting to set a date for the first public hearing on this issue.

City Manager Royle advised that he give a report to the Commission on the timetable for the non-ad valorem tax public hearings and how staff is proceeding with the commercial components.

Commissioner Samora agreed with Mayor George and asked to give a report regarding the commercial industry progress.

Mayor George advised that the first public hearing would be in November and the second meeting would be in mid-December.

Commissioner Kostka said that we should have definite dates already since this was such a close deadline and that the City Manager should be prepared for any direction that the Commission decides to do.

It was the consensus of Commission to have a report at every Commission meeting and the plan for commercial clean up and billing.

Mayor George moved on to Item 9.

9. Strategic Plan: Review of Possible Mission Statement and Guidance to Staff Regarding: Next Steps for Development of the Plan (Presenter: Max Royle, City Manager)

Mayor George introduced Item 9 and then asked City Manager Royle for his report.

City Manager Royle provided samples to the Commission of Mission Statements from other cities. He explained that the Mission Statement should be short and state the basic activities of the City. He commented that the City did a survey, but there were only four responses.

Mayor George advised that she liked the slogan, "The beautiful beach community where everyone knows your name."

City Manager Royle asked if the Commission would like him to craft the Mission Statement or the Commissioners could craft the Mission Statement and send them individually to him.

Vice Mayor England asked to get past the Mission Statement tonight so the Commission could start on the Strategic Plan.

Discussion ensued regarding the wordsmithing of the Mission Statement.

City Manager Royle advised that he would ask staff for their input as well.

Commission suggested that it could include a beach community, safe natural environment, City where the sun rises, meeting a stranger who becomes your best friend, and kids playing on the beach.

It was the consensus of the Commission to have City Manager Royle work on the Mission Statement and bring it back to the Commission at a future date.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, commented that the City needs a new pier with Tourist Development Council which would have a restaurant and fish market. He explained that the Commission's discussion has been very shallow and needs to ask the employees and the citizens for suggestions.

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

Mayor George moved on to Item 10.

10. Flying Non-Government Flags on City Property: Consideration of Policy (Presenter: Max Royle, City Manager)

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

City Manager Royle advised that this came up at the August 5<sup>th</sup> Regular Commission meeting. He commented that the City Clerk, Deputy City Clerk, he researched other cities and did not find any flag policies. He mentioned that Deputy City Clerk Fitzgerald found that the Pride Flag flies everyday in the City of Key West in the City Council Chambers. He explained that the City of Largo went through the same process as our City did and is trying to come up with a policy but has not done so yet. He suggested to the Commission three options: 1) that the City allow only government flags; 2) a non-government flag could be flown on City property only if a Commissioner requests it and the Commission approves it by proclamation and the flag is flown for a limited time; and 3) a non-government flag could be flown on City property by a request by a non-government organization.

Discussion ensued regarding whether a flag could be flown if it has been approved by congressional action or Presidential Proclamation.

Commissioner Kostka suggested using the sign code for flying non-governmental flags.

City Manager Royle advised that he thought that only government flags could be flown on City properties.

Mayor George asked if the Pride flag was flown against the sign code.

Commissioner Kostka advised that she was wondering if it did.

Building Official Law read the definition of what a sign was in the code.

City Attorney Wilson advised that that was a broad definition. He explained that the problem the Commission could get into is that if the Commission opens the City properties to an open forum, then the Commission must open it up to everyone and any organization. He explained that the simplest way to not have this problem is to not allow groups to request flags be flown. The City can decide on what they would like to fly, but they will not take requests from the public.

Commissioner Samora advised that City Attorney Wilson's recommendation would be in line with Option 2.

Vice Mayor England advised that she feels that it is Option 1.

City Attorney Wilson advised that it should be what the Commission wants to elect to do, such as 4<sup>th</sup> of July flags or national holidays that are recognized. He explained that it's a City flag pole and the Commission should only put up what stands for the City of St. Augustine Beach.

Mayor George advised that it should be ad hoc. She explained that her concern is that whatever we do does not get misinterpreted as a reaction against any certain group or to prevent the Pride flag from being flown.

City Attorney Wilson advised that staff just needs to know what flag that the Commission wants to fly, and they would do so.

Commissioner Samora said he doesn't want to be the selection committee for the flag pole.

Commissioner Kostka agreed and says that why she believes the sign code protects the Commission.

Vice Mayor England asked why not fly a flag that does goes along with our diversity and Mission Statement a few times a year, but it needs to be controlled by the Commission.

Mayor George advised that if a member of the public comes to city hall and asked to fly a flag, City Manager Royle could say the City does not allow that, but if they ask a Commissioner individually and they want to fly the flag, they would bring it up at a Commission meeting for the Commission to approve by proclamation. She advised that staff has direction for a draft policy to be done and be brought back to the Commission to approve.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that he was appalled when the Pride flag was flown because it reminded him of the Jessie Jackson Coalition and brings division.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, feels that it is government speech to fly the rainbow flag and advised government speech is not a public forum.

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

It was the consensus of the Commission to not allow non-governmental flags to be flown unless an organization contacts a Commissioner individually and they would like to bring it in front of the Commission for a proclamation approval and for a limited time.

Mayor George moved on to Item 11.

## XI. NEW BUSINESS

11. 5K Race in City: Request by Miami Tri Events for Permit to hold Race on Saturday, November 9, 2019 (Presenters: Representatives from Miami tri Events)

Mayor George introduced Item 11 and asked for a staff report.

City Manager Royle advised that the representatives from Miami Tri Events had a miscommunication on their end and could not be here to speak to the Commission. He explained that staff reviewed this and felt it should go to the Commission for them to decide whether to have a for-profit event because the last for-profit event the Commission wanted to charge them for the services the City would have to do for the event.

Mayor George asked why this was an issue last time because it helps the businesses in the City. She explained that they should contribute to the City for the run.

Police Chief Hardwick explained that the Diva representatives said they only made \$5,000, which was untrue. He advised that there was a lot of miscommunications and they changed these routes the day of the race. He explained that there are four 5k runs every year for non-for-profits. He commented he wanted the Commission's approval. He explained the routes to the Commission that will be approved.

Discussion ensued regarding the number of Police Officers that are needed; how did the public respond to these races; contractor for the event does their own cones and barricades that are certified to do it; the requested date for the run is on Veterans' Day; the expenses for the City should be covered; Police Officers being paid at off-duty rate; the City of St. Augustine has a policy and a fee for profit and non-profit events; the City puts out the signs for the event; the need for policy for a payment schedule for events; being inundated with requests for profit events within the City; whether to keep limiting events to not-for-profit events; calculating the overhead costs; the City of St. Augustine gets 10% of the gross profit; businesses cannot always be truthful on their profits; having the Communications and Events Coordinator advise the Miami Tri Event no because the City doesn't not have a policy in place and then have the Coordinator create a policy for for-profit events and fees; and putting a cap on how many races would be allowed and not allowed on a holiday weekend.

It was the consensus of the Commission to have the Communications and Events Coordinator advise the Miami Tri Event representatives that the time they requested the race was not enough time for the City to prepare and there needs to be a policy in place. Also, the Commission requested the Communication and Events Coordinator to create a policy for for-profit events stating the fees and not allowing any races on holidays.

Police Chief Hardwick asked that no for-profit events be done from May until September when the kids go back to school.

Mayor George asked for an enough time to review the applications in the policy.

Commission agreed.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, commented to have an audit provision in the policy and a franchise fee of general application for all these races, bikes, e-scooters, trains, etc.; and non-profits are making a lot of money too.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, 503 (c ) require more paperwork than for-profit vendors; and supports the Commission's direction.

Mayor George asked for a motion.

**Motion:** to deny this request before us and to create a policy specifically regarding events such as 5k's within our City limits and to exclude 5k's on holiday weekends when public schools are not in session. **Moved by** Commissioner Kostka, **Seconded by** Mayor George.

It was the consensus of the Commission to bring the policy back by November 2019 Regular Commission meeting.

Mayor George moved on to Item 12.

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.

#### XIV. STAFF COMMENTS

Mayor George asked City Manager Royle for any comments.

City Manager Royle thanked Public Works Director Tredik for the steps he took during the last storm. He explained that it was like he had been a Public Works Director for years and he stepped up to the plate and did what he should have done. He explained that for being with the City only four months, he was very impressed by his performance and appreciates him very much. He also thanked the Police Department as well and said they did all worked together to do a great job. He explained that Building Official Law was prepared to do damage control, but there was no damage and his services were really not needed. He advised that the discussion on the non-ad valorem assessment was one of the best discussions he has heard in his 40 years in government. He explained that the Commission acted civilly and worked out the differences of opinions. He commented that there is a star in our new Finance Director. He advised that Ms. Douylliez has stepped up to the plate and has done very well. She has received her bachelor's degree in Public Administration while working for the City.

Building Official Law explained about the flood plain and explained that most properties in the City are out of the flood plain area.

Mayor George advised that Building Official Law has saved the City residents thousands of dollars on their flood insurance. She asked all the residents to contact their insurance agents and request a refund.

Public Works Director Tredik advised that the Public Works Department staff are amazing workers and exceptional. He commented that Building Official Law is exceptional too. He



explained that the contract for the Mickler Ditch is almost done and will be hydro-seeding to complete the project. The weir project is moving along, and the consultant is researching to find the correct pumps and the permit will be sent soon. He explained that the permit has been received for the 3<sup>rd</sup> Avenue drainage project. SEPAC has reviewed the Urban Forestry Management Plan and will be discussing when the final product comes back. 2<sup>nd</sup> Street opening project was discussed by the neighbors who requested a letter to open the street, but only 11 signed that they would pay for their portion and there needs to be 16. Atlantic Circle is asking for speed bumps to be installed.

Police Chief Hardwick advised that the Police Department has a vacancy and they are filling it on September 23<sup>rd</sup> with a 14-year veteran. He reminded the Commission that tomorrow is a 9-11 ceremony that the City and County does at the Fire Department. He gave a draft report to the Mayor and there were 24,000 visitors to the pier from May to August. He advised that he will give the Commission a final draft soon.

XV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 9:05 p.m.

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Undine C. George, Mayor

ATTEST:

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City Clerk

## MEMORANDUM

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

**FROM:** Max Royle, City Manager 

**DATE:** September 20, 2019

**SUBJECT:** PRESENTATIONS

A. Proclamations:

- 1) To Declare October 2019 as Domestic Violence Awareness Month
- 2) To Recognize October 21-27 as Florida City Government Week

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

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

### ITEM A. PROCLAMATIONS

They are attached as pages 1-2. Representatives from the Betty Griffin Center will be at your meeting to introduce the proclamation.

Ms. Walker, the Communications and Events Coordinator, will explain the Florida City Government Week program and the celebration of the City's 60<sup>th</sup> birthday on Friday October 25<sup>th</sup>, 5:00-7:00 p.m. at city hall.

### ITEM B. PROGRAMS

Attached 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 three and four is a brief description of the programs that implement the Chamber's goal to make going "green" easy.

Pages five and six provides additional 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.

ITEM C. SUSTAINABILITY AND ENVIRONMENTAL ADVISORY COMMITTEE

The members have provided no additional information in advance. They will have a PowerPoint presentation for you at your October meeting,

## PROCLAMATION

**WHEREAS**, domestic violence is a major public concern for our State and Nation and is now the single largest cause of injury to women; and

**WHEREAS**, all persons have a basic right to feel safe from harm, especially in their homes, yet more than 1,100 domestic violence calls were made to law enforcement officers in St. Johns County last year; and

**WHEREAS**, domestic violence affects people at all ages, racial, socioeconomic, educational, religious, and occupational segments of our society, especially children; and

**WHEREAS**, children from violent homes are physically abused or seriously neglected at a rate significantly higher than the national average and have greater risks of alcohol/drug abuse, juvenile delinquency, cognitive and developmental problems as well as fear, anxiety and guilt; and

**WHEREAS**, domestic violence is not a private family matter but a crime, the consequences of which reach with devastating effect on the communities, schools and workplaces of our nation; and

**WHEREAS**, perpetrators of domestic violence must be held accountable for their crimes; and

**WHEREAS**, domestic violence represents a pattern of assault and coercive behavior that will escalate in frequency and severity if intervention does not occur, and

**WHEREAS**, domestic violence violates an individual's privacy, dignity, security and humanity; and

**WHEREAS**, public awareness and education about domestic violence are needed as well as uniform efforts on the part of government, health professionals, law enforcement, religious organizations, educators, and community associations to address domestic violence through prevention, intervention, and treatment for victims and perpetrators.

**NOW, THEREFORE, BE IT PROCLAIMED**, by the City of St. Augustine Beach does hereby designate the month of October 2019 as **Domestic Violence Awareness Month** in the City of St. Augustine Beach and encourages the community to speak out against domestic violence.

**PASSED AND ADOPTED** in regular session this 7<sup>th</sup> day of October, 2019.

**ATTEST:**

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

\_\_\_\_\_  
Undine C. George, Mayor

**PROCLAMATION  
FLORIDA CITY GOVERNMENT WEEK  
OCTOBER 21-27, 2019**

**WHEREAS**, the City of St. Augustine Beach recognizes the Week of October 21-27, 2019, as "Florida City Government Week" and the City Commission supports this celebration by participating in the "My City: I'm part of it, I'm proud of it! Activities; and

**WHEREAS**, city government is the government closest to the people and the one with the most direct daily impact upon its residents; and

**WHEREAS**, municipal government provides services and programs that enhance the quality of life for residents, making their city their home; and

**WHEREAS**, city government is administered for any by its citizens and is dependent upon public commitment to and understanding of its many responsibilities; and

**WHEREAS**, city government officials and employees share the responsibility to pass along the understanding of the services provided by cities and their benefits; and

**WHEREAS** Florida City Government Week is a very important time to recognize the significant role played by city government in our lives and to spread the word to all Floridians that they can shape and influence this level of government, which is closest to the people; and

**WHEREAS**, the City of St. Augustine Beach and the Florida League of Cities have joined together to teach students and other citizens about municipal government through a variety of activities;

**NOW, THEREFORE**, I, Undine Celeste George, under the authority vested in me as Mayor of the City of St Augustine Beach, Florida, do hereby proclaim October 21-27, 2019, as Florida City Government Week, and hereto set my hand and cause the Official Seal of the City of St. Augustine Beach, Florida, to be affixed this 4<sup>th</sup> day of October 2019.

CITY OF ST. AUGUSTINE BEACH

\_\_\_\_\_  
Undine C. George, Mayor

## Max Royle

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**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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\*\*\*\*\*

Undine Celeste George, Esq.

Anastasia Law, PL  
**107 A 11th Street**  
Saint Augustine, FL 32080  
office: (904) 236-6243  
fax: (904) 239-5505  
cell: (904) 687-1492  
email: [undine@anastasiaw.net](mailto:undine@anastasiaw.net)  
[www.anastasiaw.net](http://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.

TO BECOME A MEMBER, VISIT US AT [NORTHFLORIDAGREENCHAMBER.ORG](http://NORTHFLORIDAGREENCHAMBER.ORG)





#### 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. Dose 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




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:** September 13, 2019

**SUBJECT:** Ordinance 19-16, Public Hearing and Final Reading: to Repeal Ordinances 19-03 and 19-04 That Prohibit the Sale/Use of Polystyrene Containers, Plastic Straws, and Single-Use Plastic Bags

BACKGROUND

At your July 1, 2019, meeting, you passed Ordinances 19-03 and 19-04 on final reading. Ordinance 19-03 prohibits the use of polystyrene containers and single-use plastic straws. Ordinance 19-04 prohibits the sale, use, and distribution of single-use plastic bags by retail establishments in the City. Both ordinances are to go into effect on January 1, 2020.

Recently, the Third District Court of Appeals overturned a lower court ruling that state laws prohibiting cities from adopting such bans was unconstitutional.

Because of the appellate court's decision, the City Attorney recommended that Ordinance 19-03 and 19-04 be repealed. He provided the attached ordinance which you reviewed at your September 10<sup>th</sup> continuation meeting. You then passed it on first reading.

ACTION REQUESTED

It is that you hold the public hearing and decide whether to pass Ordinance 19-16 on its second and final reading.

ORDINANCE NO. 19 - 16

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, PROVIDING FOR THE REPEAL OF CITY ORDINANCES 19-03, PROHIBITING POLYSTYRENE CONTAINERS AND SINGLE USE PLASTIC STRAWS AND 19-04 PROHIBITING SALE THE DISTRIBUTION OF SINGLE USE PLASTIC BAGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 1, 2019, the City Commission of the City of St. Augustine Beach adopted Ordinances 19-03, prohibiting polystyrene containers and single use plastic straws and 19-04, prohibiting the sale and distribution of single use plastic bags, and,

WHEREAS, on August 14, 2019, the Court of Appeal of Florida, Third District, issued an opinion in the case of Fla. Retail Fed'n, Inc. v. City of Coral Gables, finding that Florida cities are preempted from passing laws that regulate or prohibit use and sale of certain plastic products, including those prohibited in City of St. Augustine Ordinances 19-03 and 19-04, and,

WHEREAS, the Court's decision in the above case invalidates City Ordinances 19-03 and 19-04, and the city must repeal those ordinances in order to comply with Florida law.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH FLORIDA:

Section 1 City of St. Augustine Beach Ordinance 19-03, containing Sections 13-47, Prohibition on Use of Expanded Polystyrene and Single Use Plastic Straws and 13-48, Enforcement; Penalties, of the Code of Ordinances of the City of St. Augustine Beach, are hereby repealed in their entirety.

Section 2 City of St. Augustine Beach Ordinance 19-04, containing Sections 13-44, Prohibition of Single Use Plastic Carryout Bags for Special Events and Section 13-45, Sale, Use and Distribution of Single Use, Carryout Bags by Retail Establishments and Food Service Providers, of the Code of The City of St. Augustine Beach are hereby repealed in their entirety.

Section 3 SEVERABILITY. It is the intent of the City Commission of the City of St. Augustine Beach, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 4 EFFECTIVE DATE. This ordinance shall take effect upon adoption.

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

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

**ATTEST:** \_\_\_\_\_

City Manager, Max Royle

**BY:** \_\_\_\_\_

Undine C. George, Mayor

First Reading: Sept. 10, 2019

Second Reading: \_\_\_\_\_

## MEMORANDUM

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

**FROM:** Max Royle, City Manager 

**DATE:** September 23, 2019

**SUBJECT:** New Year's Eve Fireworks Show: Approval of Contract with Fireworks by Santore

The attached contract provides the following:

- A 30-minute fireworks show on New Year's Eve
- Cost is \$25,000
- A guarantee that the show will begin at 8:30 p.m.
- If the show starts more than 10 minutes after 8:30 p.m., Santore will pay liquidated damages of 20%, or \$5,000, of the contract price.
- Santore will provide an additional \$3,500 of free fireworks.

Mr. Wilson reviewed the first draft of the contract and proposed changes to it, which Santore has made. The second draft of contract, which is before you, has been sent to Mr. Wilson for another review. He has not responded that any changes need to be made to it.

Please note that the \$25,000 for the fireworks comes from bed tax funds, not City taxpayers.

# F I R E W O R K S B Y SANTORE

## Fireworks Display Contract

This writing, expressing the agreement made and entered into by and between Fireworks By Santore, Inc. (hereinafter "Santore") and **City of St. Augustine Beach** (hereinafter "Sponsor"), on this **13<sup>th</sup> day of September, 2019**.

### WITNESSETH

Whereas, Santore is experienced in conducting fireworks exhibitions, and

Whereas, Sponsor wishes to arrange for a fireworks exhibition, at a site and on a date of its selection, and

Whereas, Sponsor and Santore have discussed the type of exhibition Sponsor wishes to arrange, and

Santore is prepared to stage such an exhibition, and Sponsor wishes to have Santore stage such an exhibition.

Now therefore, in consideration of these premises, and the mutual promises, covenants and undertakings of each other, the parties hereto agree as follows:

#### 1. Exhibition:

Santore agrees to furnish to Sponsor, on the **31<sup>st</sup> day of December, 2019** a thirty (30) minute exhibition of **Aerial Fireworks**.

Location to be designated to: **St. Johns County fishing pier St. Augustine Beach.**

#### 2. Payment:

Sponsor agrees to pay **Twenty Five Thousand Dollars (\$25,000.00)** for this display. This includes a 30 minute display and Santore agrees to provide an additional \$3,500.00 in free fireworks for the City's 2019 show. See **Addendum A** for additional fireworks.

#### 3. Time and Method of Payment:

Upon approval and authorization of this agreement by the St. Augustine Beach City Commission, or no later than October 10, 2019, Sponsor will pay a deposit equal to one-half (1/2) of the charge as stated in Paragraph 2 for the December 31, 2019, fireworks display. Final payment for the remaining amount will be paid by the Sponsor within a reasonable time after December 31, 2019, provided:

- a. Santore begins the fireworks show promptly at 8:30 p.m. on Tuesday, December 31, 2019;
- b. Provides the complete and uninterrupted show for the duration of (30) minutes until 9:00 p.m., December 31, 2019.

Failure by Santore to fulfill these two conditions by starting the show more than ten (10) minutes after 8:30 p.m. and to have a delay of more than two (2) minutes between any fireworks launches will result in liquidated damages of twenty (20) percent of the total payment to Santore, or \$5,000.00 being deducted from the final payment from Sponsor to Santore.

#### 4. Site for Exhibition:

Sponsor acknowledges its responsibilities to provide a suitable site for the exhibition, which shall include arrangements to keep spectators at least **420** feet away from the area where the aerial fireworks firing will take place.

**5. Santore's Responsibilities:**

Santore will obtain all required permits for the firing of the exhibition. At the completion of the exhibition, Santore will clear all equipment and debris from the firing sites and repair any damages to public property caused by Santore within a reasonable time. Santore further agrees to indemnify and hold harmless and defend Sponsor from any damages caused by Santore due to their operations under this agreement.

**6. Sponsor's Responsibilities:**

Sponsor is responsible for all fire watch and fire truck fees. These fees are over and above the fees Santore will pay for any required local permits. Santore will arrange for fire watch / inspection. Sponsor agrees to procure, furnish, and maintain a suitable place to display the said fireworks and to arrange for any security bonds as required by law in their community when necessary, and agrees to furnish necessary police, fire and Sponsor's protection, for proper crowd control and auto parking. Sponsor is responsible for removal and or protecting all property and persons in the "fireworks fallout zone". By signing below, to the extent provided in Section 768.28, Florida Statutes, the Sponsor indemnifies and holds harmless Santore and assumes full liability for damages to property and/or injury to persons outside the "fireworks fallout zone" resulting from any source other than the fireworks produced by Santore.

**7. Postponement:**

In the event that weather conditions are such that Santore or the Authority Having Jurisdiction determines that the Fireworks Display would be impossible, impractical or risk damage or danger to person and/or property, the parties agree to immediately hold a postponement meeting at which time an attempt to reschedule the Fireworks Display shall be discussed. In the event a mutually satisfactory postponement date is made the Sponsor will be charged the actual expenses incurred by Santore related to the postponement. Actual expenses include but are not limited to: travel, lodging, labor, meals, rentals, security and permit fees.

In the event Sponsor ***postpones display before December 1, 2019*** and agrees to a postponement date no more than 180 days from original contracted display date, Santore will only charge the amount equal to any expenses that cannot be recovered for items such as barge / equipment rental, travel, lodging, labor, meals, security, custom products (if applicable) and permit fees. The balance of the original contract amount will be due upon completion of the display.

In the event Sponsor ***postpones display after December 1, 2019*** and agrees to a postponement date no more than 180 days from original contracted display date Santore will charge as follows:

15%	48 – 24 hours prior
30%	24 – 12 hours prior
60%	less than 12 hours prior

**8. Cancellation:**

If Sponsor cancels this Contract for any reason, Sponsor shall pay damages for such cancellation to Santore as follows:

25%	30 or more days
35%	29 – 11 days prior
45%	10 – 3 days prior
70%	48 – 24 hours prior
100%	less than 24 hours prior

**9. Exhibition Insurance:**

Santore will furnish an insurance certificate providing coverage in the amount of five (5) million dollars for the safe firing of the exhibition. Sponsor may, at its option, procure insurance to cover the risk of loss due to cancellation of the exhibition.

**10. Publicity:**

Any and all publicity of the exhibition, including in particular all advance announcements and advertising shall name Fireworks by Santore, Inc. as the primary contractor conducting the display.

**11. Florida Law:**

The laws of the State of Florida shall govern this agreement, and in the event of any dispute, venue for all proceedings, be they litigation, mediation, arbitration or otherwise shall be in St. Johns County, Florida.

**12. Attorney's Fees:**

In the event of litigation or arbitration to enforce the terms of this agreement, the prevailing party shall recover a reasonable fee for its attorneys, plus costs reasonably incurred in the proceedings.

**13. Entire Agreement:**

This writing expresses the entire agreement between the parties, integrating all previous agreements, understandings, practices and discussions, and no modification shall be made to this agreement except as such is expressed in writing, executed by both parties.

In Witness whereof, the parties have hereunto affixed their signatures signifying their agreement on this **13<sup>th</sup> day of September, 2019.**

Sponsor

Fireworks by Santore, Inc.

By \_\_\_\_\_  
Signature Date

By  13 September 2019  
Signature Date

Printed Name & Title

Anthony J. Santore Jr.



# ADDENDUM A

Fireworks By Santore will additionally supply the following to St. Augustine's Beach Blast NYE Celebration.

10 – Multi Shot Repeaters, number of shots will vary from 40 shots to 150 shots per repeater

150 – 3" Aerial Display Shells

75 – 4" Aerial Display Shells

50 – 5" Aerial Display Shells

The value of the added product is \$3,500.00. The City of St. Augustine Beach can choose adding this product to the existing show or add additional time to the display. Fireworks By Santore recommends not exceeding 30-minutes.

## MEMORANDUM

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

**FROM:** Max Royle, City Manager 

**DATE:** September 25, 2019

**SUBJECT:** Resolution 19-10, to Amend the City Commission's Policies and Procedures Manual re:  
The Flying of Non-Government Flags

Attached (pages 1-2) are the minutes of that part of your September 10<sup>th</sup> continuation meeting when you discussed policies concerning the flying of non-government flags on City property.

It was your consensus not to allow non-government flags to be flown unless the following happens:

- An organization presents its request to fly a non-government flag to an individual Commissioner
- The Commissioner presents the request to the Commission.
- The request is approved by a proclamation that allows the flag to be flown for a limited time.

Attached (page 3) is the resolution that will make the policy a provision in the City Commission's Policies and Procedures Manual.

8. Flying Non-Government Flags on City Property: Consideration of Policy (Presenter: Max Royle, City Manager)

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

City Manager Royle advised that this came up at the August 5<sup>th</sup> Regular Commission meeting. He commented that the City Clerk, Deputy City Clerk, he researched other cities and did not find any flag policies. He mentioned that Deputy City Clerk Fitzgerald found that the Pride Flag flies everyday in the City of Key West in the City Council Chambers. He explained that the City of Largo went through the same process as our City did and is trying to come up with a policy but has not done so yet. He suggested to the Commission three options: 1) that the City allow only government flags; 2) a non-government flag could be flown on City property only if a Commissioner requests it and the Commission approves it by proclamation and the flag is flown for a limited time; and 3) a non-government flag could be flown on City property by a request by a non-government organization.

Discussion ensued regarding whether a flag could be flown if it has been approved by congressional action or Presidential Proclamation.

Commissioner Kostka suggested using the sign code for flying non-governmental flags.

City Manager Royle advised that he thought that only government flags could be flown on City properties.

Mayor George asked if the Pride flag was flown against the sign code.

Commissioner Kostka advised that she was wondering if it did.

Building Official Law read the definition of what a sign was in the code.

City Attorney Wilson advised that that was a broad definition. He explained that the problem the Commission could get into is that if the Commission opens the City properties to an open forum, then the Commission must open it up to everyone and any organization. He explained that the simplest way to not to have this problem is to not allow groups to request flags be flown. The City can decide on what they would like to fly, but they will not take requests from the public.

Commissioner Samora advised that City Attorney Wilson's recommendation would be in line with Option 2.

Vice Mayor England advised that she feels that it is Option 1.

City Attorney Wilson advised that it should be what the Commission wants to elect to do, such as 4<sup>th</sup> of July flags or national holidays that are recognized. He explained that it's a City flag pole and the Commission should only put up what stands for the City of St. Augustine Beach.

Mayor George advised that it should be ad hoc. She explained that her concern is that whatever we do does not get misinterpreted as a reaction against any certain group or to prevent the Pride flag from being flown.

City Attorney Wilson advised that staff just needs to know what flag that the Commission wants to fly, and they would do so.

Commissioner Samora said he doesn't want to be the selection committee for the flag pole.

Commissioner Kostka agreed and says that why she believes the sign code protects the Commission.

Vice Mayor England asked why not fly a flag that does goes along with our diversity and Mission Statement a few times a year, but it needs to be controlled by the Commission.

Mayor George advised that if a member of the public comes to city hall and asked to fly a flag, City Manager Royle could say the City does not allow that, but if they ask a Commissioner individually and they want to fly the flag, they would bring it up at a Commission meeting for the Commission to approve by proclamation. She advised that staff has direction for a draft policy to be done and be brought back to the Commission to approve.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that he was appalled when the Pride flag was flown because it reminded him of the Jessie Jackson Coalition and brings division.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, feels that it is government speech to fly the rainbow flag and advised government speech is not a public forum.

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

It was the consensus of the Commission to not allow non-governmental flags to be flown unless an organization contacts a Commissioner individually and they would like to bring it in front of the Commission for a proclamation approval and for a limited time.

Mayor George moved on to Item 11.

## Resolution 19-10

CITY OF ST. AUGUSTINE BEACH  
ST. JOHNS COUNTY  
FLORIDA

RE: FLYING OF NON-GOVERNMENT  
FLAGS ON CITY PROPERTY

The City Commission of St. Augustine Beach, St. Johns County, Florida in a regular meeting duly assembled on October 7, 2019, resolves as follows;

**WHEREAS**, the City Commission in June 2019, was asked to fly a non-government flag on City property; and

**WHEREAS**, as flags can be considered signs and the City does not allow nongovernment flags to be put on City property; and

**WHEREAS**, the City does not have a policy concerning the flying of flags on City Property.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, will allow the flying of non-government flags if all the following conditions are met:

1. An organization that wants a non-government flag to be flown presents its request to an individual Commissioner.
2. The Commissioner then presents the request to the City Commission.
3. The Commission then approves a proclamation, which includes a provision to allow the nongovernment flag to be flown on City property.
4. The flag can be flown for a limited time that is stated in the proclamation.

**RESOLVED AND DONE**, this 7<sup>th</sup> of October, 2019, by the City of St. Augustine Beach, St. Johns County, Florida.

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Mayor Undine C. George

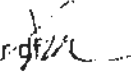
ATTEST:

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City Manager

**MEMORANDUM**

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

**FROM:** Max Royle, City Manager 

**DATE:** September 27, 2019

**SUBJECT:** Agenda Item # 4, E-Scooters: Additional Information

We received the attached ordinance from the City Attorney this afternoon, after the material for your agenda books had been copied and put in the books.

**ORDINANCE NO.:**

**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 this division 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 this division 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 Department 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 Department.
- (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 Department 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 Director or the Director'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 sidewalks or sidewalk areas in compliance with Florida Statutes Section 316.008(7)(a).
  - (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 must provide details on how users can utilize the service without a smartphone.
  - (5) Operators participating in the Program must rebalance Dockless Mobility units daily based on use within each service area as defined by the Permit Application.
  - (6) 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.

- (7) The City Manager, at his 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.
  - (8) 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.
  - (9) 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.
  - (10) The Operator's mobile application must inform users of helmet laws and encourage the use of helmets for those over 16 years of age.
  - (11) The Operator's phone application must clearly direct users to customer support mechanisms, including but not limited to phone numbers or websites.
  - (12) The Operator must provide a staffed, toll-free Customer Service line which must provide support 24 hours per day, 365 days per year.
  - (13) The Operator must provide a direct customer service or operations staff contact to Department Staff.
  - (14) Operators initial fleet must be a minimum of 100 Dockless Mobility Units. Operators initial fleet may not exceed more than 500 Dockless Mobility Units. Operators may request an increase to their initial fleet of up to 250 dockless mobility units 30 days after initial permitting. Each request shall include a rationale and analysis to justify the additional fleet size. Authorization of additional units is at the sole discretion of the City manager.
  - (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 on how users can utilize the service without a smartphone.
  - (3) Operators must provide details 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 PDF 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 this Division 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's risk management division, 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's Risk Management Division and the Director 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 manager 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: \_\_\_\_\_

# MEMORANDUM

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

**FROM:** Max Royle, City Manager 

**DATE:** September 25, 2019

**SUBJECT:** E-Scooters: Continuation of Proposed Ordinance to Regulate

## BACKGROUND

You last discussed e-scooters at your September 9<sup>th</sup> regular meeting. The outcome of the discussion was that the City Attorney would prepare an ordinance. Though by the date of this memo we've not received the ordinance from Mr. Wilson, if it arrives before your meeting, we can email it to you and provide a paper copy at the meeting.

For the discussion at your October 7<sup>th</sup> meeting, we have provided the following information:

- a. pages 1-3, the minutes of that part of your September meeting when you discussed e-scooters.
- b. pages 4-9, two recent newspaper articles about efforts in other Florida cities (Orlando and Clearwater) to regulate e-scooters.
- c. Pages 10-13, a copy of Florida House Bill, 453, which Governor DeSantis has sign into law and is referenced in the article about Clearwater. The law has the state's requirements for the operation of e-scooters and other electric mobility devices.
- d. Pages 14-16, the results of a survey of City residents concerning whether they want electric scooters and other mobility devices regulated. The overwhelming response was "yes."

## ACTION REQUIRED

It depends on whether Mr. Wilson provides the ordinance. If he does, then you can discuss it, decide whether its provisions are allowed by House Bill 453, and then decide whether to pass it on first reading.



4. Electric Scooters: Review of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 6 and then asked City Attorney Wilson for his report.

City Attorney Wilson explained that based on the characteristics for the City and his experience with this type of business he has proposed an ordinance. He suggested the following: 1) an non-exclusive franchise agreement; 2) payment of a franchise fee; 3) required insurance; 4) limit the speed to 15 mph or lower on all devices; 5) devices could not be left unattended in City rights-of-way, sidewalks, or City parking lots unless they are put in a docking or bicycle stand; 6) not have docking stations on City properties; 7) minor charge per unit to be operated; and 8) City may want to limit the number of devices in the City per franchise holder for safety reasons. He explained that these devices could be a nuisance on the streets and sidewalks if left unattended.

Mayor George asked the vendors to come to the podium.

Steven Dennison, FROG Scooter Company representative, 217 Arricola, St. Augustine, FL, explained that FROG has been responding to Requests for Proposals and receiving their business tax receipts when they became involved with any city. He explained that FROG has insurance, which would indemnify the City and is owner-operator model and hires locally which make them more accountable to the City. He explained that FROG's e-scooters are the first commercial grade e-scooters and FROG gives back 1% of their revenues to local organizations. He would like to launch an educational program throughout the City when the time comes.

Mike Wauldron, EWHIPZ, LLC. representative, 5053 Cypress Links Blvd., Elkton, FL, thanked the Commission for hearing him and explained that EWHIPZ, LLC is an independent operator of Bird, which is a multi-billion-dollar company throughout the United States. He advised that the same operations they have in Atlanta, GA would be used here and offer multi e-bike series. His goal is to bring out a network of e-mobility units. He requires that anyone renting a bike would have to read the local laws and is looking for a pilot program to put in place a mobility network system with multi units. He commented that he is local and has a business and a warehouse locally. He advised that he wants to do business throughout St. Johns County.

Mayor George asked about the e-bike and e-mobility units and asked what the primary focus would be on the network.

Mr. Wauldron advised that the two options now would be the e-bikes and e-scooters, which would be on the same network throughout St. Johns County for Phase 1. Phase 2 would include World Golf Village, Nocatee, Ponte Vedra, Vilano Beach, which would be on private properties with local businesses.

Vice Mayor England asked if there would be a local site within the City at the local businesses.

Mr. Wauldron explained that his team and the business would be located on 1711 Dobbs Road in St. Augustine. He commented on his team but advised it would not be in the City limits, but it would be only five minutes away.

Vice Mayor England commented that the Commission would want great customer service within their jurisdiction and help for tourist or residents really quickly.

Mr. Wauldron advised that his people would give good customer service and would teach safety and be an enforcer of the program to help people.

Commissioner Samora asked if a physical location in the City could be a part of the franchise agreement.

City Attorney Wilson advised that it would not have to be the office, but might want someone within the City limits and to be accessible.

Mayor George asked if the e-bikes or e-scooters would be operable in 24 hours a day 7 days a week.

Mr. Wauldron advised that he would operate them according to what Police Chief Hardwick would allow.

Commissioner Rumrell asked where they would be housed.

Mr. Wauldron advised that Salt Life is his partner and he would setup on private property within the City was a business that would like to be a part of this venture. He explained ten e-bikes in one parking station. He commented that it will help businesses who need more parking for their employees if they use the e-bikes, etc.

Vice Mayor England advised that it would be like the beach chair business at a hotel with docking station.

Mr. Wauldron advised that is correct and he would pick them up and maintain the e-bikes and e-scooters and would manage the flow and volume of them between stations. He explained that he would start with e-scooters and then e-bikes. E-bikes would not have pedal assist. He advised that the public can pre-reserve the bikes or scooters. He explained that Phase I will be St. Augustine Beach.

Commissioner Samora asked if they would be using City properties at all.

Mr. Wauldron advised that he would like to have a station at city hall and at the pier. He would like to get information out to the residents because he could see value in not using cars anymore.

City Attorney Wilson advised that he would put together an ordinance and bring it back to the Commission in October.

Discussion ensued regarding to continue the meeting to September 10, 2019 at 5:30 p.m.

Paul Susea, FROG representative, advised that they don't deal with the private sector. He explained that FROG partners with the City and does what the City requests. He commented that the City tells them where the stations should be and they have their own employees pick up the e-scooters that are left. He explained that what Mr. Wauldron is doing is a novelty and he was not aware of any other city working with private businesses. He explained that there would be a lot of problems dealing with private properties. He advised that they pay a franchise fee and a fee per day for the use of the e-scooters so that City could make money. He explained that they do all the things EWHIPZ, LLC. does, but they partner with the City, not the private businesses.

Vice Mayor England advised that the beach chair businesses have someone there onsite to help the customers.

Mr. Susea advised that the people who use the e-scooters would be leaving the beach or going to another place so that is why his employees would go to get the e-scooters and put them back at the City stations. He said that the City has the opportunity to tell us where to put the e-scooters. He explained that he only does e-scooters at this point. He commented that he is working with St. Johns County, City of St. Augustine, and City of Jacksonville Beach, as well.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that e-scooters are not a good thing and explained San Diego was not happy; however, he did like EWHIPZ's model to have the stations on private properties. He explained that people would get fatter and mentioned e-skateboards.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, disagreed with hearing from salesmen; advised that this is not ready to move forward on; requested \$15 an hour living wage for their employees; does not like independent contractors; needs to check on the safety of the devices; and need a reasonable percentage of the revenues.

Mayor George closed the Public Comments section and thanked Bird and FROG companies for coming. She then moved on to adjourn.

## Orlando readies for electric scooter invasion with proposed rules for speed, wheels and no-go zones

Ryan Gillespie, Kevin Spear



Kenneth McMinn, of Tampa, rides a Lime scooter on Ft. Lauderdale Beach on Friday, Nov. 23, 2018. Dock free electric rental scooters have been spotted all over Fort Lauderdale Beach and in downtown Fort Lauderdale. (Amy Beth Bennett / Sun Sentinel)

Orlando leaders are on the verge of giving a thumbs-up for hundreds of dockless electric scooters to start zipping along streets and sidewalks for a new era in transportation already launched in other Florida cities.

The scooters — on which a rider stands and uses a throttle to accelerate — have become a popular way to get around in cities across the country though also have been met with rising controversy over head injuries and other safety concerns.

They're seen as a so-called "last-mile" solution — an affordable option to otherwise limit car use, thrilling for younger riders, unnerving for more mature adults and detestable for many residents who regard the often-chaotic parking of scooters as urban litter.

After months of city staff hand-wringing over potential perils, backlash and popularity of the tiny vehicles, a draft ordinance has been prepared that would pave the way for companies like Lime, Hopr, Bird and JUMP to have their scooters operate, so long as they meet a series of regulations included in the rules.

The city rules state a company with a permit would be allowed to have a fleet of up to 200 scooters, with wheels at least 10 inches in diameter and not travel faster than 10 mph — about half the speed of what they're capable of.

"Most of these are going to be on the sidewalks, even though they're allowed to be in the street, and we already have challenges with people operating too fast on the sidewalks," Orlando Transportation Director Billy Hattaway said. "Safety has to be No. 1

[concern].”

Also to be determined is how well scooters and novice riders will navigate Orlando’s brick streets, which vary widely in smoothness.

Across the country, electric scooters steadily have been displacing electric-assist cycles, such as those now distributed throughout Orlando’s core by Lime.

Rental fees for electric-assist cycles and electric scooters often are similar, while purchase and maintenance costs for the cycles are far higher.

The fleet of 500 electric-assist cycles in Orlando is one the last in the nation deployed by Lime. The company has previously indicated that it is likely to remove its popular bikes after deploying scooters.

The City Council is expected to hear the ordinance on first reading in October and could adopt it in the second meeting of the month. In November, companies would be able to apply for a permit and potentially have them on the roads later this year or early in 2020.

Companies also couldn’t stage scooters in historic neighborhoods, though riders could travel through neighborhoods like Lake Eola Heights, and park there.

“That’s where all the complaints come from,” Hattaway said.

While popular, the industry has faced troubles with rider safety.

However, Fort Lauderdale also reported 772,000 rides as of June and more than 1 million miles traveled in about eight months of operation.

Orlando has set goals for the one-year pilot of 30,000 trips per month, while doubling its bike and scooter parking facilities and providing “transparent reporting method.”

A Lime spokesman said the company hadn’t yet seen Orlando’s proposal but noted the company would welcome the chance to bring scooters into the city. In some markets, the company has both scooters and bikes available, but it’s unclear if that would happen here. Prices also are different per market, and it’s unclear what Lime would charge a user.

For bicycles, Lime charges \$1 to unlock using their smartphone application and 15 cents per minute.

This comes a year after the city embarked on a one-year pilot of dockless bike-sharing, which officials consider a success, with Lime averaging 35,000 rides per month. Rides tend to be short as well, with the average distance as .2 miles and lasting seven minutes, city records show.

Scooter companies also will have to pick up the devices from Orange Avenue between South and Robinson streets by 6 p.m. Friday and Saturday evenings, Hattaway said, due to overcrowding during those hours. All scooters also will need a phone number for 24-hour customer service.

Companies hoping to operate in Orlando will be required to host six scooter safety classes, though there is no requirement for attendance, and will also face steeper fees.

The city will assess a 25-cents-per-ride fee, which Hattaway said would lead to an increase in revenue if trends are similar to the bike pilot, with money put toward adding scooter parking and other costs.

*rygillespie@orlandosentinel.com; kspear@orlandosentinel.com*

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Ryan Gillespie covers the neighborhoods and governments of Orlando and Osceola County. He grew up in Jupiter and graduated from the University of Central Florida with a bachelor’s degree in Journalism. He was previously an intern for the Sentinel.

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Kevin Spear reports for the Orlando Sentinel, covering growth, sustainability and quality of life. Topics include planes, trains, buses, automobiles, cycling, water, energy and natural environments. He commutes on a bicycle on most days, takes Lynx bus #51 to the airport frequently and rides SunRail when possible.

## Clearwater designing scooter rental pilot program for downtown area

By JOHN GUERRA, Tampa Bay Newspapers Sep 13, 2019 Updated Sep 19, 2019

**CLEARWATER** — The city transportation department is putting together a pilot program for the rental of micro-scooters downtown.

Though the City Council won't vote on the program's aspects until November, Transportation Director Ric Hartman said, scooters will not be allowed on sidewalks, will reach speeds as high as 15 mph; be limited to streets with speed limits of 30 mph or less, and the scooter's range will be limited by geo-fencing, a software that can turn off scooters when riders try to leave an area marked by GPS boundaries.

Other aspects to be decided: whether to allow rentals around the clock or say, between 7 a.m. and midnight; parking only in organized corrals on the street, and requiring renters to be at least 18 years old with a valid driver's license. Once the pilot program starts, the city can halt it at any time, or make it a permanent offering to tourists.



"The City Council chose to have staff use our research and experience to select the regulations we deem best practices for a downtown pilot program," Hartman told the Beacon. "The council may decide to adjust what is presented in November at that time."

The city should also limit how many scooters are on the street, Hartman said.

“A key to a successful program is balancing the number of scooters that vendors can provide with user demand and the characteristics of the streets and land uses,” Hartman said. “Too few produces gaps in service, and too many results in clutter and obstacles.”

The tiny urban conveyances — which can be located and rented by smartphone apps in a growing number of cities — are seen by city planners worldwide as an answer to noise, congested streets, and air pollution. The scooters work by quick response (QR) code that can be read from a rider’s smartphone. The rider finds a scooter, opens the app on his smartphone or other device, and scans the QR code to unlock the scooter and ride it.

The company charges \$1 to unlock the scooter and 10 to 30 cents per minute for riding. In some cities, you can leave the scooter on the ground for the next person who needs it. Instead of clogging lawns and blocking sidewalks, Clearwater will require companies to park and rent them from a central place, called a corral.

Several scooter rental companies, including Bird, Lime, Skip, and Spin, have approached Clearwater to open franchises here.

But Hartman on June 3 asked the council to postpone the use and/or rental of electric scooters and other micro-mobility devices for at least six months so the city could study the risk they pose to pedestrians and other motorists. The council approved the 180-day moratorium, which expires Dec. 17.

Florida House Bill 453, which Gov. Ron DeSantis signed into law in June, grants electric scooters and other micro-mobility devices all of the rights and duties applicable to the rider of a bicycle, including the right to operate motorized scooters on sidewalks, streets, and trails. The Legislature’s permissive use standards create safety hazards for pedestrians and others in Clearwater, making it vital for the city to regulate their use, Hartman told the council in June.

During his Sept. 5 presentation to the council, Hartman told councilmembers that cities have run into problems with programs, including the dumping of scooters on lawns, on sidewalks in front of wheelchair ramps, and at outdoor dining areas.

Florida tourist destinations such as Ft. Lauderdale have already received a flood of emailed complaints about electric scooters, including riders simply laying them on the ground once their time is up; intoxicated drivers attempting to jump hedges and curbs; and inexperienced operators colliding with cars and people.

The council will review the pilot program sometime in November, said Hartman. "Although a 12-month program is to be proposed, the program will provide the city with the ability to pause and refine, or stop the program completely in a shorter period," he said.



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The city could vote to allow the pilot program before the moratorium ends in December.

A big unknown facing the city is the question of liability, which local businessmen addressed during public comment.

Councilmember Jay Polglaze cited a Business Insider article on the rise of urban scooter rentals that reported 11 people, most first-time scooter users, have died since 2018. That led Clearwater business owner Gerry Lee to urge the banning of scooters from sidewalks, especially near the beach where pedestrians, cars, and skateboarders fight for room.



"A tourist gets a couple of beers in them, put them on a scooter and somebody gets hit, who is at fault there?" Lee told the council. "What about the business owner who put the table and chairs out there and didn't have a path?"

Councilman Hoyt Hamilton questioned whether the city should be prepared for lawsuits.

"Somebody's going to come out of one of the establishments downtown after having probably one or two too many, and they are going to get on one of these, and they're going to fall and get hurt," Hamilton said. "They are going to say, 'The place where I consumed my alcohol shouldn't have let me drink,' then they're going to go to the (scooter company) and say, 'You shouldn't have let me on one in that condition,' then they're going to come after the city because the city allows the company to operate."

Riders must waive the responsibility of the scooter rental company before getting on the scooter, usually by clicking "I agree" on a waiver that pops up on the scooter rental app. That may not be enough, Hartman told the council, and suggested the city insist each scooter vendor carry insurance coverage of \$1 million to help cover the city.

Doug Kelly, who has experience with renting scooters in Key West, warned that the city "cannot contract away your negligence. The city would have to carry a large insurance policy. I would say let the city give (scooter rentals) a role; if it looks like it's a problem or too dangerous, cut it off."

## CHAPTER 2019-109

### Committee Substitute for Committee Substitute for House Bill No. 453

An act relating to mobility devices and motorized scooters; amending s. 316.003, F.S.; defining the term “micromobility device”; revising the definition of the term “motorized scooter”; conforming a cross-reference; amending s. 316.1995, F.S.; conforming a provision to changes made by the act; amending s. 316.2128, F.S.; providing that the operator of a motorized scooter or micromobility device has all of the rights and duties applicable to the rider of a bicycle, except the duties imposed by specified provisions that by their nature do not apply; providing for construction; exempting a motorized scooter or micromobility device from certain registration, insurance, and licensing requirements; providing that a person is not required to have a driver license to operate a motorized scooter or micromobility device; requiring a person who offers motorized scooters or micromobility devices for hire to be responsible for securing all such devices located in any area of the state where a certain warning has been issued by the National Weather Service; deleting specified requirements for the sale of motorized scooters; amending s. 316.2225, F.S.; exempting electric personal assistive mobility devices and motorized scooters from certain emblem requirements; amending s. 320.01, F.S.; revising the definition of the term “motor vehicle”; amending s. 655.960, F.S.; conforming a cross-reference; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (38) through (101) of section 316.003, Florida Statutes, are redesignated as subsections (39) through (102), respectively, a new subsection (38) is added to that section, and present subsections (44) and (59) of that section are amended, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(38) MICROMOBILITY DEVICE.—Any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles as defined in this chapter.

(45)(44) MOTORIZED SCOOTER.—Any vehicle or micromobility device that is powered by a motor with or without ~~not having~~ a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 30 miles per hour on level ground.

(60)(59) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided in paragraph (82)(b) (81)(b), any privately owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Section 2. Section 316.1995, Florida Statutes, is amended to read:

316.1995 Driving upon sidewalk or bicycle path.—

(1) Except as provided in s. 316.008, ~~or s. 316.212(8), or s. 316.2128~~, a person may not drive any vehicle other than by human power upon a bicycle path, sidewalk, or sidewalk area, except upon a permanent or duly authorized temporary driveway.

(2) A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

(3) This section does not apply to motorized wheelchairs.

Section 3. Section 316.2128, Florida Statutes, is amended to read:

316.2128 Micromobility devices, ~~Operation of~~ motorized scooters, and miniature motorcycles; requirements ~~for sales~~.—

(1) The operator of a motorized scooter or micromobility device has all of the rights and duties applicable to the rider of a bicycle under s. 316.2065, except the duties imposed by s. 316.2065(2), (3)(b), and (3)(c), which by their nature do not apply. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. 316.008, from adopting an ordinance governing the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction.

(2) A motorized scooter or micromobility device is not required to satisfy the registration and insurance requirements of s. 320.02 or the licensing requirements of s. 316.605.

(3) A person is not required to have a driver license to operate a motorized scooter or micromobility device.

(4) A person who offers motorized scooters or micromobility devices for hire is responsible for securing all such devices located in any area of the state where an active tropical storm or hurricane warning has been issued by the National Weather Service.

(5)(1) A person who engages in the business of, serves in the capacity of, or acts as a commercial seller of ~~motorized scooters or~~ miniature motorcycles in this state must prominently display at his or her place of business a notice that such vehicles are not legal to operate on public roads, may not be registered as motor vehicles, and may not be operated on sidewalks unless authorized by an ordinance enacted pursuant to s. 316.008(7)(a) or s.

316.212(8). The required notice must also appear in all forms of advertising offering ~~motorized scooters or~~ miniature motorcycles for sale. The notice and a copy of this section must also be provided to a consumer prior to the consumer's purchasing or becoming obligated to purchase a ~~motorized scooter or~~ a miniature motorcycle.

(6)(2) Any person selling or offering a motorized scooter or a miniature motorcycle for sale in violation of this section commits an unfair and deceptive trade practice as defined in part II of chapter 501.

Section 4. Subsection (7) of section 316.2225, Florida Statutes, is amended to read:

316.2225 Additional equipment required on certain vehicles.—In addition to other equipment required in this chapter, the following vehicles shall be equipped as herein stated under the conditions stated in s. 316.217.

(7) On every slow-moving vehicle or equipment, animal-drawn vehicle, or other machinery designed for use and speeds less than 25 miles per hour, excluding electric personal assistive mobility devices and motorized scooters, but including all road construction and maintenance machinery except when engaged in actual construction or maintenance work either guarded by a flagger or a clearly visible warning sign, which normally travels or is normally used at a speed of less than 25 miles per hour and which is operated on a public highway, there must be:

(a) a triangular slow-moving vehicle emblem SMV as described in, and displayed as provided in, this subsection ~~paragraph (b)~~.

(a) The requirement of the emblem shall be in addition to any other equipment required by law. The emblem shall not be displayed on objects which are customarily stationary in use except while being transported on the roadway of any public highway of this state.

(b) The Department of Highway Safety and Motor Vehicles shall adopt such rules and regulations as are required to carry out the purpose of this section. The requirements of such rules and regulations shall incorporate the current specifications for SMV emblems of the American Society of Agricultural Engineers.

Section 5. Paragraph (a) of subsection (1) of section 320.01, Florida Statutes, is amended to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(1) "Motor vehicle" means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power

other than muscular power, but the term does not include traction engines, road rollers, motorized scooters, micromobility devices, personal delivery devices and mobile carriers as defined in s. 316.003, special mobile equipment as defined in s. 316.003, vehicles that run only upon a track, bicycles, swamp buggies, or mopeds.

Section 6. Subsection (1) of section 655.960, Florida Statutes, is amended to read:

655.960 Definitions; ss. 655.960-655.965.—As used in this section and ss. 655.961-655.965, unless the context otherwise requires:

(1) “Access area” means any paved walkway or sidewalk which is within 50 feet of any automated teller machine. The term does not include any street or highway open to the use of the public, as defined in s. 316.003(82)(a) or (b) ~~s. 316.003(81)(a) or (b)~~, including any adjacent sidewalk, as defined in s. 316.003.

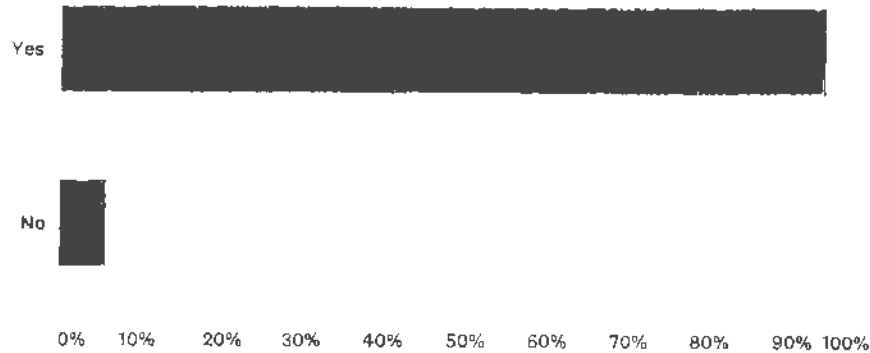
Section 7. This act shall take effect upon becoming a law.

Approved by the Governor June 18, 2019.

Filed in Office Secretary of State June 18, 2019.

## Q1 Are you a resident or property owner in the City of St. Augustine Beach?

Answered: 34 Skipped: 0



### ANSWER CHOICES

Yes

No

TOTAL

### RESPONSES

94.12%

5.88%

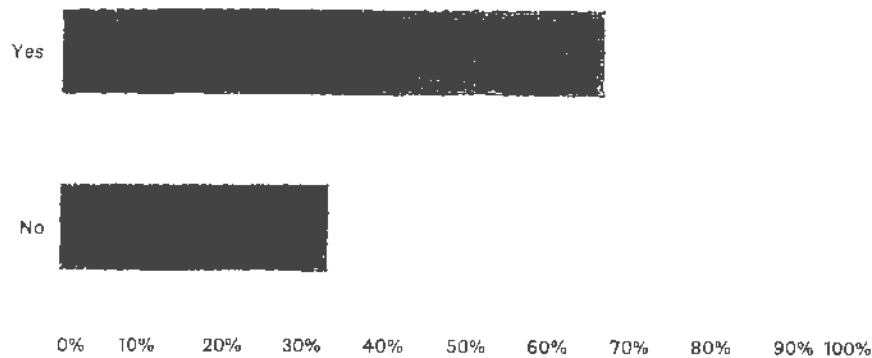
32

2

34

## Q2 Do you favor regulation of electric scooters and other mobility devices?

Answered: 30 Skipped: 4



### ANSWER CHOICES

Yes

No

TOTAL

### RESPONSES

66.67%

33.33%

20

10

30

## Q3 Additional Comments.

## Regulation of E-Scooters and Other Mobility Devices

Answered: 19    Skipped: 15

#	RESPONSES	DATE
1	I hope the city adheres to federal regulations regarding mobility devices. Please read the ADA regulations on this issue: <a href="https://www.ada.gov/opdmid.htm">https://www.ada.gov/opdmid.htm</a> Also, I am not quite sure what you mean by electric "scooters" or other mobility devices. I would oppose golf carts, two seat mobility devices or any combustion engine mobility devices. I am disabled and I ride an electric trike which I continuously pedal but I have power assist which gives me some freedom to get out and exercise. It is a class 2 electric trike which meets the federal regulations. Where I live skateboards and non-powered bikes etc go much faster on sidewalks than I do. I would point out that I can turn off all power and just ride it as a trike with some difficulty anyway if necessary. Thus, at that point it is only a pedaled trike and not an e-bike which is the beauty of most e-bikes. On A1A I mostly ride on the street within bike lanes and between F Street and Pope road I mostly ride on the road. However, on streets such as 16th Street, 11th Street, Pope road etc it is not as safe to ride in the street and I ride on the sidewalk. These sidewalks have bike lanes outlined on the sidewalks. You need to make more bike lanes wider on streets such as A1A South (not Beach A1A where you have already provided bike lanes) where the speed is 45 miles per hour or more. I have a disabled placard because of failing health (neuropathy in the lower extremities) at age 73 but I am able to pedal with some electric assistance at times. I would hope that you would not force me or other disabled individuals who need assistance with an e-bike to ride in road under all circumstances. You would put disabled individuals at risk of being maimed or killed and there is no real threat to individuals. As I said bikes and skateboards often provide more of a threat on walkways than an electric trike. I also don't think that an electric trike/bike should be prohibited from trails open to regular bikes. Usually trails are marked "no bikes" when it is just a pedestrian trail.	8/19/2019 5:13 AM
2	Too dangerous to have scooter on sidewalks with all the senior citizens and children using them	8/19/2019 4:39 AM
3	Keep the walkways and sidewalks safe for pedestrians and non-motorized users.	8/19/2019 4:38 AM
4	E-bikes and E-trikas should be permitted on sidewalks as the sidewalks are the only safe places for the folks who are mobility impaired. These vehicles can also run without motor and should be allowed on bike trails and sidewalks.	8/19/2019 4:27 AM
5	They're safer on the sidewalks instead of being on the roads.	8/19/2019 3:57 AM
6	I believe them to be too hazardous for both users and other pedestrians.	8/18/2019 5:26 PM
7	It just seems very busy with cars. Would the scooters use the bike lanes ?	8/18/2019 4:35 PM
8	I do not approve of electric scooters or golf carts	8/18/2019 4:29 PM
9	People should walk as long as they are not disabled. No motorized scooters. Please!	8/18/2019 4:21 PM
10	Do not allow them. I saw the disaster in San Antonio TX recently. No one monitors the illegal traffic on the sidewalks. Ran into pedestrians. Just a disaster	8/18/2019 1:05 PM
11	Why would you not embrace a enviromentally friendly way to move about town?	8/16/2019 6:15 PM
12	In my opinion, done properly e scooters could help relieve parking issues and the need to drive gas-guzzling cars to and from 5 to 10 minute trips helping with mobility issues on the island.	8/16/2019 3:14 PM
13	I favor prohibiting e-scooters. In my profession as an airline pilot I travel all around the country. E-scooters are everywhere. At any given time only 5-10% are in use. The rest litter the sidewalks and block pedestrian pathways. When riders are on roads they rarely follow rules of the road and are a nightmare for drivers. I realize you can't ban personal transportation devices so if people want to get their own then so be it. However, allowing an e-scooter company in will be a headache for pedestrians and drivers and an eyesore for those strewn all about the area. If you choose to go down this road then consider minimum ages of 16, helmet usage, riding under the influence, and hours of operation - no nighttime use. Our roads are too narrow to handle these. Riders tend to have a false sense of ability and consider them more of a toy and take too many risks with themselves and others nearby.	8/16/2019 11:15 AM
14	Proper location is important so they do not end up all over. I think it will be hard to keep them off of sidewalks. Since CoSA is already looking into this I would recommend working together or following what they do so it's consistent. The sidewalks in general around St Aug Beach fall to meet ADA requirements since there are areas that exceed the 1/4" tolerance allowed (ie broken sidewalks need to be replaced. ESP the ones that have been painted orange for months).	8/16/2019 12:19 AM


## Regulation of E-Scooters and Other Mobility Devices

15	Licensed adults only	8/15/2019 9:58 PM
16	At what point do we become over-regulated?	8/10/2019 8:45 AM
17	Just so many regulations. Give us a break.	8/10/2019 8:35 AM
18	Best to work with the proper companies to get it right	8/8/2019 5:13 AM
19	Handicapped transport on sidewalks OK, E-Scooters NOT on sidewalks or roads	8/7/2019 9:56 AM



## MEMORANDUM

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

**FROM:** Max Royle, City Manager 

**DATE:** September 24, 2019

**SUBJECT:** Mickler Boulevard Piping Project: Request to Approve Change Orders No. 1 and No. 2

Mr. Tredik's explanation of each change order is attached. To aid your discussion, please note the information below.

### A. CHANGE ORDER NO. 1

Mr. Tredik's explanation of it is on pages 1-2. There are three components to it.

- For the contractor to replace sections of the sidewalk between Pope Road and 16<sup>th</sup> Street that it damaged during construction.
- For the contractor to replace the rest of the sidewalk, many sections of which have been damaged by vehicles since the sidewalk was constructed in 1998.
- For the entire sidewalk between Pope Road and 16<sup>th</sup> Street to be 6 inches thick instead of the 4 inches that was the standard when it was originally constructed. The two inches of extra thickness will help prevent the sidewalk from being damaged by vehicles, such as those of lawn and tree maintenance contractors.

Once the new sidewalk is constructed, No Parking signs will be posted along Mickler Boulevard.

On page 2, Mr. Tredik outlines the cost of Change Order No. 1. The total is \$19,873.

### Action Requested

It is that you discuss Change Order No. 1 with Mr. Tredik and that you decide whether to approve it. Money for it will come from what you appropriated for paving in FY 2020.

if you approve this Change Order, the Finance Director will prepare a memo for your November 4<sup>th</sup> meeting.

### B. CHANGE ORDER NO. 2

The contractor is requesting an additional \$30,781 for the Mickler Boulevard ditch project because additional pipe had to be purchased and additional fill dirt had to be provided. Mr. Tredik provides more detailed information about the request in his attached memo (pages 3-4).

At your March 4, 2019, meeting, you awarded the bid to AWA Contracting of Jacksonville for \$379,243.

Below is a list of the bids received:

- P&S Paving of Daytona Beach:	\$771,000.00
- CGC, Inc., of Jacksonville:	\$672,498.00
- G&H Underground of St. Augustine:	\$597,074.00
- Besch & Smith of St. Augustine:	\$535,647.00
- The Kenton Group of Jacksonville:	\$529,000.00
- Florida Safety Contractors of Thonotosassa:	\$524,950.00
- Grimes Utilities of Orange Park:	\$498,325.00
- J.B. Coxwell of Jacksonville:	\$496,878.50
- DB Civil Construction of Ormond Beach:	\$464,656.00

#### Action Requested

It is that you discuss the Change Order with Mr. Tredik. A representative from AWA Contracting will be at your meeting to explain the request in more detail and to answer your questions.

Please note that when the additional \$30,781 requested by AWA is added to its bid of \$379,243, the total of \$410,024 is still well under the next lowest bidder, DB Civil Construction of Ormond Beach, whose bid was \$464,656.

If you approve Change Order No. 2, then the money for it will come from FY 2019 unspent funds. The Finance Director will prepare a budget resolution for your November 4<sup>th</sup> meeting.

## **MEMORANDUM**

Date: September 20, 2019

To: Max Royle, City Manager  
Patricia Douylliez, Finance Director

From: Bill Tredik, Public Works Director

Subject: Mickler Drainage Improvements -- Change Order No. 1

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### **RECOMMENDATION:**

Authorization of Change Order No. 1, in the amount of \$19,873.00, to the contract with AWA Contracting, Inc. (Bid No. 19-01) for construction of 562 square yards (SY) of 6" thick concrete sidewalk along Mickler Boulevard, and increasing the thickness of 683 SY of sidewalk from 4" thick to 6" thick.

### **BACKGROUND:**

The City awarded Bid No. 19-01 for the Mickler Ditch Drainage Improvements to AWA Contracting Co., Inc. in the amount of \$379,243.00. As part of the work, it was necessary to use heavy equipment on and adjacent to the 8' wide 4" thick concrete sidewalk along Mickler Boulevard. General Note 30 of the construction plans states:

*"Contractor shall take measures to protect existing sidewalk against damage from heavy equipment. Sidewalk existing condition to be video taped and sections damaged during construction, removed and replaced."*

As required, the sidewalk condition was recorded prior to construction and assessed after construction was complete. The post-construction assessment revealed that the contractor damaged, and is thus required to replace in-kind, 683 SY of 4" thick sidewalk. 562 SY of 4" thick sidewalk was not damaged by the Contractor and is thus not mandated to be replaced. Much of this 562 SY, however, is in poor condition, including significant cracking which predates the construction project.

### **DISCUSSION**

Due to the close proximity to the roadway and lack of curbing, the sidewalk along Mickler Boulevard is subject to periodic vehicular loads. This loading has led to the cracking that predates the construction project. The existing 4" thickness is not sufficient to protect against vehicle loads and the City now requires sidewalks in such locations to have a minimum thickness of 6".

The Contractor is responsible to replace the 683 SY of damaged sidewalk to its preconstruction thickness of 4". Due to the need to support occasional vehicle loadings, the City requested the cost to increase the sidewalk thickness to 6". To replace the 683 SY of Sidewalk, the Contractor provided the following cost:

4" Thick	\$21,514.50 (Contractor bears full responsibility for cost)
6" Thick	\$24,246.50 (City bears cost for upgrade from 4" to 6")

The upgrading of the sidewalk thickness for this 683 SY, thus represents a \$2,732 cost to the City. This increase in sidewalk thickness is a prudent and necessary action to minimize the potential of future cracking of the new sidewalk.

The City plans to resurface this same stretch of Mickler Boulevard (from Pope Road to 16<sup>th</sup> Street) in FY2020. This resurfacing project will bring this portion of Mickler Boulevard to a "like-new" condition. With the recently completed ditch piping, and the replaced 683 SY of sidewalk by the Contractor, this will leave 562 SY of sidewalk – which is not the Contractor's responsibility to replace – as the only unimproved component of this stretch of right-of-way. As previously noted, this 562 SY of sidewalk is currently 4" thick, much of it cracking, is subject to further deterioration and should be replaced at 6" thickness.

The Contractor has offered to replace this remaining 562 SY of 4" thick sidewalk with 6" thick sidewalk for a price of \$17,141, representing a cost of \$30.5 per SY. Moving forward with this work at this time offers several advantages, including:

- All sidewalk will be in new and *safe* condition at the desired 6" thickness
- Potential for significant cost savings. 2018 FDOT Statewide average for 6" thick sidewalk is \$54.94 per SY (\$24.44 more than AWA price)
- Completing the sidewalk now, thus simplifying the future resurfacing project.

The breakdown for Change Order No. 1 is as follows:

1. Upgrade 683 SY of concrete sidewalk from 4" to 6" thick	\$ 2,732.00
2. Construct 562 SY of 6" thick concrete sidewalk	\$17,141.00
<b>TOTAL CHANGE ORDER NO. 1 COST</b>	<b>\$19,873.00</b>

Funding for Change Order No. 1 is available in the FY2020 budget, Paving.

## **MEMORANDUM**

Date: September 22, 2019

To: Max Royle, City Manager  
Patricia Douylliez, Finance Director

From: Bill Tredik, Public Works Director

Subject: Mickler Drainage Improvements – Change Order No. 2

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### **RECOMMENDATION:**

Authorization of Change Order No. 2, in the amount of \$30,781.68, to the contract with AWA Contracting, Inc. (Bid No. 19-01) to compensate for an additional 268 linear feet of 29"x45" elliptical reinforced concrete pipe, and an additional 543 cubic yards (CY) of fill dirt beyond that specified in the Contractor's original Schedule of Values.

### **BACKGROUND:**

The City awarded Bid No. 19-01 for the Mickler Ditch Drainage Improvements to AWA Contracting Co., Inc. (AWA) in the amount of \$379,243.00. As part of the Bid Response, vendors are required to submit a Schedule of Values (SOV) showing the breakdown of work contained in the project. Though the contract is a Lump Sum Contract, the schedule of values provides a financial basis for contract adjustments made due to additions or deletions of work.

As part of their Bid response, AWA submitted an SOV (Exhibit A) which included seventeen items with quantities and costs for each item. Two different prices were shown; the "QUOTE Unit Cost," representing material costs; and the "AWA #S," representing total installed cost. The Total Cost of \$379,243.00 was calculated from summation of the "AWA #S" for each item.

During construction, it was discovered that AWA had erroneously underestimated the length of 29"x45" Elliptical Reinforced Concrete Pipe (ERCP) by 268 linear feet (LF) and had based their bid on 1,024 LF of 29"x45" ERCP. This error is substantiated by the following:

- The SOV includes 1,024 LF of 29"x45" ERCP (268 LF less that required)
- Sheet C-5 of the Plans has a callout for 268 LF of 29"x45" ERCP

The error seems genuine as the underestimate quantity exactly matches a specific callout on one of the Plan sheets. The actual amount of 29"x45" ERCP installed was 1,292 LF, 126% more than used to determine AWA's bid price.

The error in estimation of the pipe length directly translates into a similar error for the calculation of Fill Dirt required to backfill the ditch. The same ratio as with the ERCP (126%) can be applied to calculate the amount of Fill Dirt erroneously not included in the SOV. Based upon this ratio, the total amount of Fill Dirt in the SOV value should have been 1,292 CY, 543 CY more than the 1,024 CY shown in the original SOV. Application of this percentage is the most equitable method to estimate the amount of underbid for the project, as the amount of ditch to be filled is directly proportional to the length of pipe installed.

## **DISCUSSION:**

AWA was one of ten vendors that bid on the project. The bid tabulation (Exhibit B) shows that the bids ranged from \$379,243 (AWA) to \$771,000 (highest bid) with the average being \$546,927. Removing AWA's bid and the highest bid still results in an average of \$538,879. The second lowest bid was \$464,656, \$85,413 more than AWA.

Analysis of the competing bids, the Plans and the submitted SOV support the quantity tabulation error in the SOV as being genuine, and caused by the Contractor missing a ERCP callout on one of the Plan sheets. AWA has conceded this error and has offered to absorb the installation cost for the additional quantities (\$29,109.25), requesting that the City only pay the "QUOTE Unit Cost" (\$30,781.68) for the additional quantities. With the proposed \$30,781.68 change order, the Contract Price would increase to \$410,024.68, still \$54,631.32 less than the next lowest bidder.

Ideally, AWA's error should have been noted during the evaluation of the bids, and the bids corrected prior to contract award. Public Works and Finance will work together to ensure that this is the case for future bids. It should be noted, though, that had AWA's error been corrected during the evaluation of bids, the contract amount would likely have been increased to reflect corrected quantities, and AWA would still have been the low bidder. AWA's offer to share the cost of the error, therefore, seems an equitable concession as the City had installed more ERCP and Fill Dirt than in the original SOV.

Public Works recommends approval of this change order.

The breakdown for Change Order No. 2 is as follows:

1. Additional 268 LF 29"x45" ERCP	\$21,011.20
2. Additional 543 CY Fill Dirt	\$ 9,770.48
<b>TOTAL CHANGE ORDER NO. 2 COST</b>	<b>\$30,781.68</b>

Funding for Change Order No. 2 is available in the FY2019 budget.

## EXHIBIT A - SCHEDULE OF VALUES

### Mickler Blvd. Estimated Quantities

[illegible]

**EXHIBIT B - BID TABULATION**  
**Mickler Ditch Drainage Improvements**

**BID # 19-01**


<b>Bidders</b>	<b>Bidder #1</b>	<b>Bidder #2</b>	<b>Bidder #3</b>	<b>Bidder #4</b>	<b>Bidder# 5</b>
<b>Bidder's Name &amp; Address</b>	Besch & Smith Civil Group, Inc. 345 Cumberland Industrial Court St. Augustine, FL 32095 904-260-6393	Grimes Utilities, Inc. 385 Corporate Way Orange Park, FL 32073 904-264-0046	J.B. Coxwell Contracting, Inc. 6741 Lloyd Road West Jacksonville, FL 32254 904-786-1120	Florida Safety Contractors, Inc. 11825 Jackson Road Thonotosassa, FL 33592 813-982-9172	P&S Paving 3701 Olson Drive Daytona Beach, FL 32124 386-258-7911
<b>Total Price</b>	<b>\$ 535,647</b>	<b>\$ 498,325</b>	<b>\$ 496,878.50</b>	<b>\$ 524,950</b>	<b>\$ 771,000</b>
<b>Bidders</b>	<b>Bidder #6</b>	<b>Bidder #7</b>	<b>Bidder #8</b>	<b>Bidder #9</b>	<b>Bidder# 10</b>
<b>Bidder's Name &amp; Address</b>	CGC, Inc. 7036 W. 12th Street Jacksonville, FL 32220 904-783-4119	AWA Contracting Co., Inc. P.O. Box 601009 Jacksonville, FL 32260 904-262-4157	DB Civil Construction, LLC 1760 US 1 Ormond Beach, FL 32174 386-256-7460	The Kenton Group, Inc. 9556 Historic Kings Road South # 312 Jacksonville, FL 32257 904-805-0660	G&H Underground Construction, Inc. 2200 N. Ponce de Leon Blvd, Suite 11 St. Augustine, FL 904-810-0531
<b>Total Price</b>	<b>\$ 672,498</b>	<b>\$ 379,243</b>	<b>\$ 464,656</b>	<b>\$ 529,000</b>	<b>\$ 597,074</b>

Bid opening was conducted on Thursday, February 14, 2019 at 2:00 p.m. at City Hall by Deputy City Clerk Dariana Fitzgerald. Bids were opened and amounts noted were read aloud. Bid opening adjourned at approximately 2:07 p.m. Opening was also attended by: Acting Public Works Director Ken Gatchell, City Manager Max Royle, City Clerk Beverly Raddatz, Chief Financial Officer Melissa Burns, and Mr. Gary Sneddon of Stone Engineering.



**MEMORANDUM**

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

**FROM:** Max Royle, City Manager 

**DATE:** September 27, 2019

**SUBJECT:** Solid Waste: Non-Ad Valorem Assessment and Proposed Changes to Commercial Solid Waste Regulations

**INTRODUCTION**

In summary, what the City staff is asking you to do is the following:

1. Approve the continuation of the steps to levy the non-ad valorem assessment for residences to pay the costs for the collection and disposal of household waste, yard trash, special waste and recyclables starting in FY 2021.
2. Approve transient rentals being charged the same solid waste fee as commercial businesses.
3. Approve the City no longer providing waste pickup and recycling services to condo and apartment complexes with five or more units, but having such complexes pay private haulers for the services.

For your discussion, the information below is divided into two related parts: First, matters related to the process or steps for levying the non-ad valorem assessment for the collection and disposal of household waste, yard trash, special waste, and recyclables. Second, changes proposed by the Finance Director to the City's solid waste operations concerning the pickup of commercial solid waste, which includes waste from transient rentals, businesses, and apartment/condo complexes.

To aid your discussion, we've attached the minutes of that part of your September 10, 2019, (pages 1-6) continuation meeting when you last discussed the non-ad valorem assessment and related topics, so that you can review the discussion.

**A. STEPS FOR LEVYING THE NON-AD VALOREM ASSESSMENT**

As the direction you provided at your September meeting indicated you want to proceed with the preliminary steps to levy the assessment, here are a series of dates to accomplish that. The schedule is in accordance with Section 197.3632, Florida Statutes, which is attached as pages 7-10. The relevant subsections are 197.3632 (3) (a) and 197.3632 (3) (b) and (c).

- a. Commission decides at its October 7, 2018, meeting to adopt a non-ad valorem assessment for the collection and disposal of household waste, yard trash, recyclables and special waste.
- b. November 2019. For four consecutive weeks in November, the City publishes its intent to levy the non-ad valorem assessment.

- c. December 2, 2019. Commission at its regular meeting adopts a resolution at a public hearing. The resolution states the intent to use the uniform method for collecting the assessment, the need for the levy, and includes a legal description of the boundaries of the real property subject to it. The resolution must be adopted by January 1<sup>st</sup>, or if the Property Appraiser and the Tax Collector agree, it can be adopted by March 1<sup>st</sup>. If adopted before January 1<sup>st</sup>, a copy of the resolution is sent to the Property Appraiser, the Tax Collector and the Florida Department of Revenue by January 10, 2020.
- d. March 10, 2020. At least 20 days before the Commission's April 6<sup>th</sup> regular meeting, the City publishes a notice that it will hold a public hearing at that meeting. The notice is sent to the owner of each property subject to the assessment, and includes information about the assessment, such as its purpose, the total amount to be levied against each property, etc. At the public hearing, the Commission can receive written objections and hear testimony from all interested persons.
- e. October 1, 2020. Non-ad valorem assessment goes into effect for FY 2021 and the City receives revenue from it.

Please note that a, b, and c of the above schedule are based on the Commission approving on December 2<sup>nd</sup> the intent to levy the assessment, which is before the January 1, 2020, deadline. However, if the Property Appraiser and the Tax Collector agree, the scheduled outlined in a, b, and c could be adjusted to a March 10, 2020, deadline.

#### Action Requested

It is that you direct the City administration to continue the steps listed above for the levying of a non-ad valorem assessment for the collection and disposal of residential household waste, yard trash, special waste, and recyclables.

Ms. Douylliez's report (page 11) shows that the yearly cost per residence as of FY 2018 was \$460.34. However, the recommended non-ad valorem assessment would be \$230 a month, which is what the County's assessment will be for FY 2020.

Please note at the conclusion of her report, she lists five goals that the non-ad valorem assessment would help the City to accomplish.

#### B. CONCERNING TRANSIENT RENTALS AND COMMERCIAL SOLID WASTE

Attached as pages 12-13 is a report from Mr. Douylliez concerning this topic. She lists four categories of commercial customers in the City and provides suggestions as to how their solid waste should be handled. In summary, her two main suggestions are:

1. That transient rentals be consider commercial for the purpose of determining what they should pay for the removal of solid waste.
2. That the City no longer provide household waste pickup and recycling service to condo and apartment complexes having more than five units. The complexes would contract with a private hauler for dumpsters and recycling tote containers.

For transient rentals, Ms. Douylliez proposes that the annual cost be \$460.34, which is based on the FY 2018 calculation of the costs for the collection and disposal of solid waste and recyclables.

For condo and apartment complexes, the cost would depend on the size of the dumpster and the frequency per week when the dumpster is emptied, and the size of the recycling container that a complex used.

#### Action Requested

It is that you discuss with Ms. Douylliez the suggestions she has provided on pages 12-13, and that you decide which of the suggestions to accept.

If you decide that transient rentals are to be charged like the businesses they are, then the rentals will be included as part of the non-ad valorem assessment, except that the assessment for them will be the full amount, \$460.34, not the \$230 proposed for residences. The reason is that transient rentals are a business and should be charged the full amount of the cost of the service, as other types of businesses are charged.

If you decide that the City is no longer to service the condo and apartment complexes it now serves, then these will be notified of this change so that they can find a private hauler and include the costs in their annual budget. The change would go into effect in January 2021.

8. Non-Ad Valorem Assessment to Pay Costs to Collect Household Waste, Recyclables and Yard Trash (Presenter: Patricia Douylliez, Finance Director)

Mayor George introduced Item 8 and then asked Finance Director Douylliez for her report.

Finance Director Douylliez presented a PowerPoint presentation (Exhibit 2). She explained that the expenses for solid waste collection come out of the General Fund revenues. She advised that for her presentation she used FY 2018 because it would show the full year of expenses. Residents make up 93.83% of the City and then 183 commercial properties, which are made up of transient rentals and true commercial businesses. She told the Commission she would like to focus on residential for this meeting because commercial units have a lot of different components that need to be worked on and cleaned up. She suggested changing the rate per can on the correct amount expended. She explained that four cans a month would cost the commercial business \$7.04 for the minimum and advised that it is too low and needs to be increased. She suggested doing an audit semi-annually on the commercial pickups and restructuring the billing and the structure of the commercial solid waste collections. She explained that for residential collection of solid waste taking into a full cost analysis annually is \$460.34 per household, which includes trash, construction debris, recycling, special pickups and yard waste. She showed that St. Johns County is \$230 for FY 2020 and will increase for the next five years. She explained that some cities bill in the utilities and some in the taxes. She explained that \$230 is more in line with other municipalities for what services are being provided. She commented that St. Johns County and other municipalities do not pick up construction debris and they limit the volume of waste being picked up at residential homes, which the City does not. City of St. Augustine provides their residents with one toter per residence and if they go over that, it will not be collected.

Discussion ensued regarding how the municipality tracks the toters; must use city provided toters; City is still doing the service whether the residence puts out or not; special pickup items are limited; mechanics on the pricing for each pickup if invoicing would be different; whether the cities have inhouse collections or use private companies; outsourcing for toters; residents sign up for the number of toters and they are charged per toter; cities bill inhouse; whether to ask St. Johns County if the City could bill through their utilities; increasing the solid waste collection fees annually per residence of \$156 or \$13 per month, which would give the City an additional \$436,000 annually of revenues; \$436,000 would go towards new vehicles, the Public Works facility, trash disposals, etc.; and vehicles usually are not housed in a facility because of combustible engines, unless the facility has a compression system; vendor to spray wash the vehicles that are used on the beach a couple times a week to keep the vehicles longer.

Mayor George pointed out for a \$200,000 home a \$156 would be a 30 -32% increase in the tax bill, which is significant and would not be an ad-valorem tax so they cannot be deducted in taxes. She commented that looking long-term it would be beneficial because it would be delegated to one purpose and could not be used for other purposes.

Commissioner Samora asked when the Commission would have to make a decision.

Finance Director Douylliez advised that an ordinance would have to be done by December 2019 in order to get it to the Property Appraiser's Office on time.

City Manager Royle advised that there are requirements for public hearing, which will be done, and the Commission could decide by public opinion whether to continue on with the ordinance.

Commissioner Rumrell asked to clean up the properties that are showing residential that are really commercial according to the City's code of ordinances. He advised that that would give another source of revenue. He advised that he would like to wait to see what money that gives before moving forward with this. He explained that if he can show residents a service being done at a value, then it would make sense to do.

Vice Mayor England asked how the Property Appraiser would charge the transient and short-term rentals if they were in a residential area.

Finance Director Douylliez advised that staff is currently charging commercial fees for those properties and staff would notify the Property Appraiser when any rental homes are active or inactive as rental homes for the next budget year.

Vice Mayor England asked about software that would make it more efficient to work with St. Johns County.

Finance Director Douylliez advised not, but she would research it.

Commissioner Kostka said that trash service is in the City Charter as a responsibility of the City and the City has been charging \$74 to supplement the trash pickup to defer the cost. She advised we don't want to increase over 100% when this year the Commission is asking the taxpayers to pay an additional 6% on top of the increase in property values and .5 mills for debt reduction. She suggested researching the commercial properties to see what the revenues would be once it changes from residential to commercial. She explained that a lot of the residents are on fixed income and how will they be able to afford the increases.

Commissioner Samora advised that he has an equally hard time with the way the City is doing things right now. He advised that he has the following concerns: 1) the City is already paying a non-ad valorem for part of the trash collection, which doesn't come to near covering the cost of it; 2) part of the reason we have to increase the millage this year is because the City had to replace the garbage truck which costs \$50,000 out of the General Fund each year for five years; 3) he explained that each tenth of a mill is \$137,000, which is 3 mills out of the General Fund for the garbage truck that would be done through the increase in the non-ad valorem solid waste collection fee, which could decrease the City's taxes; 4) tax bills are paid through the millage, which the commercial properties pay, so they are paying twice because they are paying separately; and 5) vacate land owners are paying for trash collection with no service. He advised that this non-ad valorem brings the cost in line with the services being received.

Commissioner Rumrell asked to clean up what we already have to see what monies we really have for solid waste collection. He explained that if there are more than five units, then they need to be charged at a commercial rate. He thanked staff for bringing in new ideas for revenues and he supports that, even if the Commission doesn't always agree. He commented that he is looking long-term.

Commissioner Kostka advised that she understands the rising costs and the need for more money, but should the City keep passing the burden off to the citizens. She explained that she is concerned about the fixed incomes and the larger houses compared to the smaller houses.

Mayor George asked what amount the increase should be and whether the Commission likes the structure of the non-ad valorem or ad valorem fees. She asked if the current ad valorem tax money could have an account that could be segregated for long-term capital improvements savings plan for major purchases like a new truck.

Finance Director Douylliez advised that that would be along the lines of funding the building and having a designated funding source, which would be set aside for that. She explained that designating a part of an ad valorem would need a referendum. She advised that the little bit of money that is left is going to the reserves to build that back up because they are being depleted because of not having additional resources for the Road and Bridge Fund, which are coming out of the General Fund. She commented that she doesn't see a way to segregate the funds unless there is a referendum.

Vice Mayor England advised that the Commission discussed that budget and did not get to do all the projects that were needed, and the Commission set it at 2.5 mills. She advised that the 2.3992 was steady for several years and she hopes that the Commission can keep steady the 2.5 mills for a while. She explained that the Commission needs other sources of revenues, which this is one. She commented whether the driver picks up one bag or two, the City still needs the personnel, the equipment and gas. She explained that the Property Appraiser already said to do it on square footage, but she advised that the way the staff is doing it by deciding which is commercial that includes rental property, and which is residential is more stable and doable. She commented that she wants to build up the reserves and by keeping this in a special account, the money would not be taken out of the General Fund and the reserves. She advised that the City needs to be a smart city. She remarked that she is in favor of reducing the cost of trash pickup if possible. She explained that it is time to build the reserves and looking in the future what the needs are for the City and not ignore it any longer.

Discussion ensued regarding the monies will go into the General Funds but will only be used for Public Works expenses.

Vice Mayor England asked if the funding would be constrained too much.

Mayor George advised what is proposed would constrain it.

Finance Director Douylliez explained that the \$436,000 would not go into a special fund that would be held. She explained that it would fund the general operation of the solid waste services annually, so it will offset the annual \$800,000 costs for solid waste services.

Mayor George advised that the \$436,000 can only be used for the service that it is meant to provide instead of any other projects.

Finance Director Douylliez advised that the \$436,000 would go into the General Fund and be used towards the \$800,000 of expenses, but that would free up the \$436,000 General Fund money we are using toward the solid waste services.

Mayor George asked if there was any way to do it by ad valorem taxes.

Finance Director Douylliez advised no, unless the Commission wants a referendum.

Commissioner Kostka advised that she would feel more comfortable with an ad valorem than a non-ad valorem tax.

Mayor George agreed.

Commissioner Samora asked if there was a way to assess ad valorem just to residential units or does it apply equally to vacant land.

Discussion ensued regarding whether vacant lots are paying the non-ad valorem tax; having the Property Appraiser tell the difference between approved and unimproved land; not charging a vacant lot owner for services they don't use; not using a private company, but doing the services inhouse; the increase in recycling costs when an Request for Proposal was done; whether to implement the non-ad valorem in stages, but designate it to a department to cover the expenses; what the costs are to do a referendum; getting public input; survey responses was 50 / 50 on a non-ad valorem tax , but the comments on how the Public Works Department is doing were very good; and not cutting back on the staff if the City wants to keep the services we have.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, commented that users should pay user costs; Commission cheating the condo units who pay the General Fund; suggested going to a private company and use the staff for Parks and Recreation Department.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, welcomed the new Finance Director; asked not to rush the process and continue paying with the millage, but to have hearings on whether the public wants the non-ad valorem tax or not; and the non-ad valorem taxes will continue to go up in the future.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Nick Binder and Commissioner Kostka that the non-ad valorem tax should not be done; vacant lot owners should still pay for solid waste pick up because it is part of the cost of a civil society; commented that if a portion of the City had non-for-profits, then a non-ad valorem tax would work; asked to put this out for referendum to have the people decide; and give the employees up to a living wage of \$15 an hour.

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

Mayor George asked City Clerk Raddatz to research the costs of a referendum per item and/or find out if it would be the same cost for multi items. She also requested the deadlines to go forward with a referendum. She asked staff what is required of the Commission now.

City Manager Royle advised that he would like to know where the Commission wants to move forward on the non-ad valorem tax or not. He advised that if the Commission wanted to proceed, then we would set up the notifications and hearings for the public. He suggested that the Commission should hold a special meeting on this subject. He also advised the Commission that they could stop this process at any time if the Commission doesn't want to continue to move forward.

Commissioner Rumrell asked if the commercial properties could be cleaned up so the Commission could see the real numbers before moving on with this action.

Finance Director Douylliez advised that the commercial properties are a large item that staff will need a couple of months to analyze. She also advised that the City needs to research whether these commercial units need a dumpster or not depending on the number of units they have. She explained that if more commercial properties go to dumpsters, the City would be getting 10% of the private company's revenues and will not be doing the services, which is found revenue for the City. She suggested moving forward with the residential properties first and then after staff has analyzed the commercial properties components, move forward with them second.

Mayor George asked if a duplex pays two \$74 fees.

City Manager Royle advised that he owns a duplex and yes both sides pay \$74 each.

Finance Director Douylliez advised that the commercial properties being taxed as residential units should have the ad valorem taxes removed and have them pay for a dumpster through their Homeowner Associations.

Public Works Director Tredik asked to move forward with this because the City is more vulnerable without a non-ad valorem tax than we are with it due to the financial impacts of storms. He explained that the City has guaranteed solid waste pick up, drainage, and drivable roadways to the citizens. Competing with funds that are want to have instead of need to have hurt the services that the City currently provides. He recommended moving forward with the non-ad valorem tax.

Mayor George asked for a motion.

**Motion:** to move forward to increase the non-ad valorem tax for residential solid waste pick up and disposal. **Moved by** Vice Mayor England, **Seconded by** Commissioner Samora.

Mayor George asked for a roll call vote.

City Clerk Raddatz read the roll call as follows:

<b>MAYOR GEORGE</b>	<b>No</b>
<b>VICE MAYOR ENGLAND</b>	<b>Yes</b>
<b>COMMISSIONER KOSTKA</b>	<b>No</b>
<b>COMMISSIONER RUMRELL</b>	<b>Yes</b>
<b>COMMISSIONER SAMORA</b>	<b>Yes</b>

Motion passed 3 to 2

Vice Mayor England asked what the latest date the non-ad valorem tax could be stopped.

City Manager Royle advised that he would have to find out for the Commission.

Vice Mayor England asked to clean up the commercial properties as quickly as possible in order to follow the City's codes. She advised that there might be loss of support if the City



does not reduce the overall costs of the commercial pick-ups and the overall costs. She suggested educating the public on this as well, so everyone understands it.

Mayor George advised that there will be more public meetings to get the word out to the citizens when moving forward. She explained that the survey was closed, but the public hearings would give the Commission more of the pulse of the citizenry.

City Manager Royle advised that now that the Commission has given direction to staff, they will move forward with the process, unless the Commission changes their mind. He commented that he would check on the deadlines for the Tax Collector. He explained the timeline given to the Commission in their books and what specific dates are necessary to complete the non-ad valorem tax roll for FY 2021.

Commissioner Kostka asked that the commercial aspect needs to be worked on as soon as possible.

Mayor George requested at the last Special Budget meeting to set a date for the first public hearing on this issue.

City Manager Royle advised that he give a report to the Commission on the timetable for the non-ad valorem tax public hearings and how staff is proceeding with the commercial components.

Commissioner Samora agreed with Mayor George and asked to give a report regarding the commercial industry progress.

Mayor George advised that the first public hearing would be in November and the second meeting would be in mid-December.

Commissioner Kostka said that we should have definite dates already since this was such a close deadline and that the City Manager should be prepared for any direction that the Commission decides to do.

It was the consensus of Commission to have a report at every Commission meeting and the plan for commercial clean up and billing.

## The 2019 Florida Statutes

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### Title XIV

### Chapter 197

### [View Entire Chapter](#)

#### TAXATION AND FINANCE      TAX COLLECTIONS, SALES, AND LIENS

#### **197.3632      Uniform method for the levy, collection, and enforcement of non-ad valorem assessments.—**

(1) As used in this section:

(a) "Levy" means the imposition of a non-ad valorem assessment, stated in terms of rates, against all appropriately located property by a governmental body authorized by law to impose non-ad valorem assessments.

(b) "Local government" means a county, municipality, or special district levying non-ad valorem assessments.

(c) "Local governing board" means a governing board of a local government.

(d) "Non-ad valorem assessment" means only those assessments which are not based upon millage and which can become a lien against a homestead as permitted in s. 4, Art. X of the State Constitution.

(e) "Non-ad valorem assessment roll" means the roll prepared by a local government and certified to the tax collector for collection.

(f) "Compatible electronic medium" or "media" means machine-readable electronic repositories of data and information, including, but not limited to, magnetic disk, magnetic tape, and magnetic diskette technologies, which provide without modification that the data and information therein are in harmony with and can be used in concert with the data and information on the ad valorem tax roll keyed to the property identification number used by the property appraiser.

(g) "Capital project assessment" means a non-ad valorem assessment levied to fund a capital project, which assessment may be payable in annual payments with interest, over a period of years.

(2) A local governing board shall enter into a written agreement with the property appraiser and tax collector providing for reimbursement of necessary administrative costs incurred under this section. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming.

(3)(a) Notwithstanding any other provision of law to the contrary, a local government which is authorized to impose a non-ad valorem assessment and which elects to use the uniform method of collecting such assessment for the first time as authorized in this section shall adopt a resolution at a public hearing prior to January 1 or, if the property appraiser, tax collector, and local government agree, March 1. The resolution shall clearly state its intent to use the uniform method of collecting such assessment. The local government shall publish notice of its intent to use the uniform method for collecting such assessment weekly in a newspaper of general circulation within each county contained in the boundaries of the local government for 4 consecutive weeks preceding the hearing. The resolution shall state the need for the levy and shall include a legal description of the boundaries of the real property subject to the levy. If the resolution is adopted, the local governing board shall send a copy of

it by United States mail to the property appraiser, the tax collector, and the department by January 10 or, if the property appraiser, tax collector, and local government agree, March 10.

(b) Annually by June 1, the property appraiser shall provide each local government using the uniform method with the following information by list or compatible electronic medium: the legal description of the property within the boundaries described in the resolution, and the names and addresses of the owners of such property. Such information shall reference the property identification number and otherwise conform in format to that contained on the ad valorem roll submitted to the department. The property appraiser is not required to submit information which is not on the ad valorem roll or compatible electronic medium submitted to the department. If the local government determines that the information supplied by the property appraiser is insufficient for the local government's purpose, the local government shall obtain additional information from any other source.

(4)(a) A local government shall adopt a non-ad valorem assessment roll at a public hearing held between January 1 and September 15, or between January 1 and September 25 for any county as defined in s. 125.011(1), if:

1. The non-ad valorem assessment is levied for the first time;
2. The non-ad valorem assessment is increased beyond the maximum rate authorized by law or judicial decree at the time of initial imposition;
3. The local government's boundaries have changed, unless all newly affected property owners have provided written consent for such assessment to the local governing board; or
4. There is a change in the purpose for such assessment or in the use of the revenue generated by such assessment.

(b) At least 20 days prior to the public hearing, the local government shall notice the hearing by first-class United States mail and by publication in a newspaper generally circulated within each county contained in the boundaries of the local government. The notice by mail shall be sent to each person owning property subject to the assessment and shall include the following information: the purpose of the assessment; the total amount to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the local government will collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing. However, notice by mail shall not be required if notice by mail is otherwise required by general or special law governing a taxing authority and such notice is served at least 30 days prior to the authority's public hearing on adoption of a new or amended non-ad valorem assessment roll. The published notice shall contain at least the following information: the name of the local governing board; a geographic depiction of the property subject to the assessment; the proposed schedule of the assessment; the fact that the assessment will be collected by the tax collector; and a statement that all affected property owners have the right to appear at the public hearing and the right to file written objections within 20 days of the publication of the notice.

(c) At the public hearing, the local governing board shall receive the written objections and shall hear testimony from all interested persons. The local governing board may adjourn the hearing from time to time. If the local governing board adopts the non-ad valorem assessment roll, it shall specify the unit of measurement for the assessment and the amount of the assessment. Notwithstanding the notices provided for in paragraph (b), the local governing board may adjust the assessment or the application of

the assessment to any affected property based on the benefit which the board will provide or has provided to the property with the revenue generated by the assessment.

(5)(a) By September 15 of each year, or by September 25 for any county as defined in s. 125.011(1), the chair of the local governing board or his or her designee shall certify a non-ad valorem assessment roll on compatible electronic medium to the tax collector. The local government shall post the non-ad valorem assessment for each parcel on the roll. The tax collector shall not accept any such roll that is not certified on compatible electronic medium and that does not contain the posting of the non-ad valorem assessment for each parcel. It is the responsibility of the local governing board that such roll be free of errors and omissions. Alterations to such roll may be made by the chair or his or her designee up to 10 days before certification. If the tax collector discovers errors or omissions on such roll, he or she may request the local governing board to file a corrected roll or a correction of the amount of any assessment.

(b) By December 15 of each year, the tax collector shall provide to the department a copy of each local governing board's non-ad valorem assessment roll containing the data elements and in the format prescribed by the executive director. In addition, a report shall be provided to the department by December 15 of each year for each non-ad valorem assessment roll, including, but not limited to, the following information:

1. The name and type of local governing board levying the non-ad valorem assessment;
2. Whether or not the local government levies a property tax;
3. The basis for the levy;
4. The rate of assessment;
5. The total amount of non-ad valorem assessment levied; and
6. The number of parcels affected.

(6) If the non-ad valorem assessment is to be collected for a period of more than 1 year or is to be amortized over a number of years, the local governing board shall so specify and shall not be required to annually adopt the non-ad valorem assessment roll, and shall not be required to provide individual notices to each taxpayer unless the provisions of subsection (4) apply. Notice of an assessment, other than that which is required under subsection (4), may be provided by including the assessment in the property appraiser's notice of proposed property taxes and proposed or adopted non-ad valorem assessments under s. 200.069. However, the local governing board shall inform the property appraiser, tax collector, and department by January 10 if it intends to discontinue using the uniform method of collecting such assessment.

(7) Non-ad valorem assessments collected pursuant to this section shall be included in the combined notice for ad valorem taxes and non-ad valorem assessments provided for in s. 197.3635. A separate mailing is authorized only as a solution to the most exigent factual circumstances. However, if a tax collector cannot merge a non-ad valorem assessment roll to produce such a notice, he or she shall mail a separate notice of non-ad valorem assessments or shall direct the local government to mail such a separate notice. In deciding whether a separate mailing is necessary, the tax collector shall consider all costs to the local government and taxpayers of such a separate mailing and the adverse effects to the taxpayers of delayed and multiple notices. The local government whose roll could not be merged shall bear all costs associated with the separate notice.

(8)(a) Non-ad valorem assessments collected pursuant to this section shall be subject to all collection provisions of this chapter, including provisions relating to discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.



(b) Within 30 days following the hearing provided in subsection (4), any person having any right, title, or interest in any parcel against which an assessment has been levied may elect to prepay the same in whole, and the amount of such assessment shall be the full amount levied, reduced, if the local government so provides, by a discount equal to any portion of the assessment which is attributable to the parcel's proportionate share of any bond financing costs, provided the errors and insolvency procedures available for use in the collection of ad valorem taxes pursuant to s. 197.492 are followed.

(c) Non-ad valorem assessments shall also be subject to the provisions of s. 192.091(2)(b), or the tax collector at his or her option shall be compensated for the collection of non-ad valorem assessments based on the actual cost of collection, whichever is greater. However, a municipal or county government shall only compensate the tax collector for the actual cost of collecting non-ad valorem assessments.

(9) A local government may elect to use the uniform method of collecting non-ad valorem assessments as authorized by this section for any assessment levied pursuant to general or special law or local government ordinance or resolution, regardless of when the assessment was initially imposed or whether it has previously been collected by another method.

(10)(a) Capital project assessments may be levied and collected before the completion of the capital project.

(b)1. Except as provided in this subsection, the local government shall comply with all of the requirements set forth in subsections (1)-(8) for capital project assessments.

2. The requirements set forth in subsection (4) are satisfied for capital project assessments if:

a. The local government adopts or reaffirms the non-ad valorem assessment roll at a public hearing held at any time before certification of the non-ad valorem assessment roll pursuant to subsection (5) for the first year in which the capital project assessment is to be collected in the manner authorized by this section; and

b. The local government provides notice of the public hearing in the manner provided in paragraph (4)(b).

3. The local government is not required to allow prepayment for capital project assessments as set forth in paragraph (8)(b); however, if prepayment is allowed, the errors and insolvency procedures available for use in the collection of ad valorem taxes pursuant to s. 197.492 must be followed.

(c) Any hearing or notice required by this section may be combined with any other hearing or notice required by this section or by the general or special law or municipal or county ordinance pursuant to which a capital project assessment is levied.

(11) The department shall adopt rules to administer this section.

**History.**—s. 68, ch. 88-130; s. 7, ch. 88-216; s. 8, ch. 90-343; s. 2, ch. 91-238; s. 1013, ch. 95-147; s. 1, ch. 97-66; s. 1, ch. 2003-70; s. 10, ch. 2008-173; s. 13, ch. 2016-128; s. 11, ch. 2018-110.

**Residential Solid Waste  
Non-Ad Valorem  
Commission Meeting, October 7, 2019**

In review of the current expenses for Solid Waste collection within the City, I utilized the Solid Waste Disclosure Calculation from FY18. This spreadsheet considers all expenses directly associated with our solid waste services, as well as indirect costs allocated by the number of employees charged to the Solid Waste department.

The totals distribution is as follows:

	<u>Monthly</u>	<u>Annual</u>
Cost of Solid Waste Collection	\$20.98	\$251.74
Cost of Solid Waste Disposal	\$12.84	\$154.12
<u>Cost of Recycling</u>	<u>\$4.54</u>	<u>\$54.48</u>
<b>Total</b>	<b>\$38.36</b>	<b>\$460.34</b>

Currently, each developed property is assessed a \$74 Non-Ad Valorem fee for the disposal portion of solid waste services within the City of St. Augustine Beach. We are proposing to add an additional Non-Ad Valorem assessment in the amount of \$156 to fund expenses within the Solid Waste Department. These charges would be split between Recycle and Collection, bringing the total amount annually to \$230 per developed property. This amount would be in line with what St. Johns County is currently charging for similar services beginning Fiscal Year 2021.

Increasing the Non-Ad Valorem Assessment would achieve the following goals:

- Reduce the amount of General Fund Revenue needed to maintain the department
- Continue the excellent level of service provided to our residents, including weekly collection of garbage, yard waste, bulk items, and household recycling services.
- Quick cleanup and removal of storm related debris as needed
- Allow for replacement of equipment as needed without the need of outside financing
- Free up revenue within the General Fund for other projects

The proposed break down of the Non-Ad Valorem will be:

Disposal	\$74.00
Collection	\$112.80
Recycle	\$43.20

**Commercial Solid Waste  
Commission Meeting, October 7, 2019**

Commercial Solid Waste collection within the City of St. Augustine Beach is currently being handled in two ways – services provided by the City and services contracted with outside vendors.

The commercial customers serviced by the City of St. Augustine Beach fall into four categories:

- Transient Rentals
- Condominium and Apartment Complexes
- Businesses
- Recycle

Each of these categories should be addressed individually in order to make the best decision for both the City and the customer.

**Transient Rentals**

Transient rentals are defined in our code as:

*St. Augustine Beach, Florida - Code of Ordinances APPENDIX A - LAND DEVELOPMENT REGULATIONS  
ARTICLE II. - DEFINITIONS Sec. 2.00.00. - Definitions as used in this Appendix.*

**Transient Lodging Establishments**—Any unit, group of units, dwelling, building, group of buildings within a single complex of buildings, or any similar place which is rented for a period of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to transients.

Transient rental homes are disbursed throughout the City in our residential neighborhoods. These units are considered a business and must hold a Business Tax Receipt and comply with our regulations in order to continue to business within the City. Since these units are mixed within our neighborhoods, the City must continue to provide the solid waste services. The customers are currently being charged \$1.76 per container equivalent, with a minimum of four equivalents per month. We currently have 140 transient rentals being billed monthly. What I would propose is a Non-Ad Valorem Assessment be placed on these units for the full cost of solid waste services. The annual cost assessed, based upon the FY18 Solid Waste Disclosure Calculation, would be \$460.34.

**Condominium and Apartment Complexes**

Condominium and Apartment complexes are defined in our code as:

• **ARTICLE I. - IN GENERAL - Sec. 10-1. - Definitions.**

*The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:*

**Commercial service premises** means a service premises used primarily for any business or commercial use; and shall include apartment buildings or complexes having more than five (5)

dwelling units, condominiums having more than five (5) dwelling units, motels, hotels, and any property owned by any governmental entity.

We are not currently applying our definition equally to these types of complexes. We have some multi-unit facilities which have more than (5) dwellings which are being considered residential and billed the current Non-Ad Valorem Assessment, receiving full residential services, and we have others who are not receiving the current Non-Ad Valorem Assessment and they are receiving recycle services at a cost to the City.

### **Businesses**

Businesses within the City range from small offices to hotels and the number of containers collected weekly can vary from one container equivalent to forty. The collection services are performed on the same routes with our residential services and our employees are required to list the number of container equivalents collected at each stop, so the customer may be billed at the end of the month. These services are provided at a cost of \$1.76 per container equivalent, with a minimum of four equivalents per month. In addition to tracking the number of container equivalents collected at each location, the numbers are entered into a database and then transferred to the billing system to generate invoices for each customer. The invoices are then mailed/emailed to the customer for payment. Payments must be posted in the system and accounts which become past due must be managed by the staff in order to keep the accounts current.

### **Recycle**

Businesses, Condominium and Apartment complexes within the City can sign up for recycle services under the City's contract with Advanced Disposal. Under this contract, the City manages the accounts by billing the services to the customer and the City pays for the services with the monthly invoice billed from Advanced Disposal. The expenses incurred by the City for the management of these services include staff time and supplies for the preparation, billing, and collection of payment, as well as coordination of changes to service levels between the customer and Advanced Disposal. These services are only a cost to the City, without any monetary benefit.

Below are a few ways we can manage the Commercial Solid Waste and Recycle for Businesses, Condominiums and Apartments:

- Review each condominium and apartment complex to ensure they are charged correctly under the City's code
- Review each location and determine the needs of the customer, deciding if a dumpster should be placed at the location.
- Require businesses, condominiums and apartments to contract for their own trash and recycle services
- Continue to collect small businesses, under the limit for a dumpster and bill based upon the full Non-Ad Valorem Assessment being imposed on Transient Rentals



## MEMORANDUM

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

**FROM:** Max Royle, City Manager 

**DATE:** September 24, 2019

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

### INTRODUCTION

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

At its September 17<sup>th</sup> 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 10<sup>th</sup> 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 17<sup>th</sup> meeting when it reviewed the changes and provided recommendations to you.
- c. Pages 9-12, the changes with the Board's recommendations highlighted.

### 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 Mr. Law has proposed.

The City Attorney can then put the changes you approve in an ordinance for consideration at your November 4<sup>th</sup> 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 16<sup>th</sup> Street and those portions South of F Street and North of Ponce Landing.~~

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. ReservedTree 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 <sup>1</sup>
Low density residential	<del>0.40</del> <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.	<del>25</del> <u>20</u> ft.	<del>15</del> <u>12</u> 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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## MEMORANDUM

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

**FROM:** Max Royle, City Manager 

**DATE:** September 20, 2019

**SUBJECT:** Bocce Ball League: Request to Use Bocce Courts on City Property at Pier Park

Attached is a letter (page 1) from Mr. Michael Castango, who requests the use of the existing bocce ball courts that are on City property south of pier park. The courts would be used by a new bocce ball league. The league's proposed rules are attached as pages 2-9.

As Mr. Castango's proposal concerns the use of City property, we are bringing it to you for your review and approval.

If you decide to approve it, then we suggest that you also decide whether the approval is to be open ended, i.e., no end date, or to be for a specific term, perhaps five years. You may also want to include other conditions, such as insurance requirements and holding the City harmless.

Mr. Wilson can then draft an agreement between the City and the league with the terms that you want in it, and the agreement can be brought back to you for approval at your November 4<sup>th</sup> meeting,

Representatives from the league will be at your meeting to present the proposal and answer any questions you may have.

September 11, 2019

City of St. Augustine Beach

2200 A1A South

St. Augustine Beach, FL 32080

RE: Pier Park Bocce Ball Courts

Dear Mr. Royle,

Recently I reached out to the St. Johns County Parks and Recreation Department requesting an organized Bocce Ball League be held at the Pier Park courts. Unfortunately an MOU will be necessary and I was told this will take months to accomplish.

Therefore, it was suggested to approach the city to determine if it would be possible to start a senior bocce league at the pier without county participation.

Per your recommendation the Parks and Recreation staff reached out to the Sons of Italy to ensure there currently was not a league being offered at the Pier or that they objected to a formalized league being offered. The Sons of Italy did not object to the possibility of a county organized league.

St. Augustine Bocce League (proposed name) would like to request use of the St. Augustine Beach Bocce Ball Courts located at the Pier to provide a recreational league for the local residents. Teams will register with the league and pay a \$20 per player registration fee. This fee is part of the Board of County Commissioners approved fee schedule to address cost recovery of programs.

Below are the league details:

1. The league will be held at least once a week at the courts
2. Teams will register with the League
3. We will set up the league rules and provide a league schedule with the help of the county officials.
4. We will attend games to collect scores.
5. The purpose of this league is to foster use of the bocce courts, teaching bocce, participating in team sport, socialization, and FUN, and put these beautiful courts to use.
6. To date over 30 people have showed an interest and most are women.

Please advise on if any additional information is needed to move forward with organizing this league.

Michael R Castango

## ST AUGUSTINE BOCCE LEAGUE RULES

### A) INTRODUCTION - CITY OF ST AUGUSTINE SERVICES DEPARTMENT BOCCE LEAGUE RULES AND REGULATIONS:

- a. Welcome to the City of St Augustine Services Department Adult Bocce Program.
- b. The information and rules below are specific to our league and it is expected that all team managers are familiar with and abide by them.
- c. It is the team manager's responsibility to ensure that all players have read through the rules and regulations and abide by them.
- d. The game of Bocce is played with eight (8) large bocce balls and one (1) small target ball called the "pallino."
- e. The object of the game is to roll the bocce ball closest to the pallino.
- f. There are two (2) balls per person, with four (4) players that make up a playing team.
- g. Two (2) players from each team are stationed at each end of the court for each game. **The first team to score ten (10) points wins the game (must be won by 2 points).**

### B) LEAGUE REGULATIONS:

- a. Starting Time: Matches are played on weekday evenings, and will begin at times designated by The City, prior to the start of the season.
- b. Matches consist of three (3) games, or a total time limit of one (1) hour and forty-five (30) minutes.
- c. A team not present within fifteen (10) minutes of the scheduled starting time forfeits game one (1).
- d. A team not present within twenty-five (20) minutes of the scheduled starting time forfeits game two (2).
- e. A team not present within thirty (25) minutes of the scheduled starting time forfeits game three (3).
- f. The opposing team may not waive starting time forfeits.

### C) LEAGUE SEASON AND PLAYOFFS:

- a. League season will last 6 weeks and 1-2 weeks for playoffs.
- b. Playoff schedule will be determined after final week of regulation play and posted accordingly.
- c. All teams in the league at the end of the season will make the playoffs.
- d. If there is a tie in the standings the first tiebreaker will be the team with the highest overall point differential, then the team with the highest overall game points, then the team pulled from the hat.

### D) REGISTRATION FEES:

- a. **There will be a registration fee of \$XX.00 per team.**



## ST AUGUSTINE BOCCE LEAGUE RULES

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### **E) START OF MATCH:**

- a. The match shall begin with the flip of a coin between the capos (captains) from each team.
- b. The winner of the coin flip may have the first toss of the pallino, or choose the color of the balls.
- c. If playing the same team in the next game, players must switch ends between games and the winning team throws the pallino to start next game (players may be replaced by substitutes, however, a player never plays 2 consecutive games from the same end of the court). If playing a different team, play starts over with the coin toss and players may be reassigned as desired by the captain.
- d. Each team will have one ball to throw (ball may be thrown by any player that the team designates as their representative).
- e. A player may toss the pallino any distance so long as the pallino passes the center line of the court and does not hit the back wall.
- f. If a player fails to validly toss the pallino after one attempt, the opposing team will have a chance to toss the pallino and put it in play.
- g. If the opposing team fails to toss the pallino past the center line the pallino reverts to the original team.
- h. Once pallino is in play, the pallino can be knocked anywhere on the court except back over the center line or out of the court (frame ends, play resumes at opposite end, and same team throws the pallino).
- i. In any case, when the pallino has been properly put in play, the first bocce ball will be thrown by the team who originally tossed the pallino.

### **F) PLAY THE GAME:**

- a. The team, who originally tosses the pallino, whether successfully or not, throws the first bocce ball.
- b. If the bocce ball hits the back board, that team must roll in its original position. The thrown ball is removed from play.
- c. If a player rolls the wrong colored ball, simply replace it with the correct color when the ball comes to rest.
- d. If a player rolls out of turn the opposing team may leave everything, including the thrown ball, exactly where it is or may return any moved balls to their approximate original positions and remove the thrown ball from play.
- e. If a bocce hitting the backboard is not removed quickly enough and, as a result, strikes a moving ball that likely would have hit the backboard, allowing the moving ball to remain in play, that moving ball remains in play where it comes to rest.
- f. Balls may be bounced off or played against sideboards.

## ST AUGUSTINE BOCCE LEAGUE RULES

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### G) PALLINO:

- a. Once the pallino has been validly put into play, it remains in play even if it hits the backboard.
- b. However, if the pallino is knocked out of the court or it is knocked in the front of the center line, the frame will end, no points are awarded, and the game will resume from the opposite end of the court with the same team tossing the pallino.

### H) FOUL LINE:

- a. Player's movements are limited to the foul line.
- b. The player may step on, but should not step over the foul line before releasing the pallino or bocce ball.
- c. If the intent of the foot foul rule is abused, the offending player may be removed from the game by a director of the **St Augustine Bocce League**.
- d. When a player releases the pallino or bocce, both feet must be on the court unless the player has a significant physical impairment.

### I) SHOOTING:

- a. Shooting is lofting the ball in the air beyond the center of the court. Shooting is allowed if the thrown ball hits the ground before hitting the ball.
- b. If the thrown ball does not hit the ground first, everything goes back to its approximate original position. The thrown ball is out of play.

### J) DISPUTES:

- a. The teams playing will referee their own game unless the League has supplied a referee.
- b. Any dispute which cannot be resolved by the team capos shall be decided by one member of the **St Augustine Bocce league**.
- c. Upon his/her decision the game shall continue.
- d. Reviews of any disputes will be handled in a fair and speedy [manner](#).

### K) SCORING:

- a. Only the "inside" team scores.**

## ST AUGUSTINE BOCCE LEAGUE RULES

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- b. One point is given for each ball of the inside team that is closer to the pallino than any ball of the opposing team. Any Bocce leaning/kissing on the Pallino (a Baci) is scored as 2 points. Two Bocci of opposing teams equidistant from the Pallino cancel each other out, and no additional points are scored for those Bocci and any Bocci beyond them.
- c. If at the end of any frame the closest ball of each team is equidistant from the pallino, the frame ends in a tie and no points are awarded to either team.
- d. The game will resume from the opposite end of the court with the same team tossing the pallino.
- e. Capos of each team are responsible for keeping the score sheet and for reporting the results of the match.
- f. The team who scores 10 points wins the game (must win by 2 pts).

### L) MEASUREMENTS:

- a. All measurements (by league supplied measuring tape) should be made from the inside dimensions of the bocce ball to the inside dimension of the pallino.
- b. Only an **official** and **one representative** from each team may be present for the measurement.
- c. If both teams agree on which team has the point(s) and it is later determined that a mistake has been made, all balls played are valid.
- d. If both teams have balls remaining, the team that does not have the closest ball to the pallino rolls again.
- e. If all balls have been played, points are awarded based on the balls that are actually closest to the pallino in accordance with the "Scoring" rule.

### M) PROTESTS:

- a. A protest will be considered valid only if the opposing capo is notified at the time of the dispute (before the next frame begins) and the game is officially recognized as being played under protest.
- b. All protests must be submitted in writing to the **St Augustine Bocce league** within 72 hours of the disputed game.
- c. Their decision will be final.
- d. A \$5.00 fee must accompany all written protests. The fee will be returned if the protest is valid.



## ST AUGUSTINE BOCCE LEAGUE RULES

### N) FORFEITS:

- a. If a team forfeits any three matches, they will be dropped from league play and the team capo will be notified by mail.
- b. **All games previously played will be null and void.**

### O) TIME LIMITS:

- a. One (1) hour (45) forty-five minutes is the maximum time limit for any match.
- b. After one (1) hour (45) forty-five the match ends (including the current game being played) at the conclusion of its current frame, and whichever team is ahead at that time wins the last game.
- c. No game shall end in a tie. In the event that a game is tied, there will be a "roll off" between the two teams.
- d. In the event that time runs out before the third game has begun play, there will be a "roll off" between the two teams.
- e. The teams will have a coin flip to determine who will roll the pallino.
- f. The team that wins the coin flip will then decide if they want to roll the pallino and go first or if they would like the other team to do so.
- g. Each team will have one ball to throw (ball may be thrown by any player that the team designates as their representative).
- h. The ball that is closest to the pallino wins a point and the game. Score will be recorded as 3-0 in favor of the team that won the "roll off".

### P) SCHEDULE CHANGES AND RESCHEDULED GAMES:

- a. **Schedule cancellations will be made by 4 PM by league officials.**
- b. **The league officials reserve the right to make cancellations after 4 PM.**
- c. **Games may not be rescheduled unless both capos agree.**
- d. All rescheduled games must be played no later than one week after the originally scheduled date.

### Q) PLAYERS:

- a. All completed rosters must be turned into the Federation before the deadline. The deadline is the scheduled third game for the team.
- b. No more than 8 people maybe on the roster and no less than 5.
- c. A person can only play on one team in the open league.
- d. A team forfeits any game in which they play a non-roster player.
- e. The opposing team may not waive non-roster player forfeits.
- f. If a team fields less then 2 players, the game is a forfeit.
- g. A 2 or 3 member team may play throwing only 2 balls per player.

## ST AUGUSTINE BOCCE LEAGUE RULES

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- h. A 3rd or 4th player arriving late may enter the game after the completion of the frame.
- i. There is a minimum age limit of 55, however no more than 1/2 of the team may be under the age of 65 and at least one person in every game must be 65 or over.
- j. A team may make one substitution per game. Substitutions may only be made between frames. **A team with 4 players on the court may make up to four substitutions between games but only one substitution during a game. A player replaced during a game cannot reenter that game or the next game.**
- k. No player may play two consecutive games from the same end of the court.
- l. Players need not alternate throws. Consecutive or alternating throws by teammates shall be at the option of the players.
- m. **Players must remain behind the hitting foul line at all times except the thrower may go out to the center line just prior to throwing to observe the position of balls on the court.**
- n. **Players may request an "IN" count or a measurement at any time. An "IN" count is not official until all 8 balls have been played and necessary measurements made.**
- o. **Players may converse with one another but only with players on their end of the court. Only hand signals may be used with players at the opposite end of the court.**
- p. **Players shall not talk to or interfere with a thrower on the court prior to the release of the ball. When the thrower is on the court, all other players must be off the court and remain behind the backboard.**
- q. **No player may go up to the balls and instruct a team player how or where to throw the ball.**
- r. **Player practice after the game start time is limited to one complete frame in each direction.**
- s. **To preserve the condition of the clay court, players shall minimize walking on the court**

### P) CONDUCT AND CURTESY:

- a. Team captains are responsible for the actions of their players.
- b. If a player is standing in the playing half of the court while the opposing team requests that the player step aside, that request should be honored.
- c. Only participating players should be on the court while the game is in progress. Spectators are not allowed on the courts at anytime during regulation play.
- d. Courtesy and respect should be displayed at all times. Profanity and unsportsmanlike conduct is not permitted. Violations may result in a warning by a ruling official to the player and team captain. Severe violations or a violation after a warning may result in the player's expulsion by the ruling official from the game or match.
- e. **Our Bocce league is family friendly and has a diverse group of people. We believe teams and players should respect each other and conduct themselves**



## ST AUGUSTINE BOCCE LEAGUE RULES

- in an appropriate fashion. We ask that NO team offends, talks offensively, or creates hate speech. Hollering will not be tolerated.
- f. We reserve the right to discuss this with individuals and eject or suspend a player/team that acts unprofessionally or without respect.
  - g. No violence will be tolerated and those involved will be suspended for the match and for 3 additional matches
  - h. All trash, pop tops, cigarette butts, etc. are to be discarded in appropriate containers.
  - i. Bike riding is prohibited on or around the courts.
  - j. Alcohol: No player shall appear upon the day of play at any time in an intoxicated condition. City Staff is required to immediately suspend player from further play and report player to the League Director.
  - k. Dress Code is determined by League Officials. Teams may wear team shirts that have approved by the League.
  - l. Any Music must be deemed acceptable (to be determined by referee or league official) and played at a reasonable level.

### Q) OFFICIAL REFEREES:

- a. Referees shall be qualified bocce experts and fully knowledgeable of the league/tournament rules.
- b. Referees shall have a copy and enforce all game rules.
- c. All "IN" determinations and measurements are made by the Referee. (Measurements may be made with any device that reliably and repeatably indicates the difference between the measurements.)[?]
- d. The referee determines the points for each frame and reports the point score to scorekeepers.
- e. The referee shall not give advice to either team or coach players as to where to direct their throw.
- f. The referee has the final word in disputes and must document any formal objections/protests for future action by the club/league/tournament committee.
- g. Formal objections/protests must be made by the team captain before the next ball is played.
- h. A referee for valid reasons may allow a time-out up to 10 minutes maximum.
- i. The official referee has the option, after one or more warnings to the player and team captain, to eject a player for continued rule violations, arguing, or disrupting play.

### R) TEAM PLAY WITHOUT OFFICIAL REFEREES:

- a. Team Captain assigns team members to each end of court. Team Captain appoints one of the team members at the opposite end of the court to be the 'End Captain' for that end. The Team Captain is the 'End Captain' for their end of the court.


## ST AUGUSTINE BOCCE LEAGUE RULES

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- b. The End Captain determines who throws and in what order for the team members on their end of the court.
- c. The End Captain of each team at the non-throwing end of the court stand at the side of the court near the pallino and serve as the referees (Official Referee rules apply). If they agree on the 'IN' color they notify the other end of which color should throw. If they disagree, they measure and then notify the other end of which color should throw. The same procedure applies to determining the point count. [2]
- d. The End Captains report the point score to scorekeepers.
- e. The End Captains are the only 2 people allowed on the court to make measurements, determine points, and return balls. All other players must remain behind the end backboards at these times.
- f. The End Captains refereeing can not verbally coach their team members on the throwing end, however, they can give hand signals but only from the side of the court. They can respond on the court to a thrower's question as to which balls are 'IN'.

**MEMORANDUM**

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

**FROM:** Dariana Fitzgerald, Deputy City Clerk 

**DATE:** September 13, 2019

**SUBJECT:** Resolution 19-09 on Recognizing the Threat of Climate Change and Global Warming

At their September 12, 2019, regular meeting, the Sustainability and Environmental Planning Advisory Committee approved the attached resolution drafted by Committee member Craig Thomson on recognizing the threat of climate change and global warming.

SEPAC would like the City Commission to review the resolution and decide whether to approve it.



## Resolution 19-09

CITY OF ST. AUGUSTINE BEACH  
ST. JOHNS COUNTY  
FLORIDA

RE: RECOGNIZING THE THREAT OF  
CLIMATE CHANGE AND GLOBAL  
WARMING

The City Commission of St. Augustine Beach, St. Johns County, Florida in a regular meeting duly assembled on October 7, 2019, resolves as follows;

**WHEREAS**, global warming and climate change are threatening quality-of-life and welfare of current citizens and future generations living in our City.

**WHEREAS**, global warming and climate change are causing, sea level rise and more intense storm events, which threaten our residents and businesses with the perils of catastrophic flooding and the loss of our urban forest canopy

**WHEREAS**, the City of St. Augustine Beach is committed to preserving our urban tree canopy, beaches and dunes, and natural waterway resources.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida;

**Section 1:** The City Commission supports adopting sustainable practices for restricting stormwater runoff, conserving water usage, and protecting the natural water resources and wildlife habitats of our island community.

**Section 2:** The City Commission supports developing and enacting policies and initiatives for energy conservation, and the use of clean energy to reduce the threat of global warming for future generations.

**RESOLVED AND DONE**, this 7<sup>th</sup> of October, 2019, by the City of St. Augustine Beach, St. Johns County, Florida.

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Mayor Undine C. George

ATTEST:

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City Manager

**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 4<sup>th</sup> 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.**

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING  
OCTOBER 7, 2019**

**CODE ENFORCEMENT/BUILDING/ZONING**

The report is attached as page 1.

**COMPREHENSIVE PLANNING AND ZONING BOARD**

The Board did not meet in August. Attached as pages 2-9 are the minutes of its September 17, 2019, meeting.

**SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE**

The minutes of the Committee's August 8, 2019, meeting are attached as pages 10-16.

**POLICE DEPARTMENT**

Please see page 17.

**PUBLIC WORKS DEPARTMENT**

Please see pages 18-20.

**FINANCE/ADMINISTRATION**

Please see page 21.

**CITY MANAGER**

**1. Complaints**

**A. No Crosswalk Flags at 13<sup>th</sup> 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 12<sup>th</sup> 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 13<sup>th</sup> Street.

**2. Possible Sewer Line Break for House on Oak Road**

This complaint was forwarded for action to Mr. Bill Young, County Utility Department Director.

**3. Condition of Intersection of Kings Quarry Lane and 16<sup>th</sup> Street**

This complaint was forwarded to Mr. Bill Tredik, the City's Public Works Director.

**4. Major Projects**

A

## A. Road/Sidewalk Improvements

### 1) Pedestrian Safety at Crosswalks on A1A Beach Boulevard

Residents have requested pedestrian flags at the 8<sup>th</sup> and 13<sup>th</sup> streets crosswalks. As the County owns the Boulevard, these requests were forwarded to it. The County staff replied that standards for crosswalks in the Traffic Engineering Manual state that the minimum distance to the nearest crosswalk is 300 feet and that a crossing that comes between 100 and 300 feet from the nearest crosswalk must be documented by an engineering report. The County staff also reported that the volume of pedestrians crossing at each intersection does not justify a crosswalk.

Chief Hardwick and Bill Tredik, the Public Works Director, met in June with County staff about pedestrian safety improvements along the Boulevard. The County has agreed to allow crosswalks at 9<sup>th</sup> and D Streets. The crosswalk at D Street has been done. No information about when the 9<sup>th</sup> Street one will be done.

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

There has been no action by the owners of the lots on 2<sup>nd</sup> Street west of 2<sup>nd</sup> Avenue to open that street. The owners would have to sign an agreement and pay in advance the costs to construct the utilities and the road, just as the owners of the lots adjacent to 8<sup>th</sup> Street between the Boulevard and 2<sup>nd</sup> Avenue did. The Public Works Director has sent a letter to the owners of the lots along this section of 2<sup>nd</sup> Street, asking them if they would support the opening of 2<sup>nd</sup> 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 21<sup>st</sup> with the residents and property owners, to explain the project to them and learn whether they are in favor of it. Twelve persons attended. Most were not in favor of the sidewalk but asked that a speed bump be put on this section of A Street and that drainage improvements be done. As A Street is owned by the County, the Public Works Director will ask the County whether it will approve these proposals. At its June 12, 2018, meeting, the City Commission approved submitting the sidewalk and two other projects to the Tourist Development Council for funding by bed tax revenue. However, according to the County Administrator, Mr. Michael Wanchick, it is unlikely that bed tax funds for projects will be provided to our City and to St. Augustine. The City's Public Works Director, Mr. Bill Tredik, has suggested to the City Manager that instead of a sidewalk the shoulders on each side of this section of A Street be widened to provide more paved area for pedestrians and vehicles. Mr. Tredik and the City Manager will hold another town hall meeting with the residents and property owners along this section of A Street. One was held nearly two years ago, the residents/property owners were not in favor of the sidewalk.

## B. Beach Matters

### 1) Off-Beach Parking

In response to the Commission's request, the Planning Board has recommended a residential parking permit plan. Though discussion of the parking plan was on the agenda for the City Commission's June 5, 2017 meeting, the Commission decided to postpone the topic to a future joint meeting in the spring with the Planning Board. The Commission held a special meeting on Monday, March 19, 2018, with the Planning Board to discuss the parking plan. Mayor George at the meeting spoke of Gainesville's pay by phone parking system and suggested the City explore having a similar system. The Commission reviewed the information obtained from Gainesville at its April 2<sup>nd</sup> meeting and authorized the advertising of a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20<sup>th</sup> deadline. At its continuation meeting, the Commission decided to let St. Augustine implement its pay-by-phone system first, which will likely happen early in 2019. St. Augustine is using one of the six vendors, Passport, that responded to the City's Request for Proposals. The County Administrator suggested to the City Manager that the County and the City should have the same pay-by-phone system because the pier park is in the City's limits. The County at that time was in the process of advertising for proposals for a parking management plan. However, the City Commission decided that the City should have the same system St. Augustine has because that city was further along in its plans to adopt a system. The Commission discussed the details about the pay-by-phone parking system offered by Passport Parking at its November 13<sup>th</sup> meeting and held a special meeting December 17, 2018. A representative from Passport, Ms. Kelsey Owens, explained the system and the City's Information Technical Manager, Mr. Anthony Johns, provided answers to the questions the Commission had raised at its November 13<sup>th</sup> meeting. The Commission made a number of decisions, such as agreeing that the per-hour parking fee will be 50 cents for residents, \$1.25 for St. Augustine residents, if that city allows St. Augustine Beach residents to park in St. Augustine for its discounted parking fee; and \$2.50 for non-residents. The Commission scheduled a special meeting on Tuesday, January 8, 2019, to review the proposed contract with Passport and consider an ordinance adopting the per-hour parking fees. However, at the meeting, the Commission decided that the City should be a partner with the County and use the same pay-to-park system that the County adopts for the pier park and other off-beach parking areas. The County received several responses to its Request for Proposals by the February 21<sup>st</sup> deadline. The County staff reviewed them on March 7<sup>th</sup> and recommended to the County Commission at its April 2<sup>nd</sup> meeting that the County staff negotiate with Republic Parking System. The County Commission approved this recommendation. At its April 29<sup>th</sup> meeting, the City Commission decided that the City staff is to be involved with the County staff in the negotiations with Republic.

Also, at its April 29<sup>th</sup> meeting, the City Commission made changes to a proposed ordinance to establish a residential parking permit program. That ordinance as well as one to amend the parking regulations in Chapter 19 of the City Code will be on the agenda for the Commission's June 10<sup>th</sup> meeting. To date, the residents of two streets west of the Boulevard, 13<sup>th</sup> and 14<sup>th</sup>, have requested the parking permit program, as have the residents in the 100 block of 10<sup>th</sup> Street between 2<sup>nd</sup> Avenue and the Boulevard.

In the meantime, Mayor George held a town hall meeting on Thursday, February 28<sup>th</sup>, at the Courtyard Marriott, from 5:30 p.m. to 7:00 p.m. Its purpose was to receive suggestions from the public about paid parking, how to protect the residential neighborhoods from becoming parking lots, and how to enforce the City's parking regulations. The City Commission then held a special meeting on Tuesday, March 5<sup>th</sup>, starting at 6 p.m., to discuss paid parking options with the residents. The Commission decided the following at that meeting:

- Hourly parking fee: \$2.00
- Discount for County residents: 50 cents

- St. Augustine Beach residents: no charge if resident registers at city hall for free parking
- Ocean Hammock Park: \$1 an hour
- Maximum fee per day: \$15
- Hours when paid parking would be in effect: 9 a.m. – 5 p.m.
- Days of year paid parking in effect: 365
- Paid parking locations: improved parking lots along A1A Beach Boulevard. No paid parking in residential areas, especially along 2<sup>nd</sup> Avenue.
- Parking areas shared with businesses: remain as unpaid areas

At its April 29<sup>th</sup> special meeting, the City Commission reviewed an ordinance for a Resident Only parking system, made changes to it, and asked the City Attorney to prepare a new draft, which was reviewed at the June 10<sup>th</sup> regular meeting, and passed on final reading at the Commission's July 1<sup>st</sup> 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 29<sup>th</sup> meeting, the Commission discussed a proposal to lease the vacant land south of the Marriott Hotel as a parking lot. The land is owned by the company that owns the Marriott. The owner has proposed that the City lease the land for 3-5 years and in lieu of rent pay the yearly taxes on the land. The six commercial lots that the City would use for parking would provide 102 parking spaces, include eight handicapped spaces. The costs to make the land suitable for parking would be about \$100,000. The Commission made no decision concerning the lease.

In the meantime, the County solicited proposals for a parking management plan. The County Commission at its April 2<sup>nd</sup> meeting approved the staff negotiating with Republic Parking. The City Commission at its April 29<sup>th</sup> meeting agreed that City staff should participate with the County in the negotiations, on the premise that having a unified parking plan for the County's pier parking lot and the City's paid parking areas would benefit the residents and visitors who use the lots. The City 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. No date has yet been set by the County for when this decision will be made.

### 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.

## 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.

## 5. Construction in the City

As of Tuesday, September 26, 2019, there were 43 permits active for single-family residences in the City.

<b>SUBDIVISION</b>	<b>ADDRESS</b>	<b>DATE PERMIT ISSUED</b>	
<b>Anastasia Dunes</b>	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
<b>Anastasia Park</b>	491 Pyrus Street	10/01/2018	Active permit #14180
<b>Atlantic Beach</b>	7 16 <sup>th</sup> Street	07/05/2018	Active permit #14035
	12 13 <sup>th</sup> Street	09/09/2019	Active permit #P1915242
<b>Chautauqua Beach</b>	4 5 <sup>th</sup> Street	02/02/2017	Active permit #13092
	6 6 <sup>th</sup> Street	01/30/2019	Active permit #14397
	17 6 <sup>th</sup> Street	04/19/2019	Active permit #P1914567
<b>Chautauqua Beach</b>	4 12 <sup>th</sup> Street	04/25/2019	Active permit #P1914615



<b>Coquina Gables</b>	6 F Street	11/14/2018	Active permit #14270
<b>Kings Quarry</b>	613 Old Beach Road	01/16/2019	Active permit #14368
<b>Lake Sienna</b>	132 Kings Quarry Lane	10/15/2018	Active permit #14214
<b>Linda Mar</b>			
<b>Magnolia Dunes</b>			
<b>Minorca</b>			
<b>Ocean Oaks</b>			
<b>Raintree</b>			
<b>Sandpiper West</b>	103 Sandpiper Boulevard	02/04/2019	Active permit #14404
	5 Kimberly Lane	07/25/2019	Active permit #P1915047
<b>Sea Colony</b>	612 Ocean Palm Way	09/10/2018	Active permit #P1915252
	887 Ocean Palm Drive	07/17/2018	Active permit #14053
	332 South Forest Dune Drive	01/17/2019	Active permit #14373
	892 Ocean Palm Way	02/07/2019	Active permit #14417
<b>Sea Grove</b>	744 Tides End Drive	10/15/2018	Active permit #14215
	1308 Smiling Fish Lane	10/22/2018	Active permit #14224
<b>Sea Oaks</b>			
<b>Sevilla Gardens</b>			
<b>The Ridge</b>	156 Ridgeway Road	01/04/2019	Active permit #14352

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 5<sup>th</sup> and 6<sup>th</sup> Streets on the east side of A1A Beach Boulevard: At its October 16, 2018, meeting, the Planning Board approved a variance to reduce the minimum lot size required for a mixed used development from 8,500 square feet to 6,195 square feet. A two-story building will be constructed on one lot. It will have commercial use on the ground floor and residential use on the second floor. The address will be 600 A1A Beach Boulevard.

The Planning Board approved a similar commercial/residential building at its January 15<sup>th</sup> meeting. The building's address will be 610 A1A Beach Boulevard.

At its March 20, 2018, meeting, the Planning Board held a concept review hearing on a proposal 4,960-foot commercial building on the east side of State Road A1A, between the Verizon and Savage Swimwear stores. The Planning Board reviewed the proposed final development plan at its November 20<sup>th</sup> meeting and recommended that the Commission approve the plan. The Commission approved the plan at its December 3<sup>rd</sup> meeting. A permit for the project hasn't been issued yet.

## 6. Finance and Budget

### A. Fiscal Year 2019 Budget

The City Commission reviewed the proposed FY 19 budget at a special meeting on July 31, 2018, and approved a millage levy of 2.5000 mills, or \$2.50 for every \$1,000 of a property's assessed value. Employee health insurance and adjustments to employee pay were also discussed. At another special meeting on September 10<sup>th</sup>, the Commission reviewed medical insurance plans and costs again and by majority vote agreed again to the operating millage levy of 2.5000 mills. The Commission held a special meeting September 24, 2018, and lowered the operating millage to 2.3992 mills, or about \$2.40 for every \$1,000 of the assessed value of a property. This millage is the same that's been levied since Fiscal Year 2011. The City also approved a debt millage of 0.50 mills, or 50 cents for every \$1,000 of a property's assessed value. The debt millage provides money to pay the bond debt the City has for the purchase of the 16 acres of Ocean Hammock Park. The FY 19 budget went into effect on October 1, 2018.

August 31, 2019, marked the end of the eleventh month of FY 19. No money was received from the City's main source of revenue, property taxes. In July, the City received the last payment, \$1,051, from this source. As of August 31st, the City had received a total of \$2,982,163 from property taxes, an amount that is \$18,35 greater than the City was projected to receive when the budget was prepared last summer. A year ago, July 31, 2018, the year-to-date amount received from property taxes was \$2,719,714. The increase in FY 19 is due to new homes that were completed in 2018 and to the upward trend in property values.

Overall, as of the end of the eleventh month of the fiscal year, for its General Fund, the City has received \$5,905,061 and spent \$6,496,426 on operations and projects. Expenditures were \$591,365 more than revenues, which means that the City is spending money from reserves. This is normal during the final months of the fiscal year when the City receives no revenue from property taxes.

### 8. Vendor Checks

Please see pages 22-49.

### C. 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 23<sup>rd</sup>. 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 9<sup>th</sup>, and lowered the operating millage to 2.50 mills. At its September 23<sup>rd</sup> 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 will begin on October 1, 2019, and end September 30, 2020.

## 7. Miscellaneous

### A. Permits for Upcoming Events

In late July, the City Manager approved the permit for a block party on Willow Drive on August 3, 2019, and the permit for a beach clean on September 21<sup>st</sup> by the Island Prep Elementary School that's located in the City. At the Commission's September 9<sup>th</sup> meeting, Tri-Events of Miami asked the Commission to approve a 5K for-profit race on November 9, 2019. The Commission denied the permit. The Events Coordinator is to provide a policy for applications submitted by for-profit organizations for events such as 5K runs. The Commission will review the policy in at its November 4<sup>th</sup> meeting.

### B. Strategic Plan

The plan's six tier one objectives adopted by the Commission are: 1. establish a plan for evaluating various events and their impact on the quality of life; 2. review additional revenue sources, including fees, grants, taxes, public/private partnerships, bonds, etc.; 3. review and update City codes and their enforcement: parking, traffic and speed limits, solid waste and land development regulations; 4. advocate for continued funding for beach renourishment (state and federal sources); 5. Increase and improve citizen engagement; and 6. develop a City-wide traffic management plan.

All of the objectives, except the City-wide traffic management plan, have been achieved.

At its January 6, 2018, meeting, the City Commission discussed whether to hire again Mrs. Marilyn Crotty, the facilitator who helped the Commission develop the strategic plan in 2015. Ms. Crotty told the City Manager she would charge \$1,800 for a six-hour session to update the strategic plan. The Commission decided at its February meeting not to hire her, but to consider possibly updating the strategic plan later in 2018, after the adoption of changes to the Land Development Regulations had been completed. In August, the City Manager learned that Ms. Crotty has retired. The Commission decided at its January 7, 2019, meeting that it and the City staff would update the plan. The Commission agreed with the City Manager's suggestions for goals at its June 10<sup>th</sup> meeting and asked that the Planning Board and the Sustainability and Environmental Planning Advisory Committee be asked to provide their suggestions for the plan. The responses were reviewed by the Commission at its August 5<sup>th</sup> 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 7<sup>th</sup> meeting, the Commission approved the hiring of Fleet and Associates. Mr. and Mrs. Fleet held a public hearing on June 26<sup>th</sup> and a workshop with the Planning Board and the public on July 17<sup>th</sup>. The Fleets presented the results of those two meetings to the Commission at its August 6<sup>th</sup> meeting. The next step was a workshop

of the Commission with the Planning and Tree boards to review each policy and objective in the current Comprehension Plan. This was held on October 17<sup>th</sup> with the planning consultant. The result was that the consultant prepared a revised draft of the Plan, which the Commission reviewed at a special meeting on January 8, 2019. The Comprehensive Planning and Zoning Board reviewed the plan at its February 19<sup>th</sup> meeting and decided to continue its review at the Board's March 19<sup>th</sup> meeting. The Board is concerned that many of the proposed changes ceded too much authority to the County and other agencies. However, the Board's discussion was postponed to the Board's April 16<sup>th</sup> meeting because the Chair, Mrs. Jane West, was away on March 19<sup>th</sup>. At its April meeting, the Board discussed changes with the planning consultant, Ms. Janis Fleet, and recommended that she submitted to the City Commission the changes proposed by individual members of the Board. The Commission reviewed the changes with Ms. Fleet at its June 10<sup>th</sup> meeting, directed that the discussion be continued to a special meeting on July 2<sup>nd</sup>, 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 an August 5<sup>th</sup> letter to the City said that an Objection, Recommendation and Comment Report will be sent to the City on or before October 7, 2019. If the Report requires changes to the Comp Plan, the changes may be reviewed by the Planning Board at its October 15<sup>th</sup> meeting.

# MEMO

City of St. Augustine Beach Building & Zoning Department

To: Max Royle, City Manager  
From: Brian Law, Building Official  
Date: 09-23--2019  
Re: Building and Zoning Department Monthly Report

## Trees:

1. 09-13-2019—4 Wave Place  
Removal of oak tree leaning on and hazardous to single-family residence.
2. 09-19-19—695 16<sup>th</sup> Street  
Removal of oak tree leaning over and hazardous to single-family residence.

Planning and Zoning: (September 17, 2019 regular monthly meeting at 6:00 p.m. at City Hall)

1. Planning and Zoning Board approved a variance 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 new construction of a 10-foot-by-18-foot open-wall carport with a translucent Lexan roof covering over existing concrete on Lot 1, Block E, Woodland Unit B Subdivision, at 691 Pope Road, Arn. A. and Loretta R. Miller, Applicants.
2. Planning and Zoning Board reviewed 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) and forwarded recommendations to the City Commission as to whether or not the proposed revisions should be adopted in ordinance form.

## 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. Annual inspections of businesses in the City limits have been completed to renew business tax receipts (occupational licenses), which expire September 30, 2019.
3. Fees for annual inspections of approximately 140 transient rental facilities are currently being submitted and inspections are in progress for renewal of business tax receipts for transient rental properties.

## Building:

1. Shell Shack renovation is progressing as expected and is now in the trim carpentry phase of construction.
2. Construction of new donut shop on site of former Carriage Realty building at 400 A1A Beach Boulevard is in the rough phase and progressing as expected.



## 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

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#### 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 6:01 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 13<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, said

#### 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 structure with a translucent Lexan roof over existing concrete on the premises of an existing single-family residence in a low-density residential land use on Lot 1, Block E, Woodland Unit B Subdivision, at 691 Pope Road, Arn A. and Loretta R. Miller, Applicants

Mr. Law said

Arn Miller, 691 Pope Road, St. Augustine Beach, Florida, 32080, applicant, said

**Motion:** to approve the variance as requested subject to **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, 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.

## **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 to explain to the Commission the Board's recommendation to strike not how we plan on striking 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. The Commission meeting will be held the first Monday of next month, which is October 7, 2019.

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 volunteer to address the City 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 thinks 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 better for them.

Ms. West agreed, as she said, they're all volunteers. 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 Mr. Law has and 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 he wrote it for special flood hazard areas. If you buy a piece of property it is what it is, so if you happen to be in a high velocity wave action or seaward of the CCCL, the reference monuments are about 17.4 feet. All the overlays did was repeat everything, so if you keep 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 doubt in the eyes of an applicant, they will have multiple references to refer to.

Mr. Law said imagine the overlay districts as chocolate cake. You can't take certain parts 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 you choose to leave 3.08.00 both overlays in place that is your option but can't take part of it out.

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 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 (FBC), which will only get stricter with time. The LDRs will not tell you how to build a building in special flood hazard areas, but Chapter 3109 of the FBC 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 district 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.

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Jane West, Chairperson

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Lacey Pierotti, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122.)



## MINUTES

**SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING  
THURSDAY, AUGUST 8, 2019, AT 6:00 P.M.  
CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080**

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I. CALL TO ORDER

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 Kaczmarzsky, Lana Bandy, Allen Altman, and Alternate Jeanette Smith.

Member Ann Palmquist was absent.

Also Present: Public Works Director Bill Tredik and Recording Secretary Dariana Fitzgerald.

IV. APPROVAL OF MINUTES OF JULY 11, 2019, REGULAR MEETING

Chair Krempasky introduced Item IV and then asked for a motion.

Member Kaczmarzsky asked about the exhibits referenced in the minutes. Secretary Fitzgerald replied that the exhibits were the PowerPoint presentations and documents presented at the meeting and they will be filed and scanned with the signed version of the minutes. She stated that the exhibits were long, which is why she did not copy them for the agenda books.

Chair Krempasky stated that she shared a few typographical errors with Secretary Fitzgerald before the meeting, which she agreed to correct.

Member Thomson asked about the three strategic plan goals and if what was recorded was actually what was decided on as he recalled objections. Secretary Fitzgerald replied that there were objections regarding whether residents' actions could be measurable, so that was removed from the suggested goals submitted to the Commission.

**Motion:** To approve the Committee minutes for July 11, 2019, with correction of typographical errors. **Moved by** Vice Chair Farr. **Seconded by** Member Thomson. Motion passed unanimously.

V. PRESENTATION OF REPORTS:

1. Review of Landscape Plan for Oceans Thirteen at 12 13<sup>th</sup> Street

Chair Krempasky introduced the Item and asked for comments from the Committee. Member Thomson stated that he wrote a letter to the City Manager Royle and Building Official Law and Official Law replied with section 6.06.00 of the Land Development Regulations. He asked if Public Works Director Tredik had spoken with Official Law or had any comments. Director Tredik replied that he had, and he was informed that the landscaping met the City Code's tree requirements. He noted that there were already four palm trees in front. Member Thomson also stated that he spoke with Executive Assistant Bonnie Miller in the Building Department and reported she told him that the plan was already reviewed by the Comprehensive Planning and Zoning Board. He commented that he felt there should be a policy for the Committee to review landscape plans before the Planning Board.

Vice Chair Farr commented that she was not sure what a dwarf wax myrtle was and Chair Krempasky expressed concern that they may not comply with height requirements. Member Thomson expressed the following concerns: that there was not enough of a buffer between this property and the adjacent property, if the City had a requirement that developers get plans from a landscape architect, and if there was any consideration for impervious surfaces. He asked to postpone this item until comments from staff have been supplied. Chair Krempasky commented that to her recollection, this project was approved by the Planning Board despite not fully meeting Code.

Member Thomson stated that his recommendation was that the developer protect the existing sabal palms on A1A Beach Boulevard, that it would benefit the environment by using pervious paving and Florida-friendly ground cover, and that he did not think the dwarf wax myrtle met the Code's height requirements. He asked that landscape plans come before the Committee at the same time or before the Planning Board reviews the project, so that the Planning Board can use those recommendation in their discussion.

2. Discussion of FY 2020 Budget

Chair Krempasky stated that the Committee didn't spend their budget for this fiscal year, since they were waiting on the Urban Forestry Management Master Plan and just received it. Secretary Fitzgerald noted that Mr. Charlie Marcus will take comments from the Committee until August 22. Member Kaczmarzsky confirmed that they can send comments individually and mentioned that he would like to see a dollar amount for the value of each tree. Member Thomson noted that the Plan identified 351 planting locations and the Committee can work with Public Works on those plantings. Director Tredik stated that this can be reviewed and there were plenty of planting opportunities to be considered. He stated that there may even be grants available. Member Thomson asked about holding a workshop to discuss this with Public Works, Director Tredik said that could be discussed at a regular meeting. Secretary Fitzgerald stated, as at last month's meeting, that is why staff recommends that they use the coming fiscal year for planning, possibly to develop a detailed five-year plan with projects and estimated costs each year. She noted that that is especially important for areas like Pope Road and SR-312, where approval from the County or State is needed and they require thorough plans. The Committee could plan for design in year one, then implementation in year two, for



example. Member Thomson stated that planting trees shouldn't be entirely on the Committee's budget, that the expense should be shared with Public Works. Secretary Fitzgerald clarified that there is a Beautification Projects account, which is the Committee's budget, and a Landscape account, which is for Public Works to use to maintain landscaping in the City. She stated that the Committee has no say over the Landscape account and Member Thomson stated that Public Works' planting is the Committee's planting. Director Tredik replied that Public Works will take the Committee's suggestions under advisement and they may or may not be in their work plan for that year.

Member Kaczmarzsky asked about the dry retention areas that Member Thomson suggested, if that would fall under the Committee's budget. Director Tredik stated that he believes that would fall under Public Works' stormwater or drainage accounts and would require permission of the Commission first.

Member Thomson noted that the Avenue of Palms was supposed to be a Public/Private funded project and there has not been any new plantings this year. He stated that the Commission has tasked the Committee with completing that project. He asked that Public Works report to the Committee on this or that they hold workshops to discuss this topic and it doesn't need to be part of the budget discussions today.

Chair Krempasky confirmed that there is \$10,000 in the draft budget for the Committee and they do not need to give a presentation to the Commission and Secretary Fitzgerald confirmed. Member Thomson asked if the six palm trees that had been staked was still in the budget for this year. Director Tredik stated that there was, and he also stated that he would like to use some of their remaining funds to purchase additional palm trees. He stated that they currently have 22 and would like an additional 30.

**Motion:** Use \$5,000 of the remaining FY 2019 funds to have Public Works purchase 30 palm trees. **Moved by** Member Thomson. **Seconded by** Vice Chair Farr. Motion passed unanimously.

Member Thomson stated that he did not think \$10,000 was enough to hire planners for a sustainability plan, climate action plan, or an adaptive action plan. Member Kaczmarzsky and Vice Chair Farr stated that the Committee discussed in a meeting that they planned to do those projects. Member Thomson stated that they should assist the Commission and that this Committee should work with any consultants and be the first to see any draft plans. Chair Krempasky clarified that she believes the Commission intended for it to be in the Comprehensive Plan, but not that they necessarily planned to do it in the coming year. The Committee discussed whether to ask for more funds beyond the planned \$10,000 in FY 2020.

Vice Chair Farr stated that she would like to create educational information to make available to residents. Chair Krempasky asked if they could apply for the Urban Forestry and Community Grant again and use the funds for education and Secretary Fitzgerald replied that it would depend on whether the grant will be available next year and what the State's focus will be. She stated that she would like to ask the Commission for an additional \$5,000 for education in FY 2020.

3. Discussion of Resiliency Planning Grant from Florida DEP

Chair Krempasky asked that the Committee members review the information. Secretary Fitzgerald noted that the focus of this grant seems to be focused on coastal construction, which may not fall under this Committee's purview. Member Thomson volunteered to research this grant further.

4. Environmental Stewardship Award Plaques

Chair Krempasky reported that the plaques were ready if any members wanted to view them. She stated that Secretary Fitzgerald will see that this is on the September 9<sup>th</sup> Commission agenda and that she would do the presentation, but would like the Mayor to present the plaques, if she is willing.

5. Parkette Signage

Chair Krempasky reported that three more signs were ordered, not four, due to a price increase from \$110 to \$145.

Member Thomson noted that irrigation seems to have discolored a sign on the southwest corner of D Street and asked Public Works to see if that could be cleaned. He stated that he would like to see the parkettes landscaped with Florida friendly plants that do not need irrigation. Director Tredik commented that that would depend on the intended purpose of each parkette, since you would not want plants where snakes could hide to be in a parkette that children play in. The Committee discussed the maintenance required for the parkettes and Director Tredik stated that, especially during the summer, his staff is hard-pressed to maintain existing areas. Member Thomson replied that he would ultimately like to use plants that require little to no maintenance.

6. Waste Receptacle Art Project

Director Tredik reported that another can to be painted, so there are seven out and Public Works cannot spare anymore until those are returned.

7. Educational Film Series

Member Bandy reported that *The Oldest City Underwater* will be shown at the Anastasia Island Branch Library on August 29<sup>th</sup> at 6:30 p.m. and she is working on publicity right now. The Library has placed it on their calendar, someone advertised it on NextDoor, and she has sent a draft press release to Coordinator Cindy Walker and City Manager Max Royle for review and hopes to get that advertised soon. Chair Krempasky stated that she announced it at the last Commission meeting.

She would like to show another film in October and suggested *The Smog of the Sea*, which has open rights and has press packets available. She also suggested developing a list of topics or speakers to cover in the absence of films. She stated that the Library would like a session every two months. Member Thomson asked if Director Tredik could be there if residents have any questions. Director Tredik stated that he would look at his calendar and see. He stated that he is not an expert in sea level rise, but that it is an issue the City will need to deal with. He suggested that dunes will need to be strengthened, maybe increased in height, and there

needs to be fewer cuts for pedestrian access through the dunes, which means more walkways over them. He stated that driving access is a concern and that adding sand for an incoming storm helps, but is not the same as a stable dune. Secretary Fitzgerald noted that during Irma, sand was placed on A Street and almost as soon as it touched the ground, people were out using it to fill sandbags, which further weakened the barrier. She noted that police had to be dispatched to guard the barrier and prevent theft. Director Tredik noted that these improvements will be costly and take time to plan and construct.

Member Kaczmarzsky stated that he has a collection of educational films that could be shown. Secretary Fitzgerald noted that film broadcast rights need to be considered, since they can be expensive. Member Bandy stated that she could run the title by the Library to see if they can get the rights for free.

## 8. Environmental Policy & Planning Recommendations

Member Thomson drafted a climate change resolution (Exhibit A), which he would like to finalize and submit to the Commission for approval. He stated that this would recognize the issue of climate change and does not require any action. Member Altman noted that this could be controversial, since half the country doesn't support the idea of climate change. Chair Krempasky noted that the sea level rise resolution was tied to joining the American Flood Coalition and Member Thomson replied that this resolution was not tied to any groups.

Member Kaczmarzsky asked if the alleys behind houses could be used for dry retention or planting. Secretary Fitzgerald replied that those are utility easements and have to be kept clear, even if they have been vacated no permanent structures can be built. Director Tredik stated that they could potentially be considered for drainage on a case-by-case basis. Member Kaczmarzsky asked about the cones on Mickler Boulevard and Director Tredik replied that some of the organic material removed from the ditch project was taken to that area to try to rebuild the soil from where the County did work and where people drive over the area.

### A. Community Tree Programs

## VI. OTHER COMMITTEE MATTERS

Director Tredik reported that Foreman Large estimated about \$1,000 for plant gaillardia and dune daisies near Alvin's Island and asked if the Committee would be willing to use some of their remaining budget for that project. The Committee asked if that meant the City welcome sign in the triangle and not the landscaping by Alvin's Island. Director Tredik also asked if the Committee is willing, he would also like to use any remaining funds to build up the nursery stock. Vice Chair Farr complimented Director Tredik for the initiative and noted that his predecessor was not willing to maintain a nursery at Public Works.

**Motion:** Authorize Public Works to spend the remainder of the Committee's budget for restocking the nursery which should include 7-gallon bald cypress. **Moved by** Member Thomson. **Seconded by** Member Bandy. Motion passed unanimously

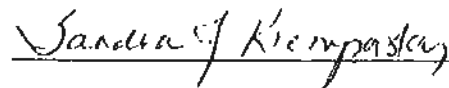
Member Thomson asked that Committee members' emails be placed on the website. Secretary Fitzgerald noted that the emails were removed by IT. for cybersecurity reasons, since those were the members' personal email addresses. Secretary Fitzgerald stated that she could add a

comment to the Committee's page that questions or comments for the Committee be directed to her. Member Thomson stated that he would still prefer to have his email be available.

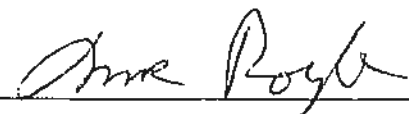
Member Kaczmarzsky reminded the Committee to review the Urban Forestry Management Master Plan and submit their comments to Mr. Charlie Marcus. Director Tredik asked that he be copied on any comments and Member Thomson suggested that they all go to Director Tredik and he can submit them all at once. Secretary Fitzgerald noted that Mr. Marcus' deadline for comments is August 22<sup>nd</sup>.

VII. ADJOURNMENT

Chair Krempasky adjourned the meeting at 8:00 p.m.

  
Sandra Krempasky, Chair

ATTEST

  
Max Royle, City Manager

## **COMMISSION REPORT**

**September 2019**

**TO:** MAYOR/COMMISSIONERS

**FROM:** ROBERT A. HARDWICK, CHIEF OF POLICE

### **DEPARTMENT STATISTICS – August 20<sup>th</sup> to September 22<sup>nd</sup>**

**CALLS FOR SERVICE 1084**  
**OFFENSE REPORTS 68**  
**CITATIONS ISSUED 61**  
**LOCAL ORDINANCE CITATIONS 4**  
**DUI 6**  
**TRAFFIC WARNINGS 447**  
**TRESSPASS WARNINGS 18**  
**ANIMAL COMPLAINTS 11**  
**ARRESTS 21**

- 1 Grand Theft- \$300 Less
- 3 Resisting Officer w/out Violence
- 3 Battery
- 6 DUI
- 2 Petit Theft
- 1 Drug Possession- Controlled substance w/out Prescription
- 1 Disorderly Conduct
- 1 Child Neglect
- 1 Grand Theft- Motor Vehicle
- 1 Moving Traffic Violation- Suspended/Revoked

### **ANIMAL CONTROL:**

- St. Johns County Animal Control handled **11** complaints in St. Augustine Beach area.

### **MONTHLY ACTIVITIES:**

- **Coffee with a Cop at 711**
- **Officers attended PEA Conference**

## MEMORANDUM

Date: September 24, 2019

To: Max Royle, City Manager

From: Bill Tredik, P.E., Public Works Director

Subject: Monthly Report

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### **Hurricane Information**

**Dorian** – The City dodged a bullet with Hurricane Dorian, and fortunately escaped without damage. Despite the lack of damage, extensive effort was necessary before and after the storm to protect the City and ensure that the interruption of citizens' lives was minimal. Crews worked through the Labor Day holiday, as well as the following weekend, to quickly restore the City to full operation. Work included:

- Removal of shade sails and water feature at Splash Park
- Removal of public garbage cans, crosswalk flags and mutt mitts
- Placement of sand at beach ramps and other vulnerable locations
- Shuttering City Buildings
- Citywide garbage collection prior to the storm's arrival
- Post citywide sweeps of yard waste immediately after the storm's passage.
- Replacement of all items removed pre-storm

**Preparedness** – Public Works remains vigilant to the threats of tropical events, including:

- **Beach Ramp Protection** – Public Works recovered most of the sand placed at the beach ramps during Hurricane Dorian. The recovered sand is currently stockpiled at Public Works and ready to be used for future storms.
- **Monthly Hurricane Preparedness Meetings** – Public Works continues to participate in monthly hurricane preparedness meetings at the St. Johns County EOC.
- **Storm Preparation** – Emergency Generators were tested and fueled in preparation of the hurricane season. Public Works fuel tanks are kept near full during the hurricane season and will be topped off, along with all vehicles, in the event of a pending tropical system. All emergency equipment has been checked to ensure operationality in the case of a tropical event.

**Vulnerability Assessment** – The City is preparing a Resilience Planning Grant, from the Florida Resilient Coastlines Program, to conduct a Coastal Vulnerability Assessment and Adaptation Plan for the City. The grant, if received, will include:

- Updating City drainage and topographic GIS mapping
- Updating the citywide stormwater model
- Conducting public meetings
- Developing adaptation measures to be considered in capital project development

### **Maintenance Activities**

**Rights-of-way and Parkettes** –Public Works continues to provide more frequent mowing and landscape maintenance in the summer months. Maintenance frequency will decrease in the Fall and Public Works will begin cut-back of trees along S.R. A1A, followed by A1A Beach Boulevard in the late fall to early winter.

**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, thus reducing outside repair costs.

### **Capital Improvements**

**Mickler Boulevard Ditch Drainage Improvements [CONSTRUCTION]** – The City has a contract with A.W.A. Contracting Co. to construct the project, which includes piping over 1,300 feet of the Mickler Boulevard ditch from Pope Road to just north of 16<sup>th</sup> Street. As of September 24<sup>th</sup>, the project is substantially complete, with final grassing and replacement of broken sidewalk remaining.

**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. The consultant is currently finalizing design options to optimize performance while controlling cost and will soon be submitting a permit application to the St. Johns River Water Management District. Design is scheduled to be complete this year, with construction commencing upon completion of permitting and approval of design by the State. In the interim, Public Works operates the existing pump station to maintain water levels in the pond.

**3<sup>rd</sup> Lane Drainage Improvements [FINAL DESIGN]** – The 3<sup>rd</sup> Lane Ditch Drainage Improvements will pipe approximately 450 feet of existing ditch west of the 2<sup>nd</sup> Avenue right-of-way and east of Sea Oaks Subdivision. This project will address localized stormwater flooding and reduce long term drainage maintenance requirements. The project has been optimized to reduce costs while still providing the necessary stormwater benefit. Design and permitting is complete and Construction Plans and Bid Documents are being prepared. The Project will be bid in October with construction anticipated to commence in January 2020.

**Ocean Hammock Park** – The City is preparing a grant application to the Florida Recreation Development Assistance Program (FRDAP) for submittal in October 2019. Public Works will begin formal design of Phase II components of the park in the upcoming fiscal year.

### **Sustainability & Environmental Planning Advisory Committee (SEPAC) Projects**

**Urban Forestry Management Plan** –Legacy Arborist Services has completed the Urban Forestry Management Plan, as approved by the City Commission on May 6, 2019. The plan provides guidance in the management of the City's tree canopy.

### **Streets / Rights of Way**

**Pedestrian Safety** – Public Works continues to coordinate with the Police Department and St. Johns County to determine how to best increase pedestrian safety along A1A Beach Boulevard. The County added a crosswalk at D Street, after the completion of resurfacing A1A Beach Boulevard. Public Works has added high visibility crossing flags at this location.

**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. Public Works has submitted a request to FDOT for permission to install the lights, as they are located within the S.R. A1A right-of-way. FPL will complete the design and a modification to the City/FPL streetlight agreement will be prepared. 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 some speeding is occurring in this area. Per City policy, Public Works will work with the citizens and the Police Department on appropriate next steps, up to and potentially including traffic calming devices, to address the speeding observed.

### **Events**

**Beach Blast Off** – Staff is currently preparing for the upcoming Beach Blast Off. Ongoing preparations will continue through the year, with regular coordination meetings. Public Works is currently performing substantial maintenance and reconstruction of the stage, due to metal corrosion and wood decay associated with prolonged exposure to the weather.



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

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**TO:** MAX ROYLE, CITY MANAGER  
**FROM:** PATTY DOUYLLIEZ, FINANCE DIRECTOR  
**SUBJECT:** MONTHLY REPORT  
**DATE:** 9/24/2019

### **Finance**

The budget was approved at the September 23<sup>rd</sup> meeting, setting the millage for FY20 at 2.3992. I am finishing the reporting to TRIM and preparing the information to be uploaded into our financial system.

Work continues on the Non-Ad Valorem assessment for Residential Solid Waste services. A discussion was had with the Tax Collector regarding the deadlines and how to proceed with implementation. It was also confirmed that we can have separate line items for each of the charges-disposal, service, recycle.

Commercial Solid Waste services continue to be reviewed. I have determined that commercial services fit into three categories: transient rentals, businesses with hand service, and apartment/condo units. Each of these categories will be reviewed to determine how to proceed with service and billing.

### **Communications and Events**

September was a very busy month. Time was spent at the EOC covering Hurricane Dorian and keeping residents informed of vital information.

Preparations continue for the Florida League of Cities dinner, Veteran's Day Ceremony and Beach Blast Off. We are also moving forward with plans for the City's 60<sup>th</sup> Birthday celebration. Cindy has been working hard on gathering historical photos for display at City Hall October 21<sup>st</sup> – 25<sup>th</sup>.

Cindy is also working on pulling together a written events policy. The policy will be presented at a future meeting for review and adoption by the Commission.

### **Technology**

The IT staff continues to work on the closed captioning of our meetings and with the budget approved, they will begin moving forward with the new server and network upgrades, as well as all other IT related purchases for the new fiscal year.

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Range of Checking Accts: First to Last Range of Check Dates: 08/01/19 to 08/31/19  
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19-01967	1	BATTERY PATROL VEHICLE	216.45	001-2100-521-4630	Expenditure		71 1
				LAW ENFORCEMENT			
42207	08/02/19	AMERIC10 AMERICAN CROSSROADS APPAREL CO				08/31/19	1461
19-01970	1	UNIFORMS	140.00	001-2400-524-5210	Expenditure		74 1
				PROT INSPECTIONS			
42208	08/02/19	BOZAR010 BOZARD FORD COMPANY				08/31/19	1461
19-01903	1	PM-#23	64.82	001-2400-524-4630	Expenditure		80 1
				PROT INSPECTIONS			
42209	08/02/19	BUGOU010 BUG OUT SERVICE INC				08/31/19	1461
19-01926	1	LAWN PEST CONTROL	189.00	001-1900-519-3400	Expenditure		44 1
				OTHER GOVERNMENTAL			
42210	08/02/19	CANON010 CANON FINANCIAL SERVICES				08/31/19	1461
19-01890	1	COPIER USAGE/LEASE	125.00	001-2400-524-4430	Expenditure		7 1
				PROT INSPECTIONS			
19-01890	2	COPIER USAGE/LEASE	68.02	001-2400-524-4700	Expenditure		8 1
				PROT INSPECTIONS			
19-01890	3	COPIER USAGE/LEASE	125.00	001-2100-521-4430	Expenditure		9 1
				LAW ENFORCEMENT			
19-01890	4	COPIER USAGE/LEASE	57.60	001-2100-521-4700	Expenditure		10 1
				LAW ENFORCEMENT			
19-01890	5	COPIER USAGE/LEASE	125.00	001-1300-513-4430	Expenditure		11 1
				FINANCE			
19-01890	6	COPIER USAGE/LEASE	107.34	001-1300-513-4700	Expenditure		12 1
				FINANCE			
19-01892	1	CANON LEASE	47.84	001-1900-519-4430	Expenditure		14 1
				OTHER GOVERNMENTAL			
19-01892	2	CANON LEASE	53.36	001-3400-534-4430	Expenditure		15 1
				GARBAGE			
19-01892	3	CANON LEASE	82.80	001-131-1000	G/L		16 1
				Due From Road & Bridge Fund			
19-01892	4	CANON LEASE	3.14	001-1900-519-5100	Expenditure		17 1
				OTHER GOVERNMENTAL			
19-01892	5	CANON LEASE	3.50	001-3400-534-5100	Expenditure		18 1
				GARBAGE			
19-01892	6	CANON LEASE	5.43	001-131-1000	G/L		19 1
				Due From Road & Bridge Fund			
			804.03				
42211	08/02/19	CDWGO010 CDW GOVERNMENT INC.				08/31/19	1461
19-01787	1	ANNUAL BARRACUDA SUBSCRIPTION	920.00	001-1900-519-6490	Expenditure		1 1
				OTHER GOVERNMENTAL			
19-01787	2	ANNUAL BARRACUDA SUBSCRIPTION	1,124.00	001-1900-519-6490	Expenditure		2 1
				OTHER GOVERNMENTAL			

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				OTHER GOVERNMENTAL			
			4,579.00				
42212	08/02/19	CINDY005 CINDY WALKER				08/31/19	1461
19-01969	1	MILEAGE	115.42	001-1300-513-4020	Expenditure		73 1
				FINANCE			
42213	08/02/19	CLERK020 CLERK OF CIRCUIT COURT				08/31/19	1461
19-01901	1	FILING FEES	40.00	001-2100-521-5290	Expenditure		25 1
				LAW ENFORCEMENT			
42214	08/02/19	CROWN020 CROWN SHREDDING LLC				08/31/19	1461
19-01891	1	RECORD DISPOSITION	119.24	001-1100-511-4970	Expenditure		13 1
				LEGISLATIVE			
42215	08/02/19	CSAB-030 CSAB - POLICE EDUCATION FUND				08/31/19	1461
19-01893	1	PE FROM FINES 062019	143.89	001-351-500	Revenue		20 1
				Court Fines			
42216	08/02/19	DEBOR010 Deborah K. Christopher				08/31/19	1461
19-01953	1	PAYROLL	885.00	001-2100-521-3400	Expenditure		59 1
				LAW ENFORCEMENT			
42217	08/02/19	DRTOW010 DR TOWNSEND & ASSOCIATES P.A.				08/31/19	1461
19-01894	1	ADERHOLD BACKGROUND	225.00	001-2100-521-4930	Expenditure		21 1
				LAW ENFORCEMENT			
42218	08/02/19	FLAGL030 FLAGLER CARE CENTER				08/31/19	1461
19-01962	1	BACKGROUND & VACCINES	273.00	001-2100-521-5290	Expenditure		66 1
				LAW ENFORCEMENT			
42219	08/02/19	FLORI170 FLORIDA JANITOR & PAPER SUPPLY				08/31/19	1461
19-01977	1	SUPPLY	331.21	001-1900-519-5290	Expenditure		79 1
				OTHER GOVERNMENTAL			
42220	08/02/19	FLORI250 FLORIDA POWER & LIGHT COMPANY		(Void Reason: wrong amt)		08/02/19 VOID	1461
19-01931	1	ELECTRIC	770.60	001-1900-519-4310	Expenditure		49 1
				Other Gov Svcs-Electricity			
19-01931	2	ELECTRIC	513.74	001-2400-524-4310	Expenditure		50 1
				Prot Inspections-Electricity			
19-01934	1	ELECTRIC	111.88	001-1900-519-4310	Expenditure		51 1
				Other Gov Svcs-Electricity			
19-01934	2	ELECTRIC	124.79	001-3400-534-4310	Expenditure		52 1
				Garbage-Electricity			
19-01938	1	ELECTRIC	27.25	001-7200-572-4310	Expenditure		53 1
				Parks-Electricity			
19-01939	1	ELECTRIC	962.40	001-2100-521-4310	Expenditure		54 1
				Law Enforcement-Electricity			

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Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
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19-01946		1 ELECTRIC	24.36	001-7200-572-4310	Expenditure		55	1
				Parks-Electricity				
			<u>2,535.02</u>					
42221	08/02/19	GLACI005 GLACIER HEATING & A/C				08/31/19	1461	
19-01888		1 REPAIRS TO A/C UNIT AT CITY HL	870.00	001-1900-519-4610	Expenditure		6	1
				OTHER GOVERNMENTAL				
42222	08/02/19	GTDIS005 GT DISTRIBUTORS				08/31/19	1461	
19-01895		1 MAG POUCH-CHIEF	36.25	001-2100-521-5210	Expenditure		22	1
				LAW ENFORCEMENT				
19-01963		1 MAGAZINE POUCH	36.25	001-2100-521-5210	Expenditure		67	1
				LAW ENFORCEMENT				
19-01964		1 FLASHLIGHT MOUNTS	62.99	001-2100-521-5230	Expenditure		68	1
				LAW ENFORCEMENT				
			<u>135.49</u>					
42223	08/02/19	HAGAN020 HAGAN ACE HARDWARE				08/31/19	1461	
19-01955		1 REPAIRS	43.96	001-1900-519-4610	Expenditure		61	1
				OTHER GOVERNMENTAL				
19-01972		1 WEED KILLER	14.99	001-1900-519-5290	Expenditure		75	1
				OTHER GOVERNMENTAL				
			<u>58.95</u>					
42224	08/02/19	HEATH010 HEATH ELECTRIC				08/31/19	1461	
19-01927		1 EAST SIDE CITY HALL	217.50	001-1900-519-4610	Expenditure		45	1
				OTHER GOVERNMENTAL				
42225	08/02/19	HICKS101 HICK'S LAND CLEARING & INCINER				08/31/19	1461	
19-01902		1 DISPOSAL FEES	270.00	001-3400-534-4940	Expenditure		26	1
				GARBAGE				
19-01954		1 DISPOSAL	240.00	001-3400-534-4940	Expenditure		81	1
				GARBAGE				
			<u>510.00</u>					
42226	08/02/19	HOMED010 HOME DEPOT				08/02/19 VOID		0
42227	08/02/19	HOMED010 HOME DEPOT				08/31/19	1461	
19-01913		1 CITY HALL MAINTENANCE	36.44	001-1900-519-4610	Expenditure		33	1
				OTHER GOVERNMENTAL				
19-01914		1 VACUUM FOR PUBLIC WORKS	168.00	001-1900-519-5230	Expenditure		34	1
				OTHER GOVERNMENTAL				
19-01915		1 TOOLS	22.94	001-1900-519-5230	Expenditure		35	1
				OTHER GOVERNMENTAL				
19-01916		1 CITY HALL TOOLS	34.94	001-1900-519-5230	Expenditure		36	1
				OTHER GOVERNMENTAL				
19-01917		1 PUBLIC RESTROOMS	19.94	001-1900-519-5290	Expenditure		37	1
				OTHER GOVERNMENTAL				
19-01950		1 REMODEL UPSTAIRS STORAGE	30.98	001-2400-524-6200	Expenditure		56	1
				PROT INSPECTIONS				

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				PROT INSPECTIONS				
19-01952	1	REMODEL UPSTAIRS STORAGE	55.74	001-2400-524-6200	Expenditure		58	1
				PROT INSPECTIONS				
19-01961	1	RENOVATE STORAGE ROOM	156.48	001-2400-524-6200	Expenditure		65	1
				PROT INSPECTIONS				
			570.10					
42228	08/02/19	LVHIE010 L.V. HIERS INC.				08/31/19	1461	
19-01887	1	347 GALS UNLD, 397 GALS DIESEL	851.51	001-141-0000	G/L		4	1
				Inventories - Fuel				
19-01887	2	347 GALS UNLD, 397 GALS DIESEL	1,028.76	001-141-0000	G/L		5	1
				Inventories - Fuel				
19-01929	1	GENERATOR FUEL	34.02	001-1900-519-5220	Expenditure		46	1
				OTHER GOVERNMENTAL				
19-01930	1	GENERATOR FUEL	190.48	001-1900-519-5220	Expenditure		47	1
				OTHER GOVERNMENTAL				
19-01930	2	GENERATOR FUEL	1,174.10	001-1900-519-5220	Expenditure		48	1
				OTHER GOVERNMENTAL				
			3,278.87					
42229	08/02/19	MELVI010 MELVIN'S REPAIR SHOP				08/31/19	1461	
19-01924	1	REPAIRS	58.02	001-3400-534-4630	Expenditure		43	1
				GARBAGE				
42230	08/02/19	PEAF0010 PEAF				08/31/19	1461	
19-01908	1	Green Evidence	200.00	001-2100-521-5430	Expenditure		31	1
				LAW ENFORCEMENT				
42231	08/02/19	PEOPL005 PEOPLEREADY FLORIDA INC				08/31/19	1461	
19-01923	1	LABOR	383.04	001-3400-534-3400	Expenditure		42	1
				GARBAGE				
42232	08/02/19	PRIMA005 PRI MANAGEMENT GROUP				08/31/19	1461	
19-01966	1	NEW HIRE TRAINING	195.00	001-2100-521-5430	Expenditure		70	1
				LAW ENFORCEMENT				
42233	08/02/19	PUBLI020 PUBLIX				08/31/19	1461	
19-01900	1	30 YR SERVICE ANNIVERSARY	110.52	001-1100-511-4990	Expenditure		24	1
				LEGISLATIVE				
19-01968	1	SUPPLIES - COFFEE, SUGAR	27.32	001-2100-521-5100	Expenditure		72	1
				LAW ENFORCEMENT				
			137.84					
42234	08/02/19	SAFET020 SAFETY PRODUCTS, INC.				08/31/19	1461	
19-01920	1	SHIRTS	456.00	001-3400-534-5290	Expenditure		40	1
				GARBAGE				
19-01922	1	SHIRTS	228.00	001-3400-534-5290	Expenditure		41	1
				GARBAGE				
			684.00					

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001TDOOPERATING				Continued					
42235	08/02/19	SANF0005 SANFORD AND SON AUTO PARTS INC				08/31/19	1461		
19-01960	1	REPAIR	374.98	001-3400-534-4630	Expenditure		63	1	
				GARBAGE					
19-01960	2	REPAIR	54.00	001-3400-534-4630	Expenditure		64	1	
				GARBAGE					
			<u>320.98</u>						
42236	08/02/19	STADV010 STAPLES ADVANTAGE				08/31/19	1461		
19-01906	1	Supplies	226.75	001-1300-513-5100	Expenditure		29	1	
				FINANCE					
42237	08/02/19	STAPL010 STAPLES				08/31/19	1461		
19-01965	1	INK PRINTER	22.89	001-2100-521-5100	Expenditure		69	1	
				LAW ENFORCEMENT					
42238	08/02/19	STAUG050 ST AUGUSTINE ELECTRIC MOTOR W				08/31/19	1461		
19-01956	1	REPAIR IRRIGATION	16.26	001-1900-519-4610	Expenditure		62	1	
				OTHER GOVERNMENTAL					
42239	08/02/19	STJOH245 ST JOHNS SALES & SERVICE					1461		
19-01974	1	REPAIRS	38.42	001-1900-519-4620	Expenditure		77	1	
				OTHER GOVERNMENTAL					
19-01975	1	REPAIRS	143.11	001-1900-519-4620	Expenditure		78	1	
				OTHER GOVERNMENTAL					
			<u>181.53</u>						
42240	08/02/19	STJOH260 ST JOHNS FOOD SERVICE, INC				08/31/19	1461		
19-01919	1	HURRICANE SUPPLIES	321.30	001-3400-534-5290	Expenditure		39	1	
				GARBAGE					
42241	08/02/19	SYMBA010 SYMBOL ARTS				08/31/19	1461		
19-01896	1	AGENCY PINS	456.00	001-2100-521-5240	Expenditure		23	1	
				LAW ENFORCEMENT					
42242	08/02/19	USPS0010 USPS-HASLER				08/31/19	1461		
19-01905	1	POSTAGE	500.00	001-155-0000	G/L		28	1	
				Prepaid Items					
42243	08/02/19	WAL-M010 WAL-MART STORE#01-0579				08/31/19	1461		
19-01918	1	TAB DIVIDERS	13.40	001-1900-519-5290	Expenditure		38	1	
				OTHER GOVERNMENTAL					
19-01973	1	SUPPLIES	59.00	001-1900-519-5290	Expenditure		76	1	
				OTHER GOVERNMENTAL					
			<u>72.40</u>						
42244	08/02/19	FOPLO005 FOP LODGE 113				08/31/19	1462		
19-01978	1	MEMBERSHIP DUES	14.00	001-229-2100	G/L		1	1	
				Insurance-Other Employee Paid					
42245	08/02/19	NATIO090 NATIONWIDE RETIREMENT SOLUTION				08/31/19	1462		
19-01979	1	DEFERRED COMP	1,664.52	001-235-0000	G/L		2	1	
				Deferred Compensation					

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001TDOPERATING				Continued			
42246	08/02/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				08/31/19	1463
19-01931	1	ELECTRIC	770.60	001-1900-519-4310	Expenditure		1 1
				OTHER GOVERNMENTAL			
19-01931	2	ELECTRIC	513.74	001-2400-524-4310	Expenditure		2 1
				PROT INSPECTIONS			
19-01934	1	ELECTRIC	111.88	001-1900-519-4310	Expenditure		3 1
				OTHER GOVERNMENTAL			
19-01934	2	ELECTRIC	124.79	001-3400-534-4310	Expenditure		4 1
				GARBAGE			
19-01934	3	ELECTRIC	193.65	001-131-1000	G/L		5 1
				Due From Road & Bridge Fund			
19-01938	1	ELECTRIC	27.25	001-7200-572-4310	Expenditure		6 1
				PARKS AND REC			
19-01939	1	ELECTRIC	962.40	001-2100-521-4310	Expenditure		7 1
				LAW ENFORCEMENT			
19-01946	1	ELECTRIC	24.36	001-7200-572-4310	Expenditure		8 1
				PARKS AND REC			
			2,728.67				
42248	08/05/19	FIRST070 FIRST BANKCARD				08/05/19 VOID	0
42249	08/05/19	FIRST070 FIRST BANKCARD				08/05/19 VOID	0
42250	08/05/19	FIRST070 FIRST BANKCARD				08/05/19 VOID	0
42251	08/05/19	FIRST070 FIRST BANKCARD				08/31/19	1465
19-01744	1	BEACH SIDE FURN-OFFICE	250.00	001-2100-521-5290	Expenditure		1 1
				LAW ENFORCEMENT			
19-01746	1	BACKGROUND CK-FOWLER	6.24	001-1900-519-5290	Expenditure		2 1
				OTHER GOVERNMENTAL			
19-01746	2	BACKGROUND CK-FOWLER	6.96	001-3400-534-5290	Expenditure		3 1
				GARBAGE			
19-01746	3	BACKGROUND CK-FOWLER	10.80	001-131-1000	G/L		4 1
				Due From Road & Bridge Fund			
19-01768	1	SARAGLOVE GLOVES	120.27	001-2100-521-5230	Expenditure		5 1
				LAW ENFORCEMENT			
19-01791	1	PERMIT TECH TEST	209.00	001-2400-524-5430	Expenditure		6 1
				PROT INSPECTIONS			
19-01792	1	WINDSHIELD SHADES	31.88	001-2100-521-5290	Expenditure		7 1
				LAW ENFORCEMENT			
19-01793	1	STORAGE ROOM SUPPLIES	94.36	001-2100-521-5100	Expenditure		8 1
				LAW ENFORCEMENT			
19-01793	2	STORAGE ROOM SUPPLIES	21.83	001-2100-521-5100	Expenditure		9 1
				LAW ENFORCEMENT			
19-01818	1	DOLLAR TREE 062819	15.98	001-1100-511-5290	Expenditure		10 1
				LEGISLATIVE			
19-01856	1	REIMB FUEL	105.24	001-2100-521-5220	Expenditure		11 1
				LAW ENFORCEMENT			
19-01859	1	KITCHEN SUPPLIES	12.38	001-2100-521-5290	Expenditure		12 1
				LAW ENFORCEMENT			
19-01859	2	KITCHEN SUPPLIES	25.94	001-2100-521-5290	Expenditure		13 1
				LAW ENFORCEMENT			

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001TDOPERATING				Continued				
42251		FIRST BANKCARD		Continued				
19-01859		3 KITCHEN SUPPLIES	17.67	001-2100-521-5290	Expenditure		14	1
				LAW ENFORCEMENT				
19-01860		1 BATTERY	100.44	001-2100-521-5230	Expenditure		15	1
				LAW ENFORCEMENT				
19-01861		1 KENNEL BOWLS-KILO	18.33	001-2100-521-5290	Expenditure		16	1
				LAW ENFORCEMENT				
19-01862		1 HOTEL CJIS CONF	387.00	001-2100-521-4000	Expenditure		17	1
				LAW ENFORCEMENT				
19-01863		1 ADD'L DAY-OMNI-CJIS	129.00	001-2100-521-4000	Expenditure		18	1
				LAW ENFORCEMENT				
19-01897		1 KILO FOOD	109.99	001-2100-521-4640	Expenditure		20	1
				LAW ENFORCEMENT				
19-01898		1 LAPTOP CHARGER,ROPE	56.40	001-2100-521-5100	Expenditure		21	1
				LAW ENFORCEMENT				
19-01898		2 LAPTOP CHARGER,ROPE	110.38	001-2100-521-5100	Expenditure		22	1
				LAW ENFORCEMENT				
19-01898		3 LAPTOP CHARGER,ROPE	36.98	001-2100-521-4640	Expenditure		23	1
				LAW ENFORCEMENT				
19-01899		1 NNO BICYCLE	272.00	001-223-0000	G/L		24	1
				Deferred Revenue				
19-01904		1 TV-TRAINING	317.96	001-2400-524-5230	Expenditure		25	1
				PROT INSPECTIONS				
19-01911		1 AWARD	105.52	001-2100-521-5290	Expenditure		26	1
				LAW ENFORCEMENT				
19-01980		1 NNO SUPPLIES/EVIDENCE KITS	16.47	001-2100-521-5100	Expenditure		27	1
				LAW ENFORCEMENT				
19-01980		2 NNO SUPPLIES/EVIDENCE KITS	1.36	001-2100-521-5240	Expenditure		28	1
				LAW ENFORCEMENT				
19-01980		3 NNO SUPPLIES/EVIDENCE KITS	0.22	001-2100-521-5240	Expenditure		29	1
				LAW ENFORCEMENT				
19-01995		1 INVESTIGATION KITS	70.27	001-2100-521-4930	Expenditure		45	1
				LAW ENFORCEMENT				
19-01996		1 TAG-NEW VEHICLE	120.25	001-2100-521-5290	Expenditure		46	1
				LAW ENFORCEMENT				
19-01998		1 FUEL	20.00	001-1900-519-5220	Expenditure		48	1
				OTHER GOVERNMENTAL				
			2,801.12					
42252	08/16/19	A1AAU020 A1A AUTO CENTER INC				08/31/19	1468	
19-02032		1 BATTERY	216.45	001-2100-521-4630	Expenditure		51	1
				LAW ENFORCEMENT				
19-02079		1 VEHICLE MAINTENANCE	71.45	001-2100-521-4630	Expenditure		99	1
				LAW ENFORCEMENT				
			287.90					
42253	08/16/19	ADVAN010 ADVANCED DISPOSAL				08/31/19	1468	
19-01997		1 RECYCLE	11,500.96	001-3400-534-3400	Expenditure		21	1
				GARBAGE				



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001TDOPERATING			Continued					
42254	08/16/19	AFLAC005 AFLAC				08/31/19	1468	
19-02014	1	PREMIUMS	403.06	001-229-2100	G/L		27	1
				Insurance-Other Employee Paid				
42255	08/16/19	ATTCH010 AT & T (OLD CITY HALL)				08/31/19	1468	
19-02075	1	INTERNET	44.90	001-1300-513-4100	Expenditure		94	1
				FINANCE				
19-02075	2	INTERNET	44.91	001-2400-524-4100	Expenditure		95	1
				PROT INSPECTIONS				
			89.81					
42256	08/16/19	BAKER010 BAKER DISTRIBUTING CO.				08/31/19	1468	
19-02049	1	AC FILTERS	286.29	001-1900-519-4610	Expenditure		66	1
				OTHER GOVERNMENTAL				
19-02050	1	AC FILTERS	136.41	001-1900-519-4610	Expenditure		67	1
				OTHER GOVERNMENTAL				
19-02051	1	AC FILTERS	150.84	001-1900-519-4610	Expenditure		68	1
				OTHER GOVERNMENTAL				
			300.72					
42257	08/16/19	BEVER005 BEVERLY RADDATZ				08/31/19	1468	
19-02069	1	TRAVEL MTG	357.94	001-1300-513-4000	Expenditure		89	1
				FINANCE				
42258	08/16/19	BOZAR010 BOZARD FORD COMPANY				08/31/19	1468	
19-02030	1	VEHICLE MAINTENANCE	66.58	001-2100-521-4630	Expenditure		49	1
				LAW ENFORCEMENT				
19-02031	1	VEHICLE MAINTENANCE	80.47	001-2100-521-4630	Expenditure		50	1
				LAW ENFORCEMENT				
			147.05					
42259	08/16/19	BSSIG010 B & S SIGNS INC.				08/31/19	1468	
19-02087	1	P&Z SIGNS	175.00	001-1500-515-4700	Expenditure		111	1
				COMP PLANNING				
42260	08/16/19	BUGOU010 BUG OUT SERVICE INC				08/31/19	1468	
19-02067	1	LAWN PEST CONTROL	189.00	001-1900-519-3400	Expenditure		87	1
				OTHER GOVERNMENTAL				
42261	08/16/19	CES00010 CES				08/31/19	1468	
19-02090	1	SPLASH PARK	784.46	001-7200-572-5290	Expenditure		114	1
				PARKS AND REC				
42262	08/16/19	CLERK020 CLERK OF CIRCUIT COURT				08/31/19	1468	
19-02026	1	FILING FEES	40.00	001-2100-521-5290	Expenditure		47	1
				LAW ENFORCEMENT				
42263	08/16/19	COLON010 COLONIAL SUPPLEMENTAL INSURANC				08/31/19	1468	
19-02023	1	INSURANCE PREMIUM	607.88	001-229-2100	G/L		36	1
				Insurance-Other Employee Paid				

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001TDOPERATING			Continued				
42264	08/16/19	DONOV005 DONOVAN GREEN				08/31/19	1468
19-02020	1	PER DIEM FOR PEAF	135.00	001-2100-521-4000 LAW ENFORCEMENT	Expenditure		33 1
42265	08/16/19	DYNOM010 DYNOMETER				08/31/19	1468
19-02082	1	CALIBRATIONS	25.00	001-2100-521-4620 LAW ENFORCEMENT	Expenditure		102 1
42266	08/16/19	ENTER005 ENTERPRISE FM TRUST				08/31/19	1468
19-02076	1	VEHICLE LEASE	486.42	001-2100-521-4431 LAW ENFORCEMENT	Expenditure		96 1
42267	08/16/19	FERGU010 FERGUSON ENTERPRISES, INC.				08/31/19	1468
19-02061	1	10TH STREET RESTROOMS	36.18	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		85 1
42268	08/16/19	FLAGL030 FLAGLER CARE CENTER				08/31/19	1468
19-01993	1	DRUG TEST/PHYSICALS	83.20	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		15 1
19-01993	2	DRUG TEST/PHYSICALS	92.80	001-3400-534-5290 GARBAGE	Expenditure		116 1
19-01993	3	DRUG TEST/PHYSICALS	144.00	001-131-1000 Due From Road & Bridge Fund	G/L		17 1
19-01994	1	DRUG TESI/PHYSICALS	11.70	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		18 1
19-01994	2	DRUG TESI/PHYSICALS	13.05	001-3400-534-5290 GARBAGE	Expenditure		19 1
19-01994	3	DRUG TESI/PHYSICALS	20.25	001-131-1000 Due From Road & Bridge Fund	G/L		20 1
19-02004	1	DRUG SCREENS	507.00	001-2100-521-5250 LAW ENFORCEMENT	Expenditure		23 1
			872.00				
42269	08/16/19	FLORI020 FLORIDA ASSOC OF CITY CLERKS				08/31/19	1468
19-01992	1	FACC MEMBERSHIP-DARIANA	75.00	001-1300-513-5420 FINANCE	Expenditure		14 1
42270	08/16/19	FLORI170 FLORIDA JANITOR & PAPER SUPPLY				08/31/19	1468
19-02043	1	SUPPLY	146.89	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		61 1
42271	08/16/19	FOPLO005 FOP LODGE 113				08/31/19	1468
19-02089	1	MEMBERSHIP DUES	14.00	001-229-1000 Miscellaneous Deductions	G/L		113 1
42272	08/16/19	GALLS010 GALLS AN ARAMARK COMPANY				08/31/19	1468
19-02021	1	BATON OFFICER GEAR	204.95	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		34 1
19-02022	1	PANTS ABEL	82.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		35 1
			286.95				

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001TD	OPERATING			Continued				
42273	08/16/19	GLACI005 GLACIER HEATING & A/C				08/31/19		1468
19-02048	1	REPAIR AC CITY HALL	350.00	001-1900-519-4610	Expenditure		65	1
				OTHER GOVERNMENTAL				
42274	08/16/19	GOODY020 GOODYEAR COMMERCIAL TIRE				08/31/19		1468
19-02063	1	SANITATION TIRES	3,320.95	001-3400-534-4630	Expenditure		86	1
				GARBAGE				
19-02070	1	TIRE CREDIT	180.00	001-3400-534-4630	Expenditure		90	1
				GARBAGE				
			<u>3,140.95</u>					
42275	08/16/19	HAGAN020 HAGAN ACE HARDWARE				08/31/19		1468
19-02018	1	BUG KILLER	6.99	001-2100-521-5290	Expenditure		31	1
				LAW ENFORCEMENT				
19-02019	1	PAINTING SUPPLIES	29.64	001-2100-521-4610	Expenditure		32	1
				LAW ENFORCEMENT				
19-02033	1	WATER HOSE	39.99	001-2100-521-4610	Expenditure		52	1
				LAW ENFORCEMENT				
19-02054	1	JANITORIAL SUPPLY	67.89	001-1900-519-5290	Expenditure		71	1
				OTHER GOVERNMENTAL				
			<u>144.51</u>					
42276	08/16/19	HICKS101 HICK'S LAND CLEARING & INCINER				08/31/19		1468
19-02012	1	DISPOSAL	150.00	001-3400-534-4940	Expenditure		25	1
				GARBAGE				
19-02078	1	DISPOSAL	500.00	001-3400-534-4940	Expenditure		98	1
				GARBAGE				
			<u>650.00</u>					
42277	08/16/19	HOMED010 HOME DEPOT				08/31/19		1468
19-02015	1	POWER STRIP	48.01	001-1300-513-5100	Expenditure		28	1
				FINANCE				
19-02016	1	2ND FLOOR SOUND REDUCTION	140.20	001-2400-524-6200	Expenditure		29	1
				PROT INSPECTIONS				
19-02017	1	VEHICLE MAINTENANCE	3.00	001-2400-524-5230	Expenditure		30	1
				PROT INSPECTIONS				
19-02052	1	JANITORIAL SUPPLIES	29.25	001-1900-519-5290	Expenditure		69	1
				OTHER GOVERNMENTAL				
19-02053	1	IT DEPARTMENT	11.13	001-1900-519-4610	Expenditure		70	1
				OTHER GOVERNMENTAL				
			<u>231.59</u>					
42278	08/16/19	INDIA010 INDIANHEAD BIOMASS SERVICES				08/31/19		1468
19-02011	1	DISPOSAL	28.05	001-3400-534-4940	Expenditure		24	1
				GARBAGE				
42279	08/16/19	JACKB010 JACK BECKER DISTRIBUTORS				08/31/19		1468
19-02059	1	OIL	449.37	001-3400-534-5220	Expenditure		83	1
				GARBAGE				

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001TDOPERATING			Continued				
42280	08/16/19	KATHI005 KATHI M HARRELL				08/31/19	1468
19-02003	1	COLLEGE REIMB	1,180.34	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		22 1
42281	08/16/19	LVHIE010 L.V. HIERS INC.				08/31/19	1468
19-01991	1	BULK FUEL	1,813.00	001-141-0000 Inventories - Fuel	G/L		13 1
42282	08/16/19	MICRO010 MICROSOFT CORPORATION				08/31/19	1468
19-02056	1	OFFICE 365 RENEWAL	240.00	001-1200-512-5290 EXECUTIVE	Expenditure		73 1
19-02056	2	OFFICE 365 RENEWAL	1,920.00	001-1300-513-5290 FINANCE	Expenditure		74 1
19-02056	3	OFFICE 365 RENEWAL	372.00	001-1500-515-5290 COMP PLANNING	Expenditure		75 1
19-02056	4	OFFICE 365 RENEWAL	187.20	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		76 1
19-02056	5	OFFICE 365 RENEWAL	6,480.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		77 1
19-02056	6	OFFICE 365 RENEWAL	1,068.00	001-2400-524-5290 PROT INSPECTIONS	Expenditure		78 1
19-02056	7	OFFICE 365 RENEWAL	208.80	001-3400-534-5290 GARBAGE	Expenditure		79 1
19-02056	8	OFFICE 365 RENEWAL	324.00	001-131-1000 Due From Road & Bridge Fund	G/L		80 1
			<u>10,800.00</u>				
42283	08/16/19	NATIO090 NATIONWIDE RETIREMENT SOLUTION				08/31/19	1468
19-02088	1	DEFERRED COMP	1,664.52	001-235-0000 Deferred Compensation	G/L		112 1
42284	08/16/19	PEOPL005 PEOPLEREADY FLORIDA INC				08/31/19	1468
19-01909	1	TEMP LABOR	638.40	001-3400-534-3400 GARBAGE	Expenditure		4 1
19-02025	1	TEMP LABOR	638.40	001-3400-534-3400 GARBAGE	Expenditure		46 1
19-02068	1	TEMP LABOR	470.82	001-3400-534-3400 GARBAGE	Expenditure		88 1
			<u>1,747.62</u>				
42285	08/16/19	SAFET020 SAFETY PRODUCTS, INC.				08/31/19	1468
19-01869	1	GLOVES	504.40	001-3400-534-5290 GARBAGE	Expenditure		2 1
42286	08/16/19	SANFO005 SANFORD AND SON AUTO PARTS INC				08/31/19	1468
19-02045	1	FUEL	106.70	001-3400-534-5220 GARBAGE	Expenditure		63 1
19-02057	1	SERVICE # 76	224.68	001-3400-534-4630 GARBAGE	Expenditure		81 1

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001TDOPERATING			Continued				
42286	19-02058	SANFORD AND SON AUTO PARTS INC 1 GLOVES	Continued 12.99	001-3400-534-5290 GARBAGE	Expenditure		82 1
			<u>344.37</u>				
42287	08/16/19	SMITH010 SMITH BROS. PEST CONTROL				08/16/19 VOID	0
42288	08/16/19	SMITH010 SMITH BROS. PEST CONTROL				08/31/19	1468
19-01984	1	PEST CONTROL	30.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		6 1
19-01985	1	PEST CONTROL	52.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		7 1
19-01986	1	PEST CONTROL	52.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		8 1
19-01987	1	PEST CONTROL	25.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		9 1
19-01988	1	PEST CONTROL	95.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		10 1
19-01989	1	PEST CONTROL	55.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		11 1
19-01990	1	PEST CONTROL	25.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		12 1
			<u>334.00</u>				
42289	08/16/19	STAUG090 ST AUGUSTINE POWER HOUSE				08/31/19	1468
19-02060	1	REPAIR TO SKAG	50.39	001-1900-519-4620 OTHER GOVERNMENTAL	Expenditure		84 1
42290	08/16/19	STAUG110 ST AUGUSTINE RECORD				08/31/19	1468
19-01858	1	CPZ AD	107.70	001-1500-515-4810 COMP PLANNING	Expenditure		1 1
19-01889	1	ORD 19-10 THR 19-12 ADV	170.53	001-1300-513-4810 FINANCE	Expenditure		3 1
19-01983	1	CODE ENF AD	67.32	001-2400-524-4810 PROT INSPECTIONS	Expenditure		5 1
			<u>345.55</u>				
42291	08/16/19	STJOH070 ST. JOHNS COUNTY CLERK OF COUR				08/31/19	1468
19-02072	1	CITATION PYMT SABP00622	78.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		91 1
19-02077	1	FILING FEES	250.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		97 1
			<u>328.00</u>				
42292	08/16/19	STJOH110 ST. JOHNS COUNTY SOLID WASTE				08/31/19	1468
19-02013	1	DISPOSAL	13,665.82	001-3400-534-4940 GARBAGE	Expenditure		26 1
42293	08/16/19	STJOH140 ST. JOHNS COUNTY UTILITY DEPAR				08/31/19	1468
19-02037	1	WATER	379.54	001-1900-519-4320 OTHER GOVERNMENTAL	Expenditure		53 1

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001TDOPERATING				Continued					
42293	ST. JOHNS COUNTY UTILITY DEPAR	Continued							
19-02037	2	WATER	253.02	001-2400-524-4320	Expenditure		54		1
				PRDT INSPECTIONS					
19-02038	1	WATER	65.90	001-1900-519-4320	Expenditure		55		1
				OTHER GOVERNMENTAL					
19-02038	2	WATER	73.50	001-3400-534-4320	Expenditure		56		1
				GARBAGE					
19-02038	3	WATER	114.06	001-131-1000	G/L		57		1
				Due From Road & Bridge Fund					
19-02039	1	WATER	69.33	001-7200-572-4320	Expenditure		58		1
				PARKS AND REC					
19-02040	1	WATER	64.85	001-2100-521-4320	Expenditure		59		1
				LAW ENFORCEMENT					
19-02073	1	WATER	179.65	001-7200-572-4320	Expenditure		92		1
				PARKS AND REC					
19-02074	1	WATER	795.96	001-7200-572-4320	Expenditure		93		1
				PARKS AND REC					
			<u>1,995.81</u>						
42294	08/16/19	STJOH240 ST JOHN'S COUNTY FIRE RESCUE				08/31/19	1468		
19-02080	1	CPR/AED TRAINING	136.00	001-2100-521-5430	Expenditure		100		1
				LAW ENFORCEMENT					
42295	08/16/19	STJOH245 ST JOHNS SALES & SERVICE				08/31/19	1468		
19-02044	1	REPAIRS	81.93	001-1900-519-4620	Expenditure		62		1
				OTHER GOVERNMENTAL					
42296	08/16/19	SUNLI010 SUN LIFE FINANCIAL				08/31/19	1468		
19-02024	1	INSURANCE PREMIUM	7.50	001-229-2100	G/L		37		1
				Insurance-Other Employee Paid					
19-02024	2	INSURANCE PREMIUM	4.57	001-1200-512-2300	Expenditure		38		1
				EXECUTIVE					
19-02024	3	INSURANCE PREMIUM	73.28	001-1300-513-2300	Expenditure		39		1
				FINANCE					
19-02024	4	INSURANCE PREMIUM	14.20	001-1500-515-2300	Expenditure		40		1
				COMP PLANNING					
19-02024	5	INSURANCE PREMIUM	45.25	001-1900-519-2300	Expenditure		41		1
				OTHER GOVERNMENTAL					
19-02024	6	INSURANCE PREMIUM	183.20	001-2100-521-2300	Expenditure		42		1
				LAW ENFORCEMENT					
19-02024	7	INSURANCE PREMIUM	40.76	001-2400-524-2300	Expenditure		43		1
				PROT INSPECTIONS					
19-02024	8	INSURANCE PREMIUM	50.47	001-3400-534-2300	Expenditure		44		1
				GARBAGE					
19-02024	9	INSURANCE PREMIUM	78.32	001-131-1000	G/L		45		1
				Due From Road & Bridge Fund					
			<u>497.55</u>						
42297	08/16/19	SYMBA010 SYMBOL ARTS				08/31/19	1468		
19-02081	1	BADGES	319.50	001-2100-521-5210	Expenditure		101		1
				LAW ENFORCEMENT					

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001TD	OPERATING			Continued			
42298	08/16/19	TAMPA010 TAMPA CRANE & BODY, INC				08/31/19	1468
19-02046	1	REPAIRS	118.15	001-3400-534-4630 GARBAGE	Expenditure		64 1
42299	08/16/19	THEBA005 THE BANCORP BANK				08/31/19	1468
19-02055	1	LEASE VEHICLE	389.49	001-2100-521-4431 LAW ENFORCEMENT	Expenditure		72 1
42300	08/16/19	USBAN005 US BANK VOYAGER FLEET SYS				08/31/19	1468
19-02084	1	FUEL POLICE DEPT	4,963.58	001-2100-521-5220 LAW ENFORCEMENT	Expenditure		104 1
42301	08/16/19	VERIZ010 VERIZON WIRELESS				08/31/19	1468
19-02029	2	OFFICE PHONES	907.62	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		115 1
42302	08/16/19	WAL-M010 WAL-MART STORE#01-0579				08/31/19	1468
19-02083	1	NNO TODDLER BIKE	39.97	001-2100-521-5240 LAW ENFORCEMENT	Expenditure		103 1
42303	08/16/19	WINDS005 WINDSTREAM				08/31/19	1468
19-02086	1	PHONE/INTERNET	689.79	001-1300-513-4100 FINANCE	Expenditure		105 1
19-02086	2	PHONE/INTERNET	1,437.07	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		106 1
19-02086	3	PHONE/INTERNET	316.15	001-2400-524-4100 PROT INSPECTIONS	Expenditure		107 1
19-02086	4	PHONE/INTERNET	86.22	001-1900-519-4100 OTHER GOVERNMENTAL	Expenditure		108 1
19-02086	5	PHONE/INTERNET	143.71	001-3400-534-4100 GARBAGE	Expenditure		109 1
19-02086	6	PHONE/INTERNET	201.19	001-131-1000 Due From Road & Bridge Fund	G/L		110 1
			<u>2,874.13</u>				
42304	08/16/19	WRIGH010 WRIGHT NATIONAL FLOOD				08/31/19	1468
19-02041	1	FLOOD INSURANCE	1,594.00	001-155-0000 Prepaid Items	G/L		60 1
42305	08/30/19	A1AAU020 A1A AUTO CENTER INC					1471
19-02174	1	OIL CHANGE	79.95	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		117 1
42306	08/30/19	ACCEN005 ACCENT BARRIERS LLC					1471
19-02099	1	10' 4000LB USED CONCR BARRIERS	3,360.00	001-7200-572-4832 PARKS AND REC	Expenditure		29 1
19-02099	2	10' 4000LB USED CONCR BARRIERS	1,495.13	001-7200-572-4832 PARKS AND REC	Expenditure		30 1
			<u>4,855.13</u>				

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001TDOPERATING			Continued				
42307	08/30/19	ADVAP010 ADVANCED AUTO PARTS					1471
19-02147	1	REPAIR	10.99	001-3400-534-4630	Expenditure		92 1
				GARBAGE			
42308	08/30/19	AFLAC005 AFLAC					1471
19-02152	1	PREMIUMS	604.59	001-229-2100	G/L		97 1
				Insurance-Other Employee Paid			
42309	08/30/19	BOZAR010 BOZARD FORD COMPANY					1471
19-02091	1	STEP BARS	430.73	001-2400-524-6410	Expenditure		24 1
				PROT INSPECTIONS			
19-02117	1	VEHICLE REPAIRS	95.98	001-2100-521-4630	Expenditure		63 1
				LAW ENFORCEMENT			
19-02118	1	VEHICLE REPAIRS	120.00	001-2100-521-4630	Expenditure		64 1
				LAW ENFORCEMENT			
19-02119	1	VEHICLE REPAIRS	31.99	001-2100-521-4630	Expenditure		65 1
				LAW ENFORCEMENT			
19-02120	1	VEHICLE REPAIRS	31.99	001-2100-521-4630	Expenditure		66 1
				LAW ENFORCEMENT			
			710.69				
42310	08/30/19	CANON010 CANON FINANCIAL SERVICES					1471
19-02112	1	COPIER LEASE	125.00	001-2400-524-4430	Expenditure		48 1
				PROT INSPECTIONS			
19-02112	2	COPIER LEASE	42.38	001-2400-524-4700	Expenditure		49 1
				PROT INSPECTIONS			
19-02112	3	COPIER LEASE	125.00	001-2100-521-4430	Expenditure		50 1
				LAW ENFORCEMENT			
19-02112	4	COPIER LEASE	45.87	001-2100-521-4700	Expenditure		51 1
				LAW ENFORCEMENT			
19-02112	5	COPIER LEASE	125.00	001-1300-513-4430	Expenditure		52 1
				FINANCE			
19-02112	6	COPIER LEASE	59.41	001-1300-513-4700	Expenditure		53 1
				FINANCE			
19-02113	1	COPIER LEASE	47.84	001-1900-519-4430	Expenditure		54 1
				OTHER GOVERNMENTAL			
19-02113	2	COPIER LEASE	8.79	001-1900-519-5100	Expenditure		55 1
				OTHER GOVERNMENTAL			
19-02113	3	COPIER LEASE	53.36	001-3400-534-4430	Expenditure		56 1
				GARBAGE			
19-02113	4	COPIER LEASE	9.81	001-3400-534-5100	Expenditure		57 1
				GARBAGE			
19-02113	5	COPIER LEASE	82.80	001-131-1000	G/L		58 1
				Due From Road & Bridge Fund			
19-02113	6	COPIER LEASE	15.22	001-131-1000	G/L		59 1
				Due From Road & Bridge Fund			
			740.48				
42311	08/30/19	CMRMO005 CMR MOBILE EQUIPMENT & TRUCK R					1471
19-02162	1	REPAIRS	380.00	001-3400-534-4630	Expenditure		106 1
				GARBAGE			



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001TD	OPERATING		Continued						
42312	08/30/19	COMCA015 COMCAST					1471		
19-02121	1	NEWS	66.48	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		67	1	
42313	08/30/19	CONTI010 CONTINENTAL AUTO/TRUCK SERVICE					1471		
19-02002	1	FUEL TANK REPL-#76	1,312.55	001-3400-534-4630 GARBAGE	Expenditure		7	1	
19-02093	1	REPAIRS	643.87	001-3400-534-4630 GARBAGE	Expenditure		26	1	
			<u>1,956.42</u>						
42314	08/30/19	COQUI005 COQUINA LAW GROUP PA					1471		
19-02107	1	LEGAL FEES	455.00	001-1300-513-3100 FINANCE	Expenditure		41	1	
19-02108	1	LEGAL FEES	6,000.00	001-1300-513-3100 FINANCE	Expenditure		42	1	
			<u>6,455.00</u>						
42315	08/30/19	CROWN020 CROWN SHREDDING LLC					1471		
19-02114	1	RECORD DISPOSITION	166.22	001-1100-511-4970 LEGISLATIVE	Expenditure		60	1	
42316	08/30/19	CSAB-020 CSAB - GENERAL FUND		(Void Reason: wrong vendor)		08/30/19 VOID	1471		
19-02104	1	PE FROM FINES	166.00	001-351-500 Court Fines	Revenue		36	1	
42317	08/30/19	DELMA005 DEL MAR VETERINARY HOSPITAL					1471		
19-02179	1	KILO VET	189.92	001-2100-521-4640 LAW ENFORCEMENT	Expenditure		122	1	
42318	08/30/19	DGGTA010 DGG UNIFORMS & WORK APPAREL					1471		
19-02175	1	POLOS	53.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		118	1	
19-02176	1	POLOS	113.40	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		119	1	
			<u>166.40</u>						
42319	08/30/19	ELITE005 ELITE SUPPLY & INSTALL'S LLC					1471		
19-02173	1	VEHICLE CHANGES	355.95	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		116	1	
42320	08/30/19	FIRST070 FIRST BANKCARD				08/30/19 VOID		0	
42321	08/30/19	FIRST070 FIRST BANKCARD				08/30/19 VOID		0	
42322	08/30/19	FIRST070 FIRST BANKCARD				08/30/19 VOID		0	
42323	08/30/19	FIRST070 FIRST BANKCARD					1471		
19-01981	1	PAINTING SUPPLIES	231.16	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		3	1	
19-02000	1	FUJITSU SCANNERS-BLDG/ADMIN	1,685.98	001-1300-513-6320 - BENANCE	Expenditure		4	1	

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001TDOPERATING				Continued				
42323	FIRST	BANKCARD		Continued				
19-02000	2	FUJITSU SCANNERS-BLDG/ADMIN	1,685.98	001-2400-524-6430	Expenditure		5	1
				PROT INSPECTIONS				
19-02006	1	AMAZON-STORAGE BIN EVIDENCE	38.94	001-2100-521-5290	Expenditure		9	1
				LAW ENFORCEMENT				
19-02006	2	AMAZON-STORAGE BIN EVIDENCE	33.22	001-2100-521-5290	Expenditure		10	1
				LAW ENFORCEMENT				
19-02007	1	WINDOW SHADES	22.85	001-2100-521-4630	Expenditure		11	1
				LAW ENFORCEMENT				
19-02008	1	TRAINING	69.00	001-2400-524-5430	Expenditure		12	1
				PROT INSPECTIONS				
19-02034	1	KILO FOOD	109.99	001-2100-521-4640	Expenditure		13	1
				LAW ENFORCEMENT				
19-02035	1	AED REPAIR SHIPPING	52.66	001-2100-521-5100	Expenditure		14	1
				LAW ENFORCEMENT				
19-02066	1	BACKGROUND CHECK	6.24	001-1900-519-5290	Expenditure		20	1
				OTHER GOVERNMENTAL				
19-02066	2	BACKGROUND CHECK	6.96	001-3400-534-5290	Expenditure		21	1
				GARBAGE				
19-02066	3	BACKGROUND CHECK	10.80	001-131-1000	G/L		22	1
				Due From Road & Bridge Fund				
19-02071	1	TESTING MATERIALS	353.92	001-2400-524-5410	Expenditure		23	1
				PROT INSPECTIONS				
19-02101	1	PAINTING SUPPLIES	99.96	001-2100-521-4610	Expenditure		31	1
				LAW ENFORCEMENT				
19-02102	1	UNIFORM SHOES	72.95	001-2100-521-5210	Expenditure		32	1
				LAW ENFORCEMENT				
19-02103	1	BACKGROUND CK	6.24	001-1900-519-5290	Expenditure		33	1
				OTHER GOVERNMENTAL				
19-02103	2	BACKGROUND CK	6.96	001-3400-534-5290	Expenditure		34	1
				GARBAGE				
19-02103	3	BACKGROUND CK	10.80	001-131-1000	G/L		35	1
				Due From Road & Bridge Fund				
19-02123	1	ICC CERT PERMIT TECH-PIEROTTI	70.00	001-2400-524-5430	Expenditure		69	1
				PROT INSPECTIONS				
19-02127	1	GO BAG	64.19	001-2100-521-5230	Expenditure		73	1
				LAW ENFORCEMENT				
19-02128	1	SHOES	144.90	001-2100-521-5210	Expenditure		74	1
				LAW ENFORCEMENT				
19-02129	1	ACCREDIDATION ASSESSMENT	258.00	001-2100-521-5440	Expenditure		75	1
				LAW ENFORCEMENT				
19-02134	1	CABLE	8.25	001-1300-513-5230	Expenditure		80	1
				FINANCE				
19-02150	1	TRAINING-STORMWATER RECERT	149.00	001-131-1000	G/L		130	1
				Due From Road & Bridge Fund				
19-02150	2	TRAINING-STORMWATER RECERT	149.00	001-131-1000	G/L		131	1
				Due From Road & Bridge Fund				
19-02156	1	TAG/TITLE #70	84.85	001-3400-534-5290	Expenditure		101	1
				GARBAGE				
19-02171	1	POSTAGE	25.92	001-2100-521-4200	Expenditure		114	1
				LAW ENFORCEMENT				

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001TDOPERATING							
42323	08/30/19	FIRST BANKCARD	Continued				
19-02172	1	AED SHIPMENT	25.41	001-2100-521-4200	Expenditure		115 1
				LAW ENFORCEMENT			
19-02183	1	TAILGATE #67	298.29	001-3400-534-4630	Expenditure		126 1
				GARBAGE			
19-02184	1	SAFETY GLASSES	129.48	001-3400-534-5290	Expenditure		127 1
				GARBAGE			
			5,911.90				
42324	08/30/19	FLAPA005 FLA-PAC					1471
19-02133	1	CONFERENCE	300.00	001-2100-521-5430	Expenditure		79 1
				LAW ENFORCEMENT			
42325	08/30/19	FLORI120 FLORIDA FBINAA					1471
19-02132	1	FBINAA	25.00	001-2100-521-5430	Expenditure		78 1
				LAW ENFORCEMENT			
42326	08/30/19	FLORI170 FLORIDA JANITOR & PAPER SUPPLY					1471
19-02094	1	JANITORIAL	120.16	001-1900-519-5290	Expenditure		27 1
				OTHER GOVERNMENTAL			
19-02160	1	SUPPLY	112.43	001-1900-519-5290	Expenditure		105 1
				OTHER GOVERNMENTAL			
			232.59				
42327	08/30/19	FOPLO005 FOP LODGE 113					1471
19-02189	1	MEMBER DUES	14.00	001-229-1000	G/L		129 1
				Miscellaneous Deductions			
42328	08/30/19	GREGS005 GREG'S AUTO COLLISION CENTER					1471
19-02170	1	VEHICLE REPAIRS-#108	907.28	001-2100-521-4630	Expenditure		113 1
				LAW ENFORCEMENT			
42329	08/30/19	GTDIS005 GT DISTRIBUTORS					1471
19-02122	1	HOLSTER	123.02	001-2100-521-5210	Expenditure		68 1
				LAW ENFORCEMENT			
19-02131	1	FLASHLIGHT MOUNT	221.96	001-2100-521-5230	Expenditure		77 1
				LAW ENFORCEMENT			
19-02180	1	CHIEF & CMDR UNIFORMS	337.38	001-2100-521-5210	Expenditure		123 1
				LAW ENFORCEMENT			
			682.36				
42330	08/30/19	HAGAN020 HAGAN ACE HARDWARE					1471
19-02140	1	SUPPLY	15.17	001-1900-519-5290	Expenditure		85 1
				OTHER GOVERNMENTAL			
19-02141	1	REPAIRS	19.96	001-3400-534-4630	Expenditure		86 1
				GARBAGE			
19-02177	1	BULB HEADLITE	3.99	001-2100-521-4630	Expenditure		120 1
				LAW ENFORCEMENT			
			39.12				

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PO #	Item	Description							
001TD	OPERATING		Continued						
42331	08/30/19	HEATH010 HEATH ELECTRIC					1471		
19-02144	1	AV ROOM	325.00	001-1900-519-4610	Expenditure		89	1	
				OTHER GOVERNMENTAL					
19-02149	1	training room	498.00	001-2400-524-6200	Expenditure		94	1	
				PROT INSPECTIONS					
			<u>823.00</u>						
42332	08/30/19	HOMED010 HOME DEPOT				08/30/19 VOID		0	
42333	08/30/19	HOMED010 HOME DEPOT					1471		
19-02097	1	BUILDING SAFETY	14.13	001-2400-524-6200	Expenditure		28	1	
				PROT INSPECTIONS					
19-02135	1	BBO STAGE	626.46	001-7200-572-4832	Expenditure		81	1	
				PARKS AND REC					
19-02136	1	BBO REPAIR TO STAGE	93.90	001-7200-572-4832	Expenditure		82	1	
				PARKS AND REC					
19-02137	1	REPAIR POLICE DEPT	6.98	001-1900-519-4610	Expenditure		83	1	
				OTHER GOVERNMENTAL					
19-02138	1	PWD SIGNS	18.07	001-1900-519-4610	Expenditure		84	1	
				OTHER GOVERNMENTAL					
19-02142	1	POLICE DEPT	263.97	001-1900-519-5220	Expenditure		87	1	
				OTHER GOVERNMENTAL					
19-02157	1	HURRICANE PREP SUPPLIES	230.21	001-2400-524-5230	Expenditure		102	1	
				PROT INSPECTIONS					
19-02168	1	BBO STAGE	84.60	001-7200-572-4832	Expenditure		111	1	
				PARKS AND REC					
			<u>1,338.32</u>						
42334	08/30/19	LEGAL005 LEGALSHIELD					1471		
19-02109	1	PREPAID LEGAL	15.95	001-229-2100	G/L		43	1	
				Insurance-Other Employee Paid					
42335	08/30/19	LVHIE010 L.V. HIERS INC.					1471		
19-02111	1	289 GALS UNLD,463 GALS DIESEL	657.24	001-141-0000	G/L		46	1	
				Inventories - Fuel					
19-02111	2	289 GALS UNLD,463 GALS DIESEL	1,160.63	001-141-0000	G/L		47	1	
				Inventories - Fuel					
			<u>1,817.87</u>						
42336	08/30/19	MARIO010 MARIOTTI'S					1471		
19-02126	1	DRY CLEANING	143.21	001-2100-521-5210	Expenditure		72	1	
				LAW ENFORCEMENT					
42337	08/30/19	MAXR0010 MAX ROYLE				08/31/19	1471		
19-02105	1	TOLLS-CONFERENCE	16.00	001-1200-512-4000	Expenditure		37	1	
				EXECUTIVE					
42338	08/30/19	MELVI010 MELVIN'S REPAIR SHOP					1471		
19-02145	1	REPAIR	23.72	001-3400-534-4630	Expenditure		90	1	
				GARBAGE					

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PO #	Item	Description					Seq Acct
001TD	OPERATING			Continued			
42339	08/30/19	MUNIC010 MUNICIPAL CODE CORPORATION					1471
19-02124	1	CODE BOOK SUPPLEMENT	2,377.12	001-1100-511-3170 LEGISLATIVE	Expenditure		70 1
42340	08/30/19	NATIO090 NATIONWIDE RETIREMENT SOLUTION					1471
19-02188	1	DEFERRED COMP	1,664.52	001-235-0000 Deferred Compensation	G/L		128 1
42341	08/30/19	NEXTR005 NEXTRAN					1471
19-00285	1	2019 MACK GRANITE W/READ LOAD	216,449.43	001-3400-534-6410 GARBAGE	Expenditure		1 1
42342	08/30/19	PEOPL005 PEOPLEREADY FLORIDA INC					1471
19-02092	1	TEMP HELP	510.72	001-3400-534-3400 GARBAGE	Expenditure		25 1
19-02143	1	TEMP HELP	606.48	001-3400-534-3400 GARBAGE	Expenditure		88 1
			<u>1,117.20</u>				
42343	08/30/19	POWER020 POWERDETAILS					1471
19-02005	1	OFF DUTY SYSTEM	1,690.75	001-2100-521-4620 LAW ENFORCEMENT	Expenditure		8 1
42344	08/30/19	PUBLI020 PUBLIX					1471
19-02181	1	DEPT TRAINING	21.54	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		124 1
19-02182	1	DEPT TRAINING	140.62	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		125 1
			<u>162.16</u>				
42345	08/30/19	QUILL010 QUILL CORPORATION					1471
19-02115	1	OFFICE SUPPLIES	10.91	001-1300-513-5100 FINANCE	Expenditure		61 1
19-02116	1	OFFICE SUPPLIES	4.97	001-1300-513-5100 FINANCE	Expenditure		62 1
			<u>15.88</u>				
42346	08/30/19	SHERW010 SHERWIN WILLIAMS					1471
19-01847	1	paint for benches	55.65	001-131-1000 Due From Road & Bridge Fund	G/L		2 1
19-02151	1	PAINT FOR SIGNS, CR ON FILE	125.40	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		95 1
19-02151	2	PAINT FOR SIGNS, CR ON FILE	74.80	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		96 1
19-02167	1	SPLASH PARK	55.87	001-7200-572-4620 PARKS AND REC	Expenditure		110 1
19-02169	1	BBO STAGE	56.78	001-7200-572-4832 PARKS AND REC	Expenditure		112 1
			<u>218.90</u>				

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PO #	Item	Description						
001TD	OPERATING			Continued				
42347	08/30/19	SHI00005 SHI						1471
19-02001	1	CONTRACTOR CARD PRINTER	1,264.06	001-2400-524-6430	Expenditure		6	1
				PROT INSPECTIONS				
19-02036	1	ESET ENDPOINT PROTECTION A/V	848.40	001-2100-521-5290	Expenditure		15	1
				LAW ENFORCEMENT				
19-02036	2	ESET ENDPOINT PROTECTION A/V	218.16	001-1300-513-5290	Expenditure		16	1
				FINANCE				
19-02036	3	ESET ENDPOINT PROTECTION A/V	121.20	001-2400-524-5290	Expenditure		17	1
				PROT INSPECTIONS				
19-02036	4	ESET ENDPOINT PROTECTION A/V	24.24	001-1500-515-5290	Expenditure		18	1
				COMP PLANNING				
19-02036	5	ESET ENDPOINT PROTECTION A/V	484.80	001-1900-519-5290	Expenditure		19	1
				OTHER GOVERNMENTAL				
			<u>2,960.86</u>					
42348	08/30/19	SPORT010 SPORTS CORNER						1471
19-02130	1	HAT PRESTON	40.00	001-2100-521-5210	Expenditure		76	1
				LAW ENFORCEMENT				
42349	08/30/19	STADV010 STAPLES ADVANTAGE						1471
19-02154	1	SUPPLIES	91.78	001-1300-513-5100	Expenditure		98	1
				FINANCE				
19-02154	2	SUPPLIES	72.52	001-1300-513-5230	Expenditure		99	1
				FINANCE				
19-02154	3	SUPPLIES	1.62	001-2400-524-5100	Expenditure		100	1
				PROT INSPECTIONS				
			<u>165.92</u>					
42350	08/30/19	STAUG090 ST AUGUSTINE POWER HOUSE						1471
19-02165	1	REPAIR TO SKAG	139.46	001-1900-519-4620	Expenditure		108	1
				OTHER GOVERNMENTAL				
19-02166	1	REPAIR TO SKAG	44.98	001-1900-519-4620	Expenditure		109	1
				OTHER GOVERNMENTAL				
			<u>184.44</u>					
42351	08/30/19	TOMNE010 TOM NEHL TRUCK COMPANY						1471
19-02148	1	REPAIRS	151.70	001-3400-534-4630	Expenditure		93	1
				GARBAGE				
19-02158	1	REPAIR	45.45	001-3400-534-4630	Expenditure		103	1
				GARBAGE				
19-02159	1	REPAIR	9.08	001-3400-534-4630	Expenditure		104	1
				GARBAGE				
			<u>206.23</u>					
42352	08/30/19	ULTRA005 ULTRASHRED TECHNOLOGIES, INC						1471
19-02178	1	SHRED	42.74	001-2100-521-5290	Expenditure		121	1
				LAW ENFORCEMENT				
42353	08/30/19	USPS0010 USPS-HASLER						1471
19-02125	1	POSTAGE	500.00	001-155-0000	G/L		71	1
				Prepaid Items				

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PO #	Item	Description						Acct
001TDOPERATING Continued								
42354	08/30/19	VERIZ010 VERIZON WIRELESS						1471
19-02106	1	CELL PHONES	109.56	001-2400-524-4100	Expenditure		38	1
				PROT INSPECTIONS				
19-02106	2	CELL PHONES	235.08	001-3400-534-4100	Expenditure		39	1
				GARBAGE				
19-02106	3	CELL PHONES	235.09	001-131-1000	G/L		40	1
				Due From Road & Bridge Fund				
			579.73					
42355	08/30/19	WAL-M010 WAL-MART STORE#01-0579						1471
19-02110	1	MEETING SNACKS	10.28	001-1100-511-5290	Expenditure		44	1
				LEGISLATIVE				
19-02110	2	MEETING SNACKS	10.28	001-1500-515-5290	Expenditure		45	1
				COMP PLANNING				
			20.56					
42356	08/30/19	WILSO010 WILSON MACHINE & WELDING WORKS						1471
19-02146	1	REPAIR TO SKAG	70.00	001-1900-519-4620	Expenditure		91	1
				OTHER GOVERNMENTAL				
19-02163	1	REPAIRS	997.00	001-3400-534-4630	Expenditure		107	1
				GARBAGE				
			1,067.00					
Checking Account Totals								
		Paid	Void	Amount Paid	Amount Void			
	Checks:	139	11	351,894.70	2,701.02			
	Direct Deposit:	0	0	0.00	0.00			
	Total:	139	11	351,894.70	2,701.02			
002IMPACTFEES								
1571	08/30/19	STJOH020 ST JOHNS COUNTY FINANCE DEPT						1472
19-02199	1	IMPACT FEES-AUG 2019	16,286.61	001-208-0000	G/L		1	1
				Due to Other Governments				
Checking Account Totals								
		Paid	Void	Amount Paid	Amount Void			
	Checks:	1	0	16,286.61	0.00			
	Direct Deposit:	0	0	0.00	0.00			
	Total:	1	0	16,286.61	0.00			
101TDBANKRDRG								
20473	08/02/19	BBOF5010 B & B OF ST AUGUSTINE INC.		(Void Reason: duplicate pymt)		08/30/19 VOID		1460
19-01976	1	REPAIR TO LAWN TRAILER	91.98	101-4100-541-4620	Expenditure		24	1
				Roads-Equipment Repair & Maintenance				
20474	08/02/19	BUGOU010 BUG OUT SERVICE INC				08/31/19		1460
19-01925	1	LAWN PEST CONTROL	350.00	101-4100-541-3400	Expenditure		4	1
				ROADS & BRIDGES				
20475	08/02/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				08/02/19 VOID		0
20476	08/02/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				08/31/19		1460
19-01932	1	ELECTRIC	53.94	101-4100-541-4310	Expenditure		6	1
				ROADS & BRIDGES				

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PO #	Item	Description							
101TDBANKRDBRG				Continued					
20476		FLORIDA POWER & LIGHT COMPANY		Continued					
19-01933	1	ELECTRIC	394.73	101-4100-541-4310	Expenditure		7	1	
				ROADS & BRIDGES					
19-01935	1	ELECTRIC	27.36	101-4100-541-4310	Expenditure		8	1	
				ROADS & BRIDGES					
19-01936	1	ELECTRIC	20.35	101-4100-541-4310	Expenditure		9	1	
				ROADS & BRIDGES					
19-01937	1	ELECTRIC	23.24	101-4100-541-4310	Expenditure		10	1	
				ROADS & BRIDGES					
19-01940	1	ELECTRIC	15.54	101-4100-541-4310	Expenditure		11	1	
				ROADS & BRIDGES					
19-01941	1	ELECTRIC	39.03	101-4100-541-4310	Expenditure		12	1	
				ROADS & BRIDGES					
19-01942	1	ELECTRIC	11.94	101-4100-541-4310	Expenditure		13	1	
				ROADS & BRIDGES					
19-01943	1	ELECTRIC	15.05	101-4100-541-4310	Expenditure		14	1	
				ROADS & BRIDGES					
19-01944	1	ELECTRIC	419.57	101-4100-541-4310	Expenditure		15	1	
				ROADS & BRIDGES					
19-01945	1	ELECTRIC	11.44	101-4100-541-4310	Expenditure		16	1	
				ROADS & BRIDGES					
19-01947	1	ELECTRIC	13.05	101-4100-541-4310	Expenditure		17	1	
				ROADS & BRIDGES					
19-01948	1	ELECTRIC	4,477.60	101-4100-541-5320	Expenditure		18	1	
				ROADS & BRIDGES					
19-01949	1	ELECTRIC	94.78	101-4100-541-5320	Expenditure		19	1	
				ROADS & BRIDGES					
			<u>5,617.62</u>						
20477	08/02/19	NORTH010 NORTH FLORIDA IRRIGATION EQUIP				08/31/19	1460		
19-01928	1	IRRIGATION	208.79	101-4100-541-5270	Expenditure		5	1	
				ROADS & BRIDGES					
20478	08/02/19	SAFET020 SAFETY PRODUCTS, INC.				08/31/19	1460		
19-01921	1	FLAGS	315.00	101-4100-541-5290	Expenditure		3	1	
				ROADS & BRIDGES					
19-01957	1	FLAG CROSSWALK	315.00	101-4100-541-5310	Expenditure		20	1	
				ROADS & BRIDGES					
			<u>630.00</u>						
20479	08/02/19	SANF0005 SANFORD AND SON AUTO PARTS INC				08/31/19	1460		
19-01910	1	STARTER #64,CORE RETURN	188.03	101-4100-541-4630	Expenditure		1	1	
				ROADS & BRIDGES					
19-01910	2	STARTER #64,CORE RETURN	27.50	101-4100-541-4630	Expenditure		2	1	
				ROADS & BRIDGES					
19-01959	1	REPAIRS	191.93	101-4100-541-4630	Expenditure		22	1	
				ROADS & BRIDGES					
			<u>352.46</u>						
20480	08/02/19	SIGNS010 SIGNS NOW				08/31/19	1460		
19-01958	1	SEPAC SIGNS	420.00	101-4100-541-6360	Expenditure		21	1	
				ROADS & BRIDGES					



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PO #	Item	Description					Ref Seq Acct
101TDBANKRDBRG			Continued				
20481	08/02/19	TRACT010 TRACTOR SUPPLY CO				08/31/19	1460
19-01971	1	GRASS	119.85	101-4100-541-5310	Expenditure		23 1
				ROADS & BRIDGES			
20482	08/06/19	AWACO010 AWA CONTRACTING CO. INC.				08/31/19	1466
19-01362	3	PIPING OF MICKLER DITCH	119,252.75	101-4100-541-6380	Expenditure	C0-00012	1 1
				ROADS & BRIDGES			
20483	08/16/19	BBTRA005 B&B TRAILERS AND ACCESSORIES				08/31/19	1467
19-02042	1	REPAIR TRAILER	91.98	101-4100-541-4620	Expenditure		4 1
				ROADS & BRIDGES			
20484	08/16/19	BUGOU010 BUG OUT SERVICE INC				08/31/19	1467
19-02065	1	LAWN PEST CONTROL	350.00	101-4100-541-3400	Expenditure		7 1
				ROADS & BRIDGES			
20485	08/16/19	CRAFT010 CRAFT'S TROPHIES & AWARDS INC				08/31/19	1467
19-02028	1	ENVIRONMENTAL STEWARDSHIP AWAR	100.00	101-4100-541-6360	Expenditure		3 1
				ROADS & BRIDGES			
20486	08/16/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				08/31/19	1467
19-02009	1	ELECTRIC	10.81	101-4100-541-4310	Expenditure		1 1
				ROADS & BRIDGES			
20487	08/16/19	NUTRI005 NUTRIEN AG SOLUTIONS INC					1467
19-02062	1	BAHIA GRASS	265.00	101-4100-541-5310	Expenditure		6 1
				ROADS & BRIDGES			
20488	08/16/19	SOUTH010 SOUTHERN HORTICULTURE				08/31/19	1467
19-02047	1	CITY HALL PLANTS	500.00	101-4100-541-5270	Expenditure		5 1
				ROADS & BRIDGES			
20489	08/16/19	THELA020 THE LAKE DOCTORS				08/31/19	1467
19-02010	1	WATER MAINTENANCE	595.00	101-4100-541-3400	Expenditure		2 1
				ROADS & BRIDGES			
20490	08/16/19	STJOH280 ST JOHNS RIVER WATER MGT DIST				08/31/19	1469
19-02096	1	APPL FEE-21554-19,3RD ALLEY	270.00	101-4100-541-6380	Expenditure		1 1
				ROADS & BRIDGES			
20491	08/30/19	AWACO010 AWA CONTRACTING CO. INC.					1470
19-01362	4	PIPING OF MICKLER DITCH	152,963.96	101-4100-541-6380	Expenditure	C0-00012	1 1
				ROADS & BRIDGES			
20492	08/30/19	CMT00005 CMT					1470
19-02098	1	3RD ALLEY DRAINAGE IMPR	1,320.00	101-4100-541-6380	Expenditure		5 1
				ROADS & BRIDGES			
19-02100	1	SAB HMPG	19,247.50	101-4100-541-6383	Expenditure		6 1
				ROADS & BRIDGES			
			<u>20,567.50</u>				

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PO #	Item	Description					Seq Acct
101TDBANKRDBRG			Continued				
20493	08/30/19	FUTCH010 FUTCH'S TRACTOR DEPOT					1470
19-02161	1	REPAIRS	118.39	101-4100-541-4620	Expenditure		10 1
				ROADS & BRIDGES			
20494	08/30/19	GRIFF010 GRIFFIN TREE FARM					1470
19-02064	1	SABLE PALM TREES	4,200.00	101-4100-541-6360	Expenditure		2 1
				ROADS & BRIDGES			
19-02064	2	SABLE PALM TREES	725.00	101-4100-541-6360	Expenditure		3 1
				ROADS & BRIDGES			
			4,925.00				
20495	08/30/19	JACKW015 JACK WRIGHT'S TREE SERVICE					1470
19-02095	1	REMOVAL OF TREES	800.00	101-4100-541-5310	Expenditure		4 1
				ROADS & BRIDGES			
20496	08/30/19	SAFET010 SAFETY KLEEN CORP.					1470
19-02139	1		168.27	101-4100-541-5290	Expenditure		7 1
				ROADS & BRIDGES			
20497	08/30/19	USA0025 USA SERVICES					1470
19-02164	1	A1A SWEEPING	180.00	101-4100-541-3400	Expenditure		11 1
				ROADS & BRIDGES			
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		23	2	308,857.38	91.98	
	Direct Deposit:		0	0	0.00	0.00	
	Total:		23	2	308,857.38	91.98	
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		163	13	677,038.69	2,793.00	
	Direct Deposit:		0	0	0.00	0.00	
	Total:		163	13	677,038.69	2,793.00	

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Totals by Year-Fund Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	9-001	334,816.27	143.89	33,221.15	368,181.31
ROAD & BRIDGE FUND	9-101	308,857.38	0.00	0.00	308,857.38
Total of All Funds:		643,673.65	143.89	33,221.15	677,038.69

Totals by Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	001	334,816.27	143.89	33,221.15	368,181.31
ROAD & BRIDGE FUND	101	308,857.38	0.00	0.00	308,857.38
Total of All Funds:		<u>643,673.65</u>	<u>143.89</u>	<u>33,221.15</u>	<u>677,038.69</u>

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
GENERAL FUND	9-001	334,816.27	0.00	0.00	0.00	334,816.27
ROAD & BRIDGE FUND	9-101	308,857.38	0.00	0.00	0.00	308,857.38
Total of All Funds:		<u>643,673.65</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>643,673.65</u>

## PENDING ACTIVITIES AND PROJECTS

Revised September 25, 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 21<sup>st</sup> and for the reviews to be discussed at the Commission's November 4<sup>th</sup> meeting.
2. **LAND DEVELOPMENT REGULATIONS.** At the City Commission's September 9<sup>th</sup> 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 17<sup>th</sup> meeting. The amendments and the Board's recommendations concerning them will be discussed by the Commission at its October 7<sup>th</sup> 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 31<sup>st</sup>.
  - c. Replacing Ron Parker Park tennis courts: Construction Services and Purchasing are coordinating the completion of this project.
  - d. Routine maintenance at beach access points: Maintenance has been done at 1<sup>st</sup>, 2<sup>nd</sup>, 7<sup>th</sup>, D, and F streets. The County is working with the Florida Department of Environmental Protection on what can be permitted to repair the retaining wall at the Pope Road access. What can be done will be subject to budget considerations based on the complexity of the repair. At the A Street access, the County is reviewing on to provide better and safer pedestrian access.
4. **UPDATING STRATEGIC PLAN.** The plan was adopted in the spring of 2015. At its January 6, 2018, meeting, the City Commission discussed whether to hire a facilitator to help update the plan. The Commission decided to delay the updating until it had adopted the changes to the Land Development Regulations. As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking infrastructure. The Commission discussed the topic at its June 10<sup>th</sup>

meeting. The City Manager 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 5<sup>th</sup> 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 10<sup>th</sup> 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 19<sup>th</sup> with the Comprehensive and Zoning Board is the exploration of a pay-by-phone parking system. Mayor George informed the Commission of Gainesville's use of the technology. The Commission discussed Gainesville's system at its April 2<sup>nd</sup> meeting, and directed the City staff to prepare and advertise a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20<sup>th</sup> deadline. The City staff reviewed them and met with St. Augustine's parking enforcement staff, as that city is interested in having a similar system and has been exploring the matter longer than our City has. Initially, the City Commission said it favored both cities having the same system St. Augustine is adopting, which is a system offered by a company called Passport Labs. With that system, a person uses a smart phone app to pay to park. However, at a special meeting on January 8, 2019, the Commission learned that St. Johns County planned to advertise for paid parking proposals in January with the possible implementation of paid parking at the pier and other County beach parking lots in April 2019. The City Commission decided to change direction and adopt the same paid parking system that the County adopts. The Commission believes this would be less confusing for residents and visitors.

In the meantime, the City Commission has adopted an ordinance to raise the fine for illegal parking from \$20 to \$75, to set the fine for illegal parking in a handicapped space at \$250, and to authorize the City Manager to put parking regulation signs on City streets. The Commission considered adopting regulations for a residential parking permit plan but decided on a trial basis to have Resident Only signs posted on 13<sup>th</sup> and 14<sup>th</sup> Streets west of the Boulevard, where the residents have requested the signs.

The Commission held a special meeting on January 8<sup>th</sup> for public comment on the proposal to have paid parking. Nearly all the persons who spoke were not in favor of the proposal.

At the Commission's February 4<sup>th</sup> meeting, there were two parking-related topics. One was an ordinance on final reading to allow for the establishment of parking meter zones; the second was to be a discussion of residential parking permits. The Commission decided to delay action on both topics and to hold a special meeting on Tuesday, March 5<sup>th</sup>, with residents to discuss the residents' proposed solutions for how to protect residential neighborhoods from parking by beach visitors. At the Commission's April 1<sup>st</sup> meeting, the Commission decided to hold a special meeting on April 29<sup>th</sup>, to discuss the parking management plan submitted by the County, and to pass on first reading the ordinance to establish the resident only parking system and ordinance to adopt changes to the City's parking regulations.

At the County Commission's April 2<sup>nd</sup> meeting, by majority vote it authorized the County staff to enter into negotiations with Republic Parking for a parking management plan with proposed parking fees of

\$5 a day and \$50 for the year. On April 15<sup>th</sup>, Commissioner Samora, the City's Chief Financial Officer, Ms. Melissa Burns, and the City Manager met with the County Administrator, Mr. Michael Wanchick, and the County's Director of the Office of Management and Budget, Mr. Jesse Dunn, to discuss how the City could be involved in the negotiations with Republic so that both the City and the County would have one parking management plan. The City Manager later sent the locations and numbers of public parking spaces that could be included in the Republic plan. The City's total number of possible paid parking spaces is 152. The City Manager in a subsequent email reminded Mr. Dunn to include City staff in the negotiations with Republic. However, as that meeting wasn't arranged, the Manager contacted Republic for a meeting with City staff. In April, Mr. Dunne informed the Manager that the County likely would implement its paid parking plan in March 2020.

In the meantime, the City Commission at its April 29, 2019, reviewed a proposed ordinance to establish a residential parking permit system, made changes to the ordinance and asked the City Attorney to have a final draft for the June 10<sup>th</sup> 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 29<sup>th</sup> meeting, the Commission discussed the possibility of leasing the vacant property between 4<sup>th</sup> and 5<sup>th</sup> 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 one of its meetings in October 2019 may consider a parking management plan and the fee to charge.

6. JOINT MEETING WITH THE COUNTY COMMISSION. No date in 2019 has yet been proposed by either Commission for a joint meeting.
7. STATE-MANDATED COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT. At its January 6, 2018, Commission meeting, the City Manager explained the report that is mandated for cities and counties every seven years, and whether it can be done by a consultant or a staff planner. The Commission agreed to have a request for proposals prepared for planning services with a provision in it requiring full disclosure of any actual or potential conflicts of interest or any appearance thereof. The City advertised for proposals. One was received, but the amount of money requested was so far above what the City could afford that the City Manager sought proposals from other sources. Two firms replied. At its May 7<sup>th</sup> meeting, the Commission approved the hiring of Fleet and Associates to do the report. The consultant held a public meeting on the Comprehensive Plan on Tuesday, June 26, 2018, at 6 p.m. Three citizens and one Commissioner attended. The consultant met with the Comprehensive Planning and Zoning Board at its July 17<sup>th</sup> meeting, and provided the results of the two meetings to the City Commission at its August 6<sup>th</sup> meeting. The Commission met with the planning consultants, Fleet and Associates, plus members of the Planning and Tree Boards at a workshop on October 17<sup>th</sup> to review Ms. Fleet's changes to the policies in the current Comprehensive Plan. At its November 13<sup>th</sup> meeting, the Commission decided not to hold a special meeting in late November to review the draft of the plan. At its December 17<sup>th</sup> special meeting, the Commission



decided to hold a special meeting on January 8, 2019, to review with the planning consultant the proposed changes to the Comprehensive Plan. On January 8<sup>th</sup>, Ms. Fleet went through the proposed changes with the Commission. Public comment was provided as well. The Planning Board reviewed the proposed changes at its February 19<sup>th</sup> meeting and decided to continue a review of the changes at the Board's March 19<sup>th</sup> meeting. However, at the request of the Board's Chair, Mrs. Jane West, and the planning consultant, Ms. Janis Fleet, the Board's review of the changes has been postponed to its April 16<sup>th</sup> meeting. At that meeting, the Planning Board approved the submission to the Commission of the changes proposed by its members. The Commission reviewed those changes at its June 10<sup>th</sup> meeting and continued the review for a special meeting on Tuesday, July 2<sup>nd</sup>. 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 will begin its review of the City's proposed amendments. The report of the review will be mailed to Ms. Fleet on October 7, 2019.

8. **UPDATING PERSONNEL MANUAL.** The City Clerk and former 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.
10. **CROSSWALKS AND PEDESTRIAN SAFETY.** City residents have asked that the pedestrian safety flag system on A1A Beach Boulevard be provided at 13<sup>th</sup> and 8<sup>th</sup> streets. At this time, the County Road and Bridge Department reports that because the number of pedestrian crossings at these intersections is low, the flag system cannot be justified.

At the Commission's May 6<sup>th</sup> meeting, Ms. Wanda Forrest of the North Florida Transportation Organization presented the TPO's five-year transportation improvements plan for northeast Florida. The Commission asked her for the TPO's help for pedestrian safety improvements on the Boulevard. She said she could bring the request to the attention of her Executive Director. Chief Hardwick has since been in contact by email with the TPO about possible improvements.

Chief Hardwick and the Public Works Director, Bill Tredik, in June met with County staff to discuss pedestrian safety improvements on the Boulevard. Chief Hardwick reported at the Commission's June 11<sup>th</sup> continuation meeting that the County has proposed putting new crosswalks at 9<sup>th</sup> and D Streets. 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 17<sup>th</sup> meeting discussed the proposal and asked for more information. At its August 5<sup>th</sup> meeting, the City Commission postponed the topic to the September 9<sup>th</sup> 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.

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 29<sup>th</sup>, the Acting Public Works Director and the City Manager met with representatives from Florida Power and Light. The company will change the lighting as part of the conversion of the Boulevard streetlighting to LED lights.
14. LED STREETLIGHTS. FPL representatives presented a proposal to the Commission at its June 10<sup>th</sup> meeting to change the lights throughout the City to LED lights. The Commission decided it needed more information from FPL. Chief Hardwick is working with FPL on a complete review of the lighting along the Boulevard.
15. CITIZEN SURVEY. The City's Communications and Events Coordinator proposed to the Commission at its March 5<sup>th</sup> meeting that the survey be done to find out what the Commission and its appointed boards could do better to communicate with and serve the citizens, and to find out what the citizens value most about the City. The survey will be on the City's website and distributed by its Facebook page and newsletter in April. The survey's deadline was in May, the results were tabulated in June and presented to the Commission at its July 1, 2019, meeting.

Since then, there has been a survey whether the City's dog license requirement should be repealed. In addition, other surveys have been conducted, such as whether citizens approve of e-scooters and have suggestions for a mission statement for the city.

16. CITY ATTORNEY SEARCH. City Attorney James Wilson announced his intention to resign at the Commission's April 1<sup>st</sup> meeting. At its April 29<sup>th</sup> special meeting, the Commission reviewed a draft of a Request for Proposals, made some changes to it, and provided suggestions to the City staff where to advertise the RFP. Deadline for responses to the RFP will be Friday, May 31, 2019, at 4 p.m. The City received two applications, one from Cape Coral on Florida's southwest coast, the other from Gainesville. At its June 17<sup>th</sup> special meeting, the Commission discussed the proposals received but selected neither one. The current City Attorney, Mr. James Wilson of the Coquina Law Group provided a proposal for the Commission to review at its July 1<sup>st</sup> meeting. The Commission agreed to have the Coquina Law Group continue to provide legal services, increase the monthly retainer from \$3,000 to \$6,000.