AGENDA

REGULAR CITY COMMISSION MEETING
MONDAY, DECEMBER 2, 2019 AT 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

NOTICE TO THE PUBLIC

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

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON NOVEMBER 4, 2019 AND CONTINUTATION MEETING OF REGULAR COMMISSION MEETING ON NOVEMBER 6, 2019

V. ADDITIONS OR DELETIONS OF THE AGENDA

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

VII. PRESENTATIONS

A. Interview of Mr. Larry Einheuser for Position of Junior Alternate on the Comprehensive Planning and Zoning Board

B. Report on Veterans Reunion in City, October 23-24, 2020, by Ms. Kim Kendall

C. Update Report by Communications and Events Coordinator Cindy Walker on Preparations for New Year's Eve Fireworks Show

VIII. PUBLIC COMMENTS

IX. COMMISSIONER COMMENTS

X. PUBLIC HEARINGS

1. Ordinance 19-17, Public Hearing and First Reading, to Adopt Amendments to the Comprehensive Plan (Presenter: Ms. Janis Fleet, Planning Consultant)

2. Conditional Use Permit to Construct a Single-Family Residence in a Commercial Land Use District at 16 5th Street, (Lot 18, St. Augustine Beach Subdivision, Mr. James Cochran, Applicant) (Presenter: Brian Law, Building Official)

3. Conditional Use Permit to Construct Eight Single-Family Residences in a Commercial Land Use District on West Side of A1A Beach Boulevard between E and F Streets (Lots 1-8, Block 43, Coquina Gables Subdivision, Mr. Len Trinca, Applicant) (Presenter: Brian Law, Building Official)

4. Conditional Use Permit for Outside Consumption of Food/Beverages at Former Coquina Beach Surf Club Restaurant, 451 A1A Beach Boulevard (Lots 65, 66, 67, 77 and 78, Atlantic Beach Subdivision, Mr. Michael Rosa, Applicant) (Presenter: Brian Law, Building Official)

5. Resolution 19-13, to Express City's Intent to Levy a Non-Ad Valorem Assessment for the Collection and Disposal of Solid Waste and Recyclables (Presenter: Patricia Douylliez, Finance Director)

XI. CONSENT

6. Re-appointment of Two Members of the Sustainability and Environmental Planning Advisory Committee, Dr. Lonnie Kaczmarsky and Ms. Sandra Krempasky, to Another Three-Year

XII. OLD BUSINESS

7. Legal Services: Discussion of Proposals Received from Law Firms and Scheduling Special Meeting in January for Interviews (Presenter: Max Royle, City Manager)

8. Rules of Civility for Public Participation: Continuation of Discussion (Presenter: Mayor George)

9. Changes to the Land Development Regulations: Continuation of Discussion (Presenter: Brian Law, Building Official)

10. Ordinance 19-18, First Reading: to Ban Rental of E-Scooters in City (Presenter: Jim Wilson, City Attorney)

11. Police Chief and City Manager: Review of Annual Performance Evaluations by Mayor and Commissioners (Presenter: Mayor George)

XIII. NEW BUSINESS

12. Pay for Employees During Emergencies: Consideration of Resolution to Adopt Policies (Presenter: Beverly Raddatz, City Clerk)

13. Election of Mayor and Vice Mayor For 2020 (Presenter: Max Royle, City Manager)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **HOLIDAYS.** The following will be observed as holidays by the City: After noon (12 p.m.), Tuesday, December 24, 2019, all of Wednesday, December 25th, Christmas Day, and all of Wednesday, January 1, 2020, New Year's Day. CITY OFFICIES WILL BE CLOSED. For these holidays, the solid waste removal schedule will be the following:

   - December 24th, Tuesday, Normal
   - December 25th, Wednesday: No pickup of yard trash / special waste or recyclables
   - December 26th, Thursday: Wednesday pickup of recyclables will be done on Thursday, Pickup of household waste will be normal.

- January 1st, Wednesday: No pickup of yard trash/special waste and recyclables.
- January 2nd, Thursday: Wednesday pickup of recyclables will be done on Thursday. Pickup of Household waste will be normal.

2. **SURF ILLUMINATION:** The start of the holiday lighting season in the City will be held by the Civic Association on Saturday, December 7, 2019, at the County pier park from 3:00 to 7:00 p.m.

3. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** It will hold its monthly meeting on Thursday, December 12, 2019, at 6:00 p.m. in the Commission meeting room at city hall.

4. **COMPREHENSIVE PLANNING AND ZONING BOARD**. It will hold its monthly meeting on Tuesday, December 17, 2019, at 6:00 p.m. in the Commission meeting room. Topics on the agenda may include: a. review of final development plan for 42 additional rooms for the Embassy Suites Hotel, 300 A1A Beach Boulevard.

5. **CITY E-NEWLETTER.** Persons interested in receiving the City's monthly e-newsletter should send their email address to Ms. Cindy Walker, the City's Communications and Events Coordinator, at cwalker@cityofsab.org.

NOTE:

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

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

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

MINUTES

REGULAR CITY COMMISSION MEETING
MONDAY, NOVEMBER 4, 2019 AT 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor George asked to Commissioner Samora 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 FINAL BUDGET MEETING ON SEPTEMBER 23, 2019 AND REGULAR COMMISSION MEETING ON OCTOBER 7, 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 Final Budget meeting on September 23, 2019 and Regular Commission meeting on October 7, 2019. **Moved by** Commissioner Rumrell, **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.

City Manager advised that Item 8 will be rescheduled to December 2, 2019.

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.

After discussion, the Commission agreed to move New Business before Old Business.

VII. PRESENTATIONS

A. Interview of Candidate, Mr. Raymond Lovett, for Appointment as Senior Alternate to the Code Enforcement Board

Mayor George introduced Item VII.A. and asked Mr. Raymond Lovett to come to the podium.

Mr. Lovett advised he has been a permanent resident in the City for eight years and has been retired for the past two years. He advised that he has been in law enforcement with the FBI for 36 years and he wanted to give back to the community.

Commissioner Kostka asked Mr. Lovett why he wanted to be a member of the Code Enforcement Board.

Mr. Lovett explained that he has been retired for two years and now want to give back to the community. He mentioned that it was this or the sea turtles that he was interested in.

Commissioner Samora asked Mr. Lovett if he ever has gone to the Code Enforcement Board meetings.

Mr. Lovett advised no. His neighbor told him about the position being opened.

Commissioner Rumrell thanked Mr. Lovett for wanting to give back to the community.

Motion: to approve Mr. Raymond Lovett as Senior Alternate to the Code Enforcement Board. **Moved by** Mayor George, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George moved on to VII.B.

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

Mayor George introduced Item VII.B. and asked for the representative from North Florida Green Chamber of Commerce to come to the podium.

Christina Kelcourse, Executive Director of North Florida Green Chamber of Commerce, 1361 13th Avenue S, Ste. 230, Jacksonville Beach, FL, explained the Green Chamber's Buyers Club. She mentioned that Green Chamber launched in January 2019 and they have 100 members currently. Businessowners want to go green but don't know how to purchase green products that are within their price range. She commented that the Buyer's Club helps north Florida get green products cheaper like south Florida, Tampa and Orlando. The costs are based on volume. The Buyer's Club helps the businesses by purchasing the green products in volume for all big and small businesses in north Florida. She commented that there is only one municipality that has joined the Green Chamber, the City of Atlantic Beach and explained that the municipal costs to join would be $350 per year. She remarked that North Florida Green Chamber has four coaches who are vetted and certified to help large, medium and small business with the process. She explained the many benefits for Green Chamber members.

Vice Mayor George asked if Ms. Kelcourse would be speaking to the City of St. Augustine.

Ms. Kelcourse advised yes, as well as others in this area.

Vice Mayor George invited her to Arbor Day for the City.

Ms. Kelcourse advised that she would like to get Green Chamber's name out to the public and would love to be invited.

Commissioner Kostka asked how Green Chamber gets the word out.

Ms. Kelcourse explained that Green Chamber does trade shows, advertising, radio and news stations, and events.

Commissioner Samora asked how businessowners and residents get in touch with the North Florida Green Chamber.

Ms. Kelcourse advised the webpage is northfloridagreenchamber.org.

Commissioner Kostka suggested Ms. Kelcourse get touch with North Florida Independent Businesses Group to use as a resource.

Mayor George asked for Commission discussion.

VIII. PUBLIC COMMENTS

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

Craig Thomson, 6 D Street, St. Augustine Beach, FL, thanked Public Works Director Tredik for applying to the DEP Sustainability Study grant for SEPAC and said that he has been very helpful to SEPAC. SEPAC is showing green movies every month at the public library, such as sea level rise and flooding. The last movie was called Smog of the Seas regarding plastic waste. He suggested reusing plastic and then recycle them. SEPAC is working with the public to educate them on sea level rise and climate change, as well as to establish policies. He suggested that in the future an expert planner should be hired to work with SEPAC on these issues.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Mr. Thomson and advised that President Trump withdrew from the Paris Climate Accord, which he believed was a mistake. He explained in ten years there will be one foot of sea level rise that will have to be addressed for our City, which he told City Manager Royle four years ago. He requested to advertise for a new City Manager. He asked why the police banquet was cancelled at Embassy Suites by Sheriff Shoar.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked the Commission to reconsider the City Manager's salary increase. He advised that City Manager Royle does not have a Deputy City Manager and does two-and-a-half people's jobs. He suggested to use the solid waste funds that were taken from the commercial businesses to pay for the increase or give $5,200 of additional pay to him when he retires.

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

IX. COMMISSIONER COMMENTS

Mayor George asked if Commissioners had any comments.

Commissioner Rumrell showed an ash can to dispose of cigarette butts that he was trying to implement. He explained that the ash cans would be attached to the garbage cans at the beach and businesses who want them. He commented that Public Works will pick the ash cans up when they empty the trash. He commented that his goal was to work with St. Johns County Beach Department and Parks and Recreation Department to place these ash cans in popular areas. He remarked that he received 50 ash cans.

Commissioner Kostka attended another census meeting and advised that there will be another meeting in November and none in December. She explained that starting in January there will be two meetings a month. She thanked Commissioner Rumrell for implementing the ash can project and requested some of the ash can for her business because she picked up a full sandwich baggie of cigarette butts on her property. She asked staff to address a letter to all the condos in the City to determine a more accurate count for short-term and transient rentals. She said this would be informational only because the City has no jurisdiction regarding homeowner associations. She explained that there is a trend in the commercial areas to have short-time and transient rentals.

Vice Mayor England commented that the City's 60th birthday was celebrated, and she would like to thank staff and especially Communications and Event Coordinator Walker for putting together a nice celebration. She also congratulated City Manager Royle for his 30 years of service. She thanked Mr. Reynolds for his comments and would support giving City Manager Royle's raise back.

Mayor George explained that she liked the historic displays and asked that we have a revolving historical display in city hall in display cabinets in order to educate the public who come to city hall and asked City Manager Royle to get more display cabinets to display the history of the City.

Mayor George went to the Tourist Development Council (TDC) meeting this month and they discussed the growth in bed tax and tourism within St. Johns County. TDC is investigating how to get higher dollars within St. Johns County. She advised that the TDC asked St. Johns County to pay for a feasibility study for a performing arts center. A new alliance group in St. Johns County formed and asked St. Johns County to partner with them to fund the feasibility study and the alliance group would do a business plan and run the performing arts center.

Mayor George explained that the City of Palm Beach offered to have the City sign on to an amicus brief they are filing to help protect local human rights ordinances. She advised that the City is one of 44 cities in the state that have adopted their own human rights ordinances and the State of Florida is trying to preempt local ordinances. She explained that the City could sign on to the amicus brief to protect the City's human rights ordinance and Home Rule. She commented that there would be no cost to the City and no staff time. She asked City Attorney Wilson what mechanism the City would need to add the City of St. Augustine Beach to the amicus brief.

City Attorney Wilson advised that it only needs a Commission consensus and a motion.

Mayor George made a motion.

Motion: to proceed with accepting the opportunity to sign on the amicus brief in the case that was previously presented. **Moved by** Mayor George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George then thanked Public Works Director Tredik for the sidewalk adjustment on Mickler Boulevard on the north half in order to have more buffer room and protect pedestrians and bicyclist.

Mayor George moved on to Item 1.

X. PUBLIC HEARINGS

1. Conditional Use Permit: Request for Permit for a Day Care/Pre-Kindergarten Private School at 4001 State Road A1A (Danielle Gwiazda of Island Prep LLC, Applicant) (Presenter: Brian Law, Building Official)

   Mayor George introduced Item 1 and asked Building Official Law for his report.

Building Official Law advised that five years ago Island Prep was granted a conditional use to operate a school on the property and it is now time to renew the conditional use. The Comprehensive Planning and Zoning Board voted unanimously to grant the renewal and the Building Department has no objection to the conditional use being granted. He asked that the Commission approve the conditional use permit and give an extension of time for it.

Commissioner Rumrell asked if the conditional use permit could give more than five years for the permit.

Building Official Law advised that it could go longer. It would be whatever the Commission feels comfortable with or it could be done to the ownership of the building.

Mayor George asked if any other businesses have gone longer than five years.

Building Official Law advised that he didn't know of any others except for the conditional use permits for a single-family residence in a commercial district.

Mayor George asked if there was a problem for the owner of the business to come in every five years.

Building Official Law advised that it would be nice to thin out the government a little bit, but it would be up to the Commission and what they feel comfortable with. He explained that the school is doing well and has a lot of applicants and is an asset to the City.

Mayor George asked if it could be transferred to the ownership of the building.

Building Official Law recommended that if the building was ever sold the conditional use permit could not be transferable to a new owner.

Mayor George was concerned about a new business not doing as well as this school. She explained that usually it is based on the business rather than the property.

Commissioner Samora asked if there have been requests to modify the original conditional use.

Building Official Law advised no.

Commissioner Kostka explained that she is concerned about always changing the procedures. She would not agree with a conditional use permit longer than five years and asked to follow the procedures that are in place.

Mayor George agreed with Commissioner Kostka and usually when a conditional use permit renewal comes up it gives the neighbors a chance to bring information to the review process.

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

Jessica Stowell, 115 St. Vincent Drive, St. Augustine, FL, explained that Island Prep is a wonderful school that is eco-friendly and even now her daughter monitors her recycling at home because of Island Prep. She said that this school has been a blessing.

Kate Batzel, 13 Sea Oaks Drive, St. Augustine Beach, FL, Managing Director of Island Prep, explained that because of the building in the area the public schools need other alternative schools to help with the crowding.

Lola Gwiazda, 311 West Road, St. Augustine, FL, explained that she goes to her mommy's school and that the school was eco-friendly, and they clean up the beaches.

Dani Gwiazda, 311 West Road, St. Augustine, FL, owner of Island Prep and the property, thanked all the people who came out to support the school. She explained that having to get approval every five years is hard for them.

Stephanie McPhee, 60 Surfview Drive, Palm Coast, FL, supports the school and hopes they build a high school.

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

Motion: to approve the conditional use permit for another five years subject to the condition that the Comprehensive Planning and Zoning Board requested that the permit would be non-transferrable and would be for the applicant only. **Moved by** Vice Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor George moved on to Item 2.

XI. CONSENT

2. Budget Resolutions 19-11 – 19- 12, for Adjustments to the Fiscal Year 2019 Budget

Mayor George asked if anyone had questions regarding the Consent Agenda. Being none, Mayor George asked for a motion.

Motion: to approve Resolutions 19-11 and 19-12. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George moved on to Item 3.

XIII. NEW BUSINESS

8. Police Chief and City Manager: Review of Annual Performance Evaluations by Mayor and Commissioners

Item 8 has been rescheduled to December 2, 2019.

9. River-to-Sea Loop Multi-Use Regional Trail: Resolution 19-11, to State City's Support of Preferred Alignment (Presenter: Bill Tredik, Public Works Director)

Mayor George introduced Item 9 and asked Public Works Director Tredik come to the podium.

Public Works Director Tredik showed a PowerPoint presentation (Exhibit A) that was presented previously to the Commission. He explained that in order to do the River-to-Sea Loop Multi-Use Regional Trail, it would have to be approved by the Commission via resolution for the funding to move forward. He introduced Heather Neville, advocate for bicycling, who has been working on this project since 2011 and David Kemp, Project Manager of Hanson Services, which a consultant for St. Johns County. They are present to answer any technical questions. Public Works Director Tredik explained the route for the 260-mile trail, which 45 miles of which is in St. Johns County. The consultant selected the best route through County Road 214 to get to St. Augustine Beach. He explained that the consultant wants a 10 to 12-foot-wide trail; however, there will be some places that is unobtainable. The consultant wanted to go through the City of St. Augustine, through the Bridge of Lyons and then south of Anastasia State Park property and follow down to A1A Beach Boulevard through to State Road A1A. An alternative route is going down Pope Road to Mickler Boulevard and then going to A Street or 5th Avenue to F Street, but they were not picked as the preferred route. He explained that going down A1A Beach Boulevard would be the best mix for cultural, social and recreational reasons. He explained that this project is ranked number two and needs to be acted on now before other projects are considered. In December 2019, the consultant would submit a preliminary design and engineering plan. For the consultant to submit the plan the City of St. Augustine Beach, City of St. Augustine and St. Johns County must pass a resolution that supports the alignment and that they agree to a future maintenance agreement for the sections of trail within their municipalities. He explained that the City of St. Augustine will be deciding on November 11, 2019 and St. Johns County on November 12, 2019. He mentioned that a few things would have to be changed, like the palm trees being moved etc., but it is an attractive trail that the City would be proud of. He pointed out that maintenance of the trail would not cost a lot and state funding could be available when resurfacing needs to be done.

Mayor George asked if this would be a widening of the City's sidewalks, landscaping, and street widening.

Public Works Director Tredik advised yes. He explained that it would replace the existing sidewalks and it would have a new design of concrete or asphalt.

Mayor George asked if underground utilities would be considered on A1A Beach Boulevard during the planning stage of the trail. She asked if the data and easement agreements could be shared with the City.

Mr. Kemp, Hanson Project Services, Project Manager, explained that the utilities would be considered with the alignment of the trail, but not funded. He agreed that the planning would be part of the project.

Vice Mayor England explained that at the Florida League of Cities' conference it was taught consider your infrastructure when putting a shovel to the ground.

Commissioner Kostka asked if permeable surface materials could be used instead of concrete or asphalt.

Mr. Kemp advised that the roadways would have to be smooth with no joints and that was why concrete and asphalt would be best for pedestrians and bicyclists.

Commissioner Kostka asked if they considered something like Adopt a Highway as a funding source.

Mr. Kemp advised yes.

Vice Mayor England asked what side of the Boulevard the trail would be on.

Mr. Kemp advised the west side currently, but it could change as the study is done.

Mayor George asked whether this trail would be on the Greenway app and whether information would be shown for what the City has to offer.

Mr. Kemp said yes.

Commissioner Samora asked about the alternative route on the curve on Santander, whether it would be on the south or west side.

Ms. Neville advised that it would be going through Anastasia State Park on the south side of the road.

Mr. Kemp advised that it would be south to west.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, supports the project and suggested to use rubber recycle bike path materials, which is permeable. He suggested bikes on one side and pedestrians on the other side of the Bridge of Lyons.

Mayor George closed the Public Comments section and explained that there was a one typo in the resolution on the last whereas, add the missing quotation before preferred.

Commissioner Samora also advised that the Florida Statutes chapter was missing.

Mayor George asked for a motion.

Motion: to adopt Resolution 19-11 subject to the changes as stated. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item 10.

10. Climate Change Survey: Request by Sustainability and Environmental Planning Advisory Committee for Approval to Post (Presenters: Members of the Committee)

Mayor George introduced Item 10 and asked Craig Thomson and Dr. Sandy Bond to come to the podium.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, member of SEPAC, advised that SEPAC would like to put out an educational survey that give the public access to certain links and information on reducing their carbon footprint.

Dr. Sandy Bond, 111 Compass Road, St. Augustine, FL, explained that the survey is to engage the community regarding climate change. The survey focuses on public transport, food that they eat, and the houses that they live in. There is a links are provided that show what emissions there are for cars, emissions on eating meat, and whether a person rents or owns a home and how to change their carbon footprints. She explained that the Cindy Walker asked that the survey be short.

Mayor George asked what the goal is for the survey.

Dr. Bond advised that the goal would be to get people to know more about climate change and what people can do to help the environment.

Mayor George explained that the source material is a good addition to the survey.

Vice Mayor England asked if they need to know if a person has a mortgage or not.

Dr. Bond advised if they own the property, they could do a lot more to stop the footprint.

Vice Mayor England suggested on Question 1 to strike out paying off the mortgage because some people would be upset with trying to be too personal.

Dr. Bond advised she would do that.

Mayor George opened the Public Comments section. Being none, Mayor George closed the Public Comments section. Mayor George asked if a motion was necessary.

City Attorney Wilson advised consensus of the Commission would be enough.

Mayor George advised that she is in support of the survey and it might bring out more people who want to be on the City's Boards.

Vice Mayor England asked if partial information would be accepted because she could see some people not wanting to give personal information.

Mayor George asked if this information would be stored this under their identity.

Dr. Bond advised that it would be anonymous but would ask at the end if they want more information.

Mayor George suggested that the household income should be removed or optional because the surveys will be public record.

Commissioner Rumrell suggested a disclaimer that any information given is a public record.

Dr. Bond advised okay.

Mayor George suggested a disclaimer on Question 15, and it would be public record.

Dr. Bond advised that she would do that.

It was the consensus of the Commission to do the survey.

Meeting was recessed at 7:34 p.m. and reconvened at 7:39 p.m.

Mayor George moved on to Item 11.

11. Bus Stop Shelters and Benches: Presentation of Proposal from Fuel Media Holdings (Presenters: Josh Cockrell and Patrick Mency)

Mayor George introduced Item 11 and asked Josh Cockrell and Patrick Mency to come to the podium.

Mr. Josh Cockrell, The Stellarea Group, P.O. Box 28327, Jacksonville, FL, introduced Patrick Mancy, president of Fuel Media Holdings and Chris Lucero, vice president of Fuel Media Holdings, which are local St. Johns County residents. He explained that the Council on Aging's Sunshine Bus has 140 stops in St. Johns County and there is a need for several bus benches on those routes. There are 12 stops in the City and explained that this is a turn-key operation at no cost to the City. Fuel Media installs and maintains the benches at the local bus stop locations throughout the City. The benches have ADA compliance pads and Fuel Media picks up the trash and weeds, so the City's Public Works Department doesn't have to do any maintenance. This is made possible through local business partnerships. The City can control what types of sponsorships to allow. Florida Statutes, 337.048 authorizes municipalities to authorize the placement of bus benches for public convenience without having to go to bid. He explained that part of the revenue would go back to those who participate. St. Johns County asked that the revenue shares go back to the Council on Aging.

Patrick Mency, Fuel Media, 10 South Newnan Street #205 A, Jacksonville, FL, explained that he started this business in 2007 because his grandmother used the bus and had to hold groceries until the bus arrived. He knew there was a need, so he opened this for municipalities who didn't have the funding for the bus benches or to keep them maintained.

Chris Lucero, Fuel Media Holdings, 10 South Newnan Street #205A, Jacksonville, FL, explained that Fuel Media has 18 contracts throughout Florida and the country. He commented that the City of St. Augustine Beach has the largest ride share and the benches would be a public service that is needed.

Mayor George asked about the revenue sharing.

Mr. Mency advised the revenue sharing would be 20% of the gross advertising.

Mayor George asked about shelters, especially on 10th Street.

Mr. Mency explained that they do shelters and would work with the City on the locations.

Commissioner Rumrell asked how many benches Fuel Media Holdings would put up in the City.

Mr. Mency advised that currently there are 11 stops and only two benches.

Commissioner Samora asked if the locations have been identified.

Mr. Cockrell advised yes. He explained that there are locations for shelters and benches and would like to work with the City on where the City would like to place them.

Mayor George asked if Fuel Media Holdings would retrofit a shelter to accommodate where the City wants them.

Mr. Mancy advised they would be responsible for that.

Commissioner Kostka advised that advertising is not allowed in the City on benches according to the sign code.

Mr. Cockrell advised that the sign code would have to be change.

Vice Mayor England asked why the Council on Aging is not here. She says she supports it, but how did this come about.

Mr. Cockrell advised that they brought this proposal to the Council on Aging a few years ago and the timing was not right at that time. He explained that they brought it back to the Council on Aging and they suggested that we come to the City. He commented that the Council on Aging is supportive of the proposal and they could come next time or get a letter of support.

Mayor George asked if the shelters are lit.

Mr. Mancy advised that that the shelters are lit for the advertising and lighting for the shaded areas. It is customized for the City.

Commissioner Kostka explained that the Commission suggested that the Council on Aging go to the local businesses to see if they would provide benches and shelters.

Mr. Cockrell advised that he didn't know if they did that.

Vice Mayor England asked why the Council on Aging is not here. She asked if this would be throughout the County.

Mr. Cockrell advised yes. They have met with the County Commissioners individually and with the City of St. Augustine City Manager.

Commissioner Kostka advised that she didn't want the City to look like mini billboards along A1A Beach Boulevard. She suggested that a local business could sponsor the shelter and put a plaque on it to show what business donated it.

Mayor George advised that the City has benches, but not shelters. She advised that the corners of the City are already commercialize. She asked if there should be a Request for Proposal even though it is not statutorily required.

Commissioner Rumrell asked if there were any space for the City to welcome the people.

Mr. Mancy advised that the City could get 10% of the shape available. He explained that for events it would be good because it notifies the public throughout St. Johns County.

Mayor George advised that it would be good for St. Johns County because they could put routes and maps on the shelters or benches. She asked if the County doesn't do this, will they still do the City's benches.

Mr. Mancy advised that they would still do it for the City.

Mayor George asked how many shelters would be economically feasible.

Mr. Mancy said he could do two shelters and it would still be feasible.

Commissioner Kostka asked the cost of a shelter.

Mr. Mancy advised $15,000.

Mayor George asked what contract term would this require.

Mr. Mancy advised ten years.

Mayor George asked about the insurance for hurricane damage from the shelter.

City Attorney Wilson advised that it would up to them to supply whatever they need to insure their benches and shelters, not the City's.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, supports having benches, but preferred the City invest in shelters themselves and don't have any advertising.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that lobbyist or salesman should not be here to present and advised that the Commission didn't want to have advertisement. Advertising would be distracting, and the City should invest in the shelters. He asked to table this item.

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

Commissioner Samora explained that he hasn't heard anything to motivate him to change the sign code. The sign code helps to keep the Boulevard aesthetically pleasing. He suggested that businesses could donate or maybe the City could do it in the future budget.

Commissioner Kostka wants shelters but feels that this needs more research and does not want to change the sign code.

Vice Mayor England advised that she would like to explore grants or alternatives with staff such as Public Works and have more research done.

Mayor George agreed to do more research. She thanked them for their initiative and for seeing a need in the community and trying to help. She advised after researching, staff will reach out to them if needed.

Mayor George moved on to Item 12.

12. Rules of Civility for Public Participation: Request by Mayor George to Discuss

Mayor George introduced Item 12 and advised she was looking up bag ban and when looking at other cities agenda they have rules of civility at the end, which informs the public. She asked the Commission to consider written rules of civility at the bottom of the agenda rather than having to be stated at the opening of every meeting. The Mayor needs to give notice to anyone disturbing the meeting. She explained that if the agenda has it in writing, then the public is already on notice. She thought it would be a good tool in writing. She suggested using the language on the example 1,2,3,5,8,9 and 10 in her example could apply.

Vice Mayor England suggested to include what is already written in the Policies and Procedures Manual or by resolution.

Mayor George advised that she knows there is Resolution 89-04 talks about civility. She requested to have staff write a draft and include it on December 2, 2019 as an item.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that the City of Sanibel's policy is unconstitutional. He felt that President Trump causes incivility.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, supports putting verbiage on the agenda and include Public Comment Law.

Mayor George closed the Public Comments section and then moved on to Item 13.

13. Repealing the Preemption of Local Laws Regarding the Use or Sale of Single-Use Plastic Bags and Polystyrene Materials: Consideration of Resolution 19-12 (Presenter: Mayor George)

Mayor George introduced Item 13 and explained that Mr. Bradford from Tequesta who is coordinating with cities that are interested in adopting the resolution. She explained that this resolution is requesting that the state legislation remove the preemption provision and to allow local governments to self-regulate. She requested that on page 6 to change "little" to "litter."

Commissioner Kostka advised that she supports this.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, supports this resolution and asked Mayor George to go on November 22nd to the County Legislation Delegation meeting and bring the resolution to the Chair, Travis Hudson.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, supported this resolution and to bring it to the legislatorial as well as the whole community.

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

Motion: to adopt Resolution 19-12 as drafted with change on the one typo. **Moved by** Vice Mayor England, **Seconded by** Mayor George. Motion passed unanimously.

Mayor George moved on to Item 3.

XII. OLD BUSINESS

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

Mayor George introduced Item 3 and asked for a report from Building Official Law.

Building Official Law advised that the Comprehensive Planning and Zoning Board recommended changes. He asked for Commission direction on whether they would like to move forward with the recommended changes or not.

Mayor George asked if there were any changes.

Building Official Law advised he did not make any changes.

Mayor George advised that there were emails requesting a workshop.

Building Official Law advised that Attorney West, Chair of the Comprehensive Planning and Zoning Board, requested a workshop for the overlay districts. He gave the history of the discussions that the Commission and the Comprehensive Planning and Zoning Board have had. He explained that the overlay districts allow for 7 ½ foot and 20-foot setbacks, but they would require the applicant to go to the Comprehensive Planning and Zoning Board. He explained that the intent was to remove the overlay districts, thin out the government paperwork, and have the 50-foot x 93-foot lots. He explained that if the Commission decides not to do the 50-foot x 93-foot lots, then he recommends keeping the overlay districts. He commented that this was to offset the amount of costs going to the Comprehensive Planning and Zoning Board.

Mayor George asked if the costs Building Official Law was referring to are for the applicant.

Building Official Law advised the applicants and the costs for staff time. He advised that he has no preference either way.

Vice Mayor England advised that the overlay district was to avoid numerous variances coming to the Comprehensive Planning and Zoning Board and to recognized that the east side doesn't have the trees like the west side of the Boulevard. She commented that the City still could have an overlay district without having the applicants going to the Comprehensive Planning and Zoning Board. She commented that if the City could recognize the differences between the east side of the Boulevard from the west side of the Boulevard. She asked if most of the small lots on the east side of the Boulevard.

Building Official Law advised that the small lots are on both sides. The east of the Boulevard is mostly commercial or medium density. There are more small lots on the west side of the Boulevard, which doesn't include the potential of vacating alley ways. He advised that he has no objections to the overlay districts. He explained that the City Center plotted lots was what they were called in the code previously. He explained that the overlay districts would allow movement on the property for the house to fit the setbacks and save trees.

Vice Mayor England commented that one email said that keeping the front setback at 25 feet would help with parking.

Building Official Law advised that five-foot more setback would be helpful, but the City does review for parking. There are only a couple of houses that might have it applied to.

Commissioner Samora asked how many of these variances have come to the Comprehensive Planning and Zoning Board.

Building Official Law explained that there was only one overlay district.

Commissioner Kostka asked why to change the code.

Mayor George asked what the difference was since the owners can choose to go to the overlay district.

Building Official Law advised that there would not be a difference, except the applicant would have to go to the Comprehensive Planning and Zoning Board, which cost the applicant money.

Mayor George asked what criteria the Comprehensive Planning and Zoning Board could have if they want to deny an overlay district.

Building Official Law advised that they would be able to stop wedding cake houses, etc.

Mayor George said that the community is concerned.

City Attorney Wilson advised that Attorney West asked him to explain that the parts of the codes were not put on the agenda and four of the members don't have a code book. He said they might go online to look, but there was some confusion about the codes when it was presented. The Board didn't feel that they had all the information necessary to decide.

Mayor George advised that every member of the Comprehensive Planning and Zoning Board, Code Enforcement Board, and SEPAC should have a printed copy of the code book. She asked to make sure that every member of Boards have all the appropriate tools. Every member should receive a book when they are appointed.

Building Official Law advised that he has.

City Attorney Wilson advised that the Sunshine Law and Public Records Law is given to the new members and he tries to meet with them to explain it.

Building Official Law advised that he would like to strikeout 3.09.00, page 9 of the draft. He recommended striking out in part d, "the tree removal as per House Bill 11.59."

Commissioner Samora asked why 3.09.00 was going to be striked out.

Building Official Law advised that the definition of the verifiable complaint must be better defined for enforcement.

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

Kathryn Levens, 611 Poinsettia Street, St. Augustine Beach, FL, explained that she has been working with planning regarding a house she purchased in a low-density zone. She would like to put a pool and she can't because of the zoning. She asked to have the zoning codes researched. She will go for a variance. She is asking the Commission to think of seascapes.

Sandra Krempasky, 7 C Street, St. Augustine Beach, FL, advised that she is here as the Chair of SEPAC and was requested to give their objections to the proposed setback reductions because they would affect the environment and tree canopies and asked why this wasn't done when the code was changed a year ago. At the meeting Chair West advised that she wanted a workshop regarding the setbacks and how the overlay districts fit in. She advised that 35% is not guaranteed and why not build smaller instead of bigger.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, advised that he was a certified planner and architect and requested a 30% coverage instead of 35% on the small lots. He advised that the code does not have to be changed. He requested that the City hire a planner who is an expert.

Michael Stauffer, 622 Bowers Lane, St. Augustine Beach, FL, explained that there is a big difference from the 1930's plats to the 1980's suburbia setbacks imposed on small lots. He is in support of the changes proposed because of the flexibility they bring to move a house footprint on these smaller lots and not go for a variance every time. He explained that they do save trees. He explained that the deck is open which allows water to go through so that should not be counted in the ratio.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Ms. Krempasky and does not want the codes changed. He advised that Building Official Law has a hostility to government and a lack of humility. He advised that Mr. Stauffer and Building Official Law want to break the rules

Mayor George closed the Public Comments section and asked Building Official Law if the City could take five-feet setbacks instead of 7 ½ feet setbacks on each side.

Building Official Law advised that the code is written like that to save trees and the owners have shown a commitment to save trees when they build.

Mayor George asked if pools were considered permeable and where a variance is needed to build a pool.

Building Official Law advised they are permeable. He said that if the City increases the Impervious Surface Ratio (ISR) to 50% in residential areas, they all would be the same or the City could create a 500 square foot exception for low density residential only for pool and pool decking. He advised that in low density neighborhoods the residents must pull out their pavers to get pools installed.

Vice Mayor England advised that there is such a difference in the tree coverage on the east side verses the west side of the Boulevard. She would like to do something regarding the pools and recognize that the City is a beach town and the market of the homes are different than on the west side of A1A Beach Boulevard. Residents should be able to get a three-

bedroom two bath home and a pool, and the City should work towards allowing that to be done.

Mayor George does not agree with making it 50% just for pools instead of allowing the changed ratio for everyone.

Building Official Law advised that he lets the contractor know that if the owner is going to have a pool, then they should use pavers. He sets the contractor up for success.

Mayor George advised that she agrees with Vice Mayor England that there is a difference between the east and west sides of the Boulevard. She explained that the changes are not different than what they already could do under the overlay district, so she didn't feel that the codes should be changed now. She asked to do the housekeeping issues separately and have the setbacks apply only to the east side of the Boulevard.

Building Official Law advised that he would present in December the signage in mixed use zones and removing the fee for transient rentals in the code because it is already in the fee schedule.

Commissioner Rumrell said having a comprise is important, but he didn't want to discourage owners from buying a home and not allowing them to do what they want so they don't take care of it. He asked if any one been denied a pool in low density.

Building Official Law advised that he thought that there might be one that had a high ISR, but he does a free plan review before they submit plans and they could resubmit.

Commissioner Kostka would prefer the setback issue be done separately.

Building Official Law would not do the setback issue next month. He explained that he will bring back housekeeping issues, remove the transient rental fee and remove the tree and landscape fund language, and bring the pool issue as another agenda item.

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

Mayor George moved on to Item 4.

4. Solid Waste: Continuation of Discussion re: The Non-Ad Valorem Assessment, Commercial Service and Related Matters (Presenter: Patricia Douylliez, Finance Director)

Mayor George introduced Item 4 and asked Finance Director Douylliez to give her report.

Finance Director Douylliez explained that one of the proposals is to increase the residential costs by the non-ad valorem tax. She commented that the advertisement started on November 1, 2019, which must run four weeks prior to the first meeting would be on December 2, 2019. She advised that at the December 2nd meeting the Commission would be determining the ranges of the non-ad valorem tax so the City can adjust costs like fuel costs, labor, etc. without going through the entire process again. In December the Commission also will be determining whether the full cost of $230 per year for residential non-ad valorem would be implemented starting in fiscal year 2021. Commercial full-disclosure costs for the City per fiscal year 2018 was $56,828.66. She explained that the calculation is based on municipal solid waste costs to total local government employees, which is 9 1/2 %. She explained that the calculated costs would be $2.90 per can for commercial pickup. Currently, the City is charging 1.76 per can, which shows a lost of $1.14 per can. She explained that it calculates to $22,000, which would offset some of the expenses that the City has. The City Manager according to the codes can increase the costs and is proposing to the Commission to increase the commercial costs for disposal to $2.90 per can.

Vice Mayor England asked if the staff if they changed the residential pickups to commercial and if not, then there would be an increase in the per can charge. She hoped that she would like a flat fee instead of counting containers.

Finance Director Douylliez advised that there are 184 total cans in fiscal year 2018 and we have 194 transient rentals alone in fiscal year 2019. There are 20 to 30 true commercial customers and out of that amount five could use the benefit of a dumpster. She commented that staff could reach out to several commercial companies to see if they would be willing to help the commercial customers with dumpsters or hand pickup. She advised that Advanced Disposal does offer hand pick up now in our area.

Vice Mayor England asked how often invoices are sent and felt that $2.90 is not enough to cover all the costs. She explained that she didn't want the City to subsidize commercial customers.

Finance Director Douylliez advised that it is taking a full cost analysis. She pointed out that the larger share of services would be the transient rentals that are intermingled in the neighborhoods. She explained that it would be hard to have a separate company know which cans to pick up for transient rentals. She commented that that was why at the last meeting she suggested to have a non-ad valorem assessment for transient rentals. She advised the Commission that they would have to decide whether to charge the transient rental properties $460, which would be the full cost or $230 like the residential properties. She explained that that would take the can counting away from the staff.

Mayor George asked if the new transient rentals could be credited their ad valorem amount of $74 per year against their invoice.

Finance Director Douylliez advised that she could, but then there is another tracking mechanism to monitor. She commented that if the goal is to decrease the amount of time staff is spending on counting and invoicing, it makes sense to make it a cleaner process. She explained that the cans fluctuate throughout the season. She remarked that the City can select a fee for transient rentals and a different fee for residential.

Vice Mayor England advised that the residential properties could be a flat fee and transient rentals could have a City non-subsidized fee through a non-ad valorem tax.

Finance Director Douylliez advised yes. Implementation would be in fiscal year 2021. She explained that it would take most of the workload off staff for counting cans, tracking of the billing, mailing and posting payments.

Commissioner Samora asked how many businesses the City would be counting cans for under this new structure.

Finance Director Douylliez advised approximately 25 true businesses, whereas there are approximately 200 that we are collecting now.

Mayor George asked if the 184 properties were exclusively transient rentals.

Finance Director Douylliez advised yes.

Commissioner Rumrell asked what the City of St. Augustine and St. Johns County do for transient rentals billing. Do they charge a different amount than residential properties?

Finance Director Douylliez advised that she has not asked St. Johns County, but St. Augustine the vacation rentals must sign up for the services just like other residents would.

Commissioner Rumrell asked if staff has researched any property with five or more units to be commercial properties.

Finance Director Douylliez advised that staff has a list of what is ad valorem and what is not; however, it will take time to get a complete list completed. She explained that staff would send information to the owners directing them how they would receive service.

Vice Mayor England said that one to four families are considered residential, transient rentals should have a higher fee than residentials, and five and more units would be commercial and should use dumpsters.

Finance Director Douylliez agreed with Vice Mayor England. She explained that it will take time to work with the homeowner associations and to get them set up with a dumpster company.

Mayor George asked what the term MSW mean.

Finance Director Douylliez advised it stands for Municipal Solid Waste.

Mayor George advised that she was concerned about this methodology and advised if the City had to privatize trash pick up the Commission would still have to be involved in the decisions. She commented that the legislative account should not be a factor in the calculations.

Finance Director Douylliez advised that this methodology has been in place with the State of Florida for years and only recently in the last two years it didn't need to be published. She commented that the State requires municipalities to follow that formula.

Mayor George said we are attributing a certain cost and if legislative is not providing that service the City would still need finance and administration. She advised if we are going to provide a 60% increase to the customers and then cutting back on staff time, then the customer should see a decrease in the costs for the service once that is accomplished. This methodology doesn't provide a decrease to the customers. She advised that she was concerned for the businesses and the residents. She commented that across the board rate for residents or transient rentals is a fraudulent standard because there is no adjustment for a sliding scale. Some of the transient rentals generate a ton of trash and others don't. She asked what they would do for a home business. Would they pay a commercial rate and if not, how do you differentiate between a one room business condo that would have to pay $290 a week minimum as compared to a 3,000 square foot business with 30 employees?

Commissioner Samora advised that the City is only trying to recoup the costs of solid waste disposal. He commented that the 60% increase reflects that the rates have not been changed in years. He explained that the City is trying to make it a more efficient system and reduce the administrative costs, which is a small portion of the $290. He explained that the City is playing catch up.

Mayor George asked that it be phased in.

Commissioner Samora advised that that could be a possibility, but the costs have gone up and the City has never adjusted it.

Mayor George asked how the City is going to adjust costs if the City is using a portion of the City's operating budget.

Finance Director Douylliez advised that the City will always know how many transient rentals there are because of the business tax receipts. She explained that the data the City doesn't know is the number of cans put out. She commented that transient rentals in residential areas would be hard to track and get a number without counting the cans.

City Clerk Raddatz announced that it is almost 10:00 p.m.

Mayor George advised that she had a conflict tomorrow but could come on Wednesday.

It was the consensus of the Commission to have the continuation of the Regular Commission meeting on Wednesday, November 6th at 6:00 p.m.

Mayor George advised that this item would start with the Public Comments section at the continuation meeting.

5. Dockless Scooters, E-Bicycles and Bicycles: Review of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)

   Item 5 has been continued to Wednesday, November 6, 2019 at 6:00 p.m.

6. Legal Services: Discussion of Criteria for Evaluating Applicants for City Attorney (Presenter: Max Royle, City Manager)

   Item 6 has been continued to Wednesday, November 6, 2019 at 6:00 p.m.

7. For-Profit Events in City: Review of Proposed Policy (Presenter: Cindy Walker, Communication and Events Coordinator)

   Item 7 has been continued to Wednesday, November 6, 2019 at 6:00 p.m.

XIII. STAFF COMMENTS

This item has been continued to Wednesday, November 6, 2019 at 6:00 p.m.

XIV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

Motion: to continue this Regular Commission meeting until Wednesday, November 6, 2019 at 6:00 p.m. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

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

_____

Undine C. George, Mayor

ATTEST:

_____

City Clerk

MINUTES

CONTINUATION OF REGULAR CITY COMMISSION MEETING
WEDNESDAY, NOVEMBER 6, 2019 AT 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

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

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

MEETING CONTINUED WITH ITEM 4

XII. OLD BUSINESS

4. Solid Waste: Continuation of Discussion re: the Non-Ad Valorem Assessment, Commercial Service and Related Matters (Presenter: Patricia Douylliez, Finance Director)

Mayor George continued with Item 4.

Commissioner Kostka explained that this item is for the business and commercial pick up of solid waste. She advised that for ten years we have been negligent in increasing the cost of the use. A five-year increase would not be astronomical by any means. She explained that over the course of five years her dumpster charges have increased 50%. She commented that 60% increase in one year is excessive for even business customers. She remarked that the business tax receipts were not increased in the last ten years and now they will be increased yearly. She asked if it is advantageous for the City to be in the trash business. She explained that the numbers the Finance Department gives to run the trash collections is $1,365,523.34 a year. She suggested doing a Request for Proposal (RFP) on solid waste like was done with recyclables. During the budget cycle the Commission discussed purchasing another garbage truck, but maybe that would not be necessary if the City does an RFP. She explained that she has a dumpster that she pays for but is also paying the $74 non-ad valorem taxed and wondered how many properties in the City are paying trash pickup twice.

Finance Director Douylliez advised that she would have to research, but duplexes are charged for each unit at the $74 rate. She explained that there are some errors that she is finding that some properties are being charged the non-ad valorem when they have a dumpster and others who are not being charged anything and their garbage is being picked up by hand. She agreed that a full clean up needs to be done within our residential properties.

Commissioner Samora asked if commercial customers would not pay the $74 non-ad valorem.

Finance Director Douylliez advised that if a transient rental is licensed, she removes the $74 residential fee from the tax roll in the next coming year and if a owner decides not to continue the transient rental, then the $74 residential fee would be taken off the tax roll in the next fiscal year. She advised that it either the non-ad valorem tax should be charged instead of charging the fee per can pick up.

Mayor George commented that she was in full support to get the figures with an RFP in order to get the comparable numbers, however, the prospect of obligating the City to the confinement of being held by a vendor is not good. She explained that there are not a lot of competitive vendors in the area, which the Commission saw when the recycling nearly doubled with the RFP process. Not wise to give up the self-sufficiency because it does give benefits and savings to the residents. She explained that she finds suspect the methodology that is being used for what the City's actual costs are. Costs include maintaining the City Commission, should not be applied because the Commission would operate whether they have trash pickup or not. A competitive bid would provide what our operating costs would be, but she would not want to have a third-party vendor because there is not enough competition there.

Commissioner Kostka explained that she understands Mayor George's points, but Republic has just purchased Advanced Disposal and as a client there would be concerns on going to an outside vendor. Concerned over being in the right ball park regarding the figures in the budget allocations, she commented that Meridian Waste is a new company and she advised that there is language that could be put in the contract to close any loopholes. She suggested to explore every avenue to see what there is.

Vice Mayor England explained that the Commission did review whether this service should be outsourced, and the outcome was to keep the residential and the small business because it evens out the use of personnel and equipment. She explained that per the previous discussion the Commission wants to service one to four family units, residentials, small businesses and transient rentals. She explained that units with five units or more and larger businesses would not be serviced by the City, but by vendors with dumpsters for their safety and health. She commented that using cost accounting the City would partially subsidize residential properties, but the transient rentals and small business would be charged a fair flat fee that would be greater than the residential property owners with a phase in approach. Policywise the City should service the residents and small business owners with waste and disposal services.

Commissioner Kostka suggested being careful on how the Commission uses the word subsidized because the City Charter says that part of the taxes the residents pay for is trash

collection. She said that we are charging a non-ad valorem tax to subsidize the budget because there is not enough money in our budgetary funds to pay for all the City's costs. Mayor George advised that this came about because the Commission asked staff to find more revenue sources and unfortunately this would come from the residents and the businesses, which is a problem for her. She disagreed that the businesses should pay more than the residents because they work here in the City too. She explained that the cost difference between what the businesses, residents, and transient rental payments would be makes no sense. She explained that not every transient rental doubles the amount being picked up by the small businesses. She remarked that she does not support this methodology presented.

Commissioner Rumrell advised that he spoke with the City of St. Augustine and St. Johns County to see what they charge and their methodology. He advised that they have Republic and Advanced Disposal. St. Johns County charges $230 per year. He explained that Advanced Disposal picks up roughly 89,000 residential homes which comes to $20,470,000 a year. St. Johns County does not charge a commercial fee, but make the commercial business negotiate with a hauler to pick up the commercial business. City of St. Augustine charges $209.28 a year for residential trash collection; however, for commercial it is broken down by square footage. If a commercial property, 0 to 100 square feet is $15.13; 100 to 250 square feet is $22; 251 to 500 square feet is $30; 501 to 750 square feet is $37; 751 to 1,000 square feet is $45.40 and anything over 1,000 square feet is $60.53 a month. The City of St. Augustine gives a 96-gallon trash bin to the commercial businesses, which they dump with a front loader truck. The City of St. Augustine does not pick up construction debris. They charge $57.20 per yard in addition to the $209.28 a year. Yard debris is limited to four yards per pickup. If it is over four yards, the City of St. Augustine charges an additional $52 per four yards. He explained that there are multiple places to take yard debris and trash. Republic Services has Nine Mile Road trash location and the yard fees are $92 a ton and trash fees are about $91 a ton. Bunnell has a construction and debris, recycle, landfill and trash facility charges $47 a ton. He explained that he is not sure where the City is taking the trash, but the City of St. Augustine is saving over $100,000 a year by taking their trash from Republic and using the Bunnell location. The City needs to research what we are paying for because it is coming out of the General Fund; he would rather see those funds go to Road and Bridge Fund, sidewalks and infrastructure that is failing in the City now and are being postponed. He advised that he agreed with Commissioner Kostka that in the last ten years the costs should have been increased five percent each year. He advised that the actual costs need to be figured out.

Vice Mayor England advised that the costs could be less if the large businesses and units with five or more units get their own vendors. She explained that with the City Manager and the Public Works Director, the Commission needs to decide what service can the City provide efficiently. She wants to know how much it would cost the City, what is included in the costs, and then fairly allocate that between the owner occupied residential, transient rentals, and small businesses. Should approach it as what the Commission wants to provide that is efficient, move the larger customers off the City's pick up, and decide how much it would cost the City and how to fairly allocate the costs in a phased in approach.

Commissioner Rumrell advised that he tried to get a phone number for Republic, they only have a national phone number that the residents would be hardpressed to complain to about their trash not being picked up.

Mayor George requested from staff what the hard data of the actual out-of-pocket costs are. She said she appreciates and respects the methodology that was done, but that is not the actual costs. Formulate the hard costs, capital improvement costs, capital projects plan, dumping fees, and personnel costs of those who only do trash pickup and dumping. She also would like some projections from the Finance Department.

Commissioner Samora advised that he didn't think the numbers would be that much different because those costs have already been given to the Commission in reports. He said that the personnel are 5.5 people for waste pickup and dumping, which doesn't seem unreasonable.

Finance Director Douylliez explained that the personnel maybe a little under because the City picks up waste four days a week, not five. She explained that those personnel do other work as well and are allocated out by 26% going to Other Services, 29% is allocated to garbage, and the remainder goes to Road and Bridge.

Commissioner Samora explained that $89,000 has been included for finance costs, administrative costs, which comes out to 6.6% difference and staff has presented close to the total costs already.

Commissioner Kostka advised that this is part of the budget and when the Commission reviewed the budget it seems that every year the Commission is crunching the numbers trying to find savings. She explained that the salary and benefits cost the City more than the City's tax property revenues, which is alarming. She explained that this is one piece of the puzzle. It concerns her to start assessing the citizens for the budget needs. The Commission needs to manage the budget and the monies the City has the best as we can before asking citizens to pay more. Several citizens are on fixed incomes. She is reluctant to ask for more money from the citizens and suggested that the Commission research all areas to see where we are over and under spending. Projects have been being put off for years because we don't have the funds. She asked if the Communications and Event Coordinator Walker has asked residents if they would want this non-ad valorem tax and what ideas the citizens have on processing the trash. Citizens have given in the past very good ideas.

Commissioner Rumrell advised that we are robbing Peter to save Paul and we need to have a phased in approach, but we must do something, and we can't kick the can down the road any more. He explained that the Commission needs to do the infrastructure and have money on hand for a hurricane if the City is hit.

Vice Mayor England advised that if staff decides what services the City is going to provide and who the City will service, what is trash collection and disposal and once a week pick up for special trash. She asked Finance Director Douylliez to calculate an estimate after taking off the large businesses and five or more units so the Commission could come up with an allocation.

Finance Director Douylliez asked if the Commission wants a full costs analysis which includes finance, administration and the legislative amounts or not. She explained that she deals with customers that challenge the amounts charged and staff must address the issue. She explained that a cost analysis per can is $2.90 and she thought that the Commission wanted to not have transient rentals and small businesses pay the same as residents. She explained

that Communications and Event Coordinator Walker did a survey in August about the non-ad valorem and whether the residents would support a fee. The results were 50% to 50%. She commented that many of the residents said they agreed with it if the owners renting their homes are not paying the same rate as non-rented homes. She remarked that a one-time fee being charged is a more efficient than monthly billing and collections.

Vice Mayor England said we need to get away from counting cans and give the amounts for residents, small businesses, and transient rentals.

Mayor George advised that a flat fee per unit without counting cans with a limit on the cans.

Finance Director Douylliez advised that in the industry they pick it up anyway because of the mess it leaves in the City. Limits are in the code, but they are not strictly enforced. She explained that transient rentals tenants leave and don't come back.

Mayor George England advised that it should be a code enforcement issue. She explained that it doesn't make sense to her to eliminate the overhead costs by a non-ad valorem tax unless we have less staff, which the City will not do.

Vice Mayor George agreed, but explained that because it is a health and safety issue would be the reason why the City would not serve a larger business or condo with five or more units. She explained that Public Works could identify the businesses and what costs savings there are.

Mayor George agreed with a case by case basis and maybe the transient rentals could have dumpsters as well.

Finance Director Douylliez advised that she believed transient rentals would not be allowed dumpsters because they are in residential neighborhoods. She suggested servicing the transient rentals.

Vice Mayor England asked if the City can give two different rates to the property appraiser and small businesses would be billed monthly.

Finance Director Douylliez advised yes. She explained that only five businesses would need to be moved to dumpsters.

Commissioner Rumrell commented that he still liked the City of St. Augustine's system of charging. He explained that they pick up twice a week and charge for additional cart $15.13. He said the flat fee is fair. The residents want consistency.

Commissioner Kostka advised that she is paying for a dumpster and a $74 fee.

Commissioner Samora advised that there are only 25 businesses that are being collected and whether it is by counting or square footage it doesn't matter.

Finance Director Douylliez advised that the City of St. Augustine has a Utility Department that could turn the water off. She explained that the code enforcement process is a lengthy process and the City still must collect the trash and collect the code enforcement fines.

Commissioner Kostka asked to request a deposit.

Finance Director Douylliez advised that the City could, but it cleaner to have one billing.

Vice Mayor England suggested going forward to have two non-ad valorem fees based on residential or long-term rental and transient rentals.

Mayor George objected and said that it should be the same fee.

Discussion ensued regarding where there is an increase in trash with a transient rental; how many people are staying in the home; transient rentals not making the money because of so many rentals; how to justify a fee for a single person versus a family of six for trash collection; having transient rentals show as a business; residential fees would only be half of the actual cost; whether to raise the millage instead of the non-ad valorem tax; non-ad valorem fees can be adjusted when necessary; City Charter says the trash will be collected and charging residents extra; transient rentals should not be higher than residents and businesses; and staff has to come up with a flat rate with small businesses and transient rentals.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked to address the condo owners that are being cheated. He explained that to privatize would cost $419,400 and stop subsidizing waste costs.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked what happened to the forensic audit; why doesn't the City get deposits for waste collections; why doesn't the City do a Request for Proposal; start composting materials; and thanked Commissioner Rumrell for his research.

Merrill Roland, 6281 Old Dixie Drive, St. Augustine, FL, asked to research transient unit on 1 12th Street, which give nine garbage cans every week because he it is showing in the Property Appraiser's as a single-family home. Police Chief Hardwick had documentation last year that there were 87 nuisance vacation rentals that the police were always being call to.

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

Mayor George advised that this would be a discussion item in the future. She asked Finance Director Douylliez if she needed further direction.

Finance Director Douylliez advised no, that she would continue to move forward.

Mayor George requested the previous background calculation information as well as the new information in the Commission books next time.

Commissioner Kostka requested contacting the providers to see what it would cost to privatize waste collection.

Finance Director Douylliez advised that the City would be doing a disservice asking them, unless the City does a Request for Proposal (RFP) on solid waste collection because the companies would have to do their due diligence and coming to the City and doing a lot of work. She said that she could call around to other municipalities to see if she could find out their contract costs.

Mayor George asked if the Commission wants to do an RFP.

Commissioner Samora said he wants the City to do the trash collection, not privatize.

Mayor George explained that it would be disingenuous to do an RFP if the City is not going to hire anyone.

Commissioner Samora advised that we have an RFP, which is $230 for St. Johns County and $209 for the City of St. Augustine.

Commissioner Kostka advised that she was surprised that this was so easily dismissed without even knowing the price. She agreed that Advanced Disposal would not come near the quality or the cost effectiveness, but Meridian Waste may want to do it.

Mayor George explained it would be similar to outsourcing the Police Department years ago. She advised that she is 100% against it then and now for the same reason that inhouse provides a level of service that the City would not get from a private vendor. She advised that it is the Commission's job to keep the taxes low, but the fact that the Public Works Department did the City's pickup the day before evacuation was critical and a reliable contractor would not have been able to do that for us.

Commissioner Kostka advised that the quality of the work is exemplary and the reason to contact other vendors was to get a comparable number.

Mayor George said that she would not want to get an RFP because the City has no intention of hiring and there is a lot of work that goes into an RFP. She does not want to be at the mercy of a vendor when they can double the price when the contract comes due and not do the quality of service staff can do inhouse.

Commissioner Kostka proposed to the Commission to separate out the costs for solid waste collection from the General Fund and to lower the millage rate.

Mayor George agreed. She advised that if there is a non-ad valorem tax, then we need to offset the monies coming in by lowing the millage. She said that the Commission agreed with that as a goal.

Commissioner Kostka advised that the alternative is to increase the millage and not have a non-ad valorem.

Commissioner Rumrell explained the millage would have to increase a point to cover the costs of the $480 and half a point for the $230. He said it would be interesting to see how the City of St. Augustine got to their cost of $209 and explained that that would be more indicative to see how they got to that number and what ratios are they using. He explained that St. Augustine does their recyclable inhouse and that could be the difference in pricing. He

suggested that when the contract is up with Advanced Disposal, the City does recyclable inhouse. He explained that if we lower the millage based on the amount of money the City is bringing in, the City will be at the same spot as we are now. He said it would be a wash and if that is the case the Commission should leave it the way it is.

Commissioner Kostka advised that the non-ad valorem tax only go to that one item, but if you increase the millage then it goes into the General Fund and could be used for anything else.

Mayor George advised that the non-ad valorem tax would pay for the Public Works employees and only what is used for solid waste collection.

Commissioner Rumrell advised that it would be interesting how they got to the $209 amount.

Mayor George asked Finance Director Douylliez to assess the City of St. Augustine's methodology and how that compares to ours. She asked Finance Director Douylliez if it was her intention that the revenue fund would only go to solid waste similar to what the City does for the Building Department.

Finance Director Douylliez advised that it would be similar, but some of it would come from the General Fund to cover the full costs and could be broken out to show what was paid by non-ad valorem tax.

Commissioner Kostka explained that if the non-ad valorem was eliminated that would be different for those living in larger homes verses smaller homes. She said that if it was based on property values then that could be a different way to calculate too and there are pros and cons either way.

Mayor George moved on to Item 5.

5. Dockless Scooters, E-Bicycles and Bicycles: Review of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 5 and asked for a report from City Attorney Wilson.

City Attorney Wilson advised he made changes as requested from the Commission and asked if the Commission wants to adopt this for first reading. He asked the Commission whether they want to regulate these or prohibit dockless e-scooters within the City.

Mayor George advised that she had an open mind, but she is having a hard time allowing this.

Commissioner Samora advised that the City and neighboring cities have mobility issues and had hoped that this would be a solution. He explained that he did a lot of research and listened to what staff has presented. He looked during his travels this month and have found them all over the cities where he visited, and he spoke to a lot of people who said that they are a problem and a liability. He said it would be okay if there was a business to rent it from and bring them back; however, dockless he would not be in favor of for the City.

Commissioner Rumrell researched and downloaded an app on one of the companies and the one thing that stood out to him was the insurance liability. He contacted his insurance company and they told him the person would have to get a separate rider on your policy to be insured. He explained that citizens he has spoken to are adamantly opposed to it. He was concerned if someone was injured on the sidewalk or street would they sue the City for

allowing the e-scooters or if there was a pothole in the street, etc.; City Attorney Wilson advised that the City would be responsible for someone getting hurt for potholes, etc.

Vice Mayor England advised that something like a bike rental business would be alright but had concerns over a dockless e-scooter business. She explained that there must be agreements with the businesses within the City or the City to bring the e-scooters back to a docking place, like bicycles.

Commissioner Kostka advised that she could not support this because of the public safety and enforcement issues would have to fall on the Police Department, which are already very busy with safety issues. She asked Police Chief Hardwick to research other cities that have ordinances on e-scooters and either they could not get back with them right away or they didn't have any regulations in place. She was concerned about liability for the City and if they set up docks the owners are not going to be in the City to take care of them. She commented that people might want to purchase them for their own use.

Mayor George asked for Commission discussion.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with the Commission not to do this due to the nuisance of it, the liability issues and coverages and asked not to allow salesmen to be put on the agenda in the future.

Steven Dennison, 217 Arcola, St. Augustine, FL, presentative for FROG, explained that this is a public service and suggested a pilot program. He explained that it reduces cars and traffic and is less of a carbon footprint and it would give revenue to the City.

Merrill Roland, 6280 Old Dixie Drive, St. Augustine, FL, suggested to use the City's garage building that is being used by the Civic Association for $1 a year and allow FROG to use it.

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

Mayor George explained that it was the consensus of the Commission not to have e-scooters in the City.

City Attorney Wilson asked if the Commission wants to ban the operation of e-scooters businesses within the City and if so, he could bring it back to the Commission.

Vice Mayor England asked if e-bicycles could be included and not be on sidewalks.

It was the consensus of the Commission to have the City Attorney Wilson bring an ordinance back to the Commission at the next meeting to ban the rental of dockless e-scooters and e-bicycles within the City limits.

Mayor George thanked Mr. Dennison for coming tonight and was sorry to bring you home empty handed.

Mr. Dennison, FROG, thanked the Commission and suggested to stop gas scooters.

Mayor George moved on to Item 6.

6. Legal Services: Discussion of Criteria for Evaluating Applicants for City Attorney (Presenter: Max Royle, City Manager)

   Mayor George introduced Item 6 and asked City Manager Royle for his report.

   City Manager Royle advised that the City has advertised for the Request for Proposal (RFP) for legal services and the City has received five bids. He mentioned that the deadline is November 8, 2019 at 2:00 p.m. He advised that he would give each of the Commissioners a copy of the proposals and he asked what the Commission would like to follow as a criteria. He explained that this item will be brought back in December and the Commission can decide when firms they would like to interview at the January 6, 2020 meeting.

   Mayor George asked that a point system would not be appropriate, and the Commission should receive every application.

   City Manager Royle advised that the Commission would receive all applications.

   Mayor George suggested not to have a point system and would like to interview all the applicants.

   Commissioner Samora agreed.

   Commissioner Rumrell asked to interview them all if there are only four or five. He doesn't want a point system and if a point system was going to be done, the applicants should have known that ahead of time because if they lived further away, they might not have applied.

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

   Ed Slavin, P.O. Box 3084, St. Augustine Beach, FL, said that the Commission did a great job selecting Jim Wilson; he does not want any conflict of interests with developers; and no geographical limits; allow the public to comment; and interview all the applicants.

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

   Mayor George advised that staff has their direction.

   Mayor George moved on to Item 7.

7. For-Profit Events in City: Review of Proposed Policy (Presenter: Cindy Walker, Communication and Events Coordinator)

   Mayor George introduced Item 7 an asked Communication and Event Coordinator Walker for her report.

   Communications and Event Coordinator Walker advised that this events policy has been reviewed by the City Manager's Office, Police Department, and Public Works Department and sets requirements for setting up barricades, signage, event cleanup, and dates for the events. This policy ensures that staff costs and application fees will be met by the applicants from profit and non-profit organizations.

   Discussion ensued regarding the million dollar insurance should be two million dollar amount; categories for weddings with 15 guests could be 30 days, minor events should have 60 days' notice, and significant events should have 90 days' notice; researching out to applicants with

reoccurring events to advised them of the new standards so they can meet the appropriate timeline; changing the ordinance for a minor event from zero to fifty people, fifty-one to ninety-nine could be 60 days; having another fee structure to have revenue sharing with the City for events; cities usually only met their costs because a city is not supposed to make money; having a supplemental rate sheet depending on the size of the event that would be required as a cleanup deposit; non-for-profit rate application being $500 and a profit event applicant fee being $1,000; a per hour rate for a monitor to be at the event; permit fees need to be paid for advertising to close down roads or other fees; the City's actual costs must be recovered from deposits; refunds are not guaranteed; whether every event would be different, so the numbers should be open; deposit is required on the form; having a fee structure application that matches the event; updated the ordinance regarding the events; having an hourly rate for the event from the Police Department and the Public Works Department; and whether to add more blackout dates for events if it becomes an issue.

Commissioner Kostka asked for an update on Beach Blast Off event.

Communications and Event Coordinator Walker advised that the event will be on New Year's Eve and the layout was revised due to safety concerns. The vendors are pleased with the new layout. The bands are booked, which are Hope You're Happy, Those Guys, and Prom Kings. She commented that the City could always use more sponsors and explained the benefits of the sponsorships.

Commissioner Kostka asked if Ms. Walker reached out to large corporations.

Communications and Event Coordinator Walker advised that she did for Coca-Cola, but they require only coke be sold at the event and some food vendors were already contracted, but she would do that for next year. She advised that Advanced Disposal did give a sponsorship.

Mayor George asked about next year not having bottles to enforce the no plastic resolution for City events. Suggested box water for next week.

Communications and Events Coordinator Walker advised that the veterans will be doing the beer and wine booth but did not have any novelty vendor yet and are still looking for a vendor. The City will not be using Anastasia State Park but will be using Anastasia Catholic Church instead. She explained that the novelty vendor's price was reduced. The vendors price increase is from $250 to $300 this year.

Mayor George asked are we going to make a profit or break even.

Communications and Events Coordinator Walker advised that she hopes to break even. She explained that it is hard to estimate because of overtime of the Police Department and Public Works.

Mayor George requested a budget report next month.

Communications and Events Coordinator Walker advised that she would do a report in December.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, was glad that the St. Augustine Beach Civic Association would not be part of Beach Blast Off this year and asked for a forensic audit to be done.

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

XIV. STAFF COMMENTS

Mayor George asked Communications and Events Coordinator Walker.

Communications and Events Coordinator Walker advised that the City will hold a Veterans Day Celebration on November 11, 2019 at 3:00 p.m. at Veterans Sculpture Park. She commented that there will be signers, bagpipers and Sunshine Grill will be sponsoring the event.

City Manager Royle advised that he and the Public Works Director will be going to the Port & Waterway Commission meeting this month to ask for funding for certain projects that relate to the beach and beach access. He explained that Public Works Director Tredik has applied for three grants to help with funding for the City, but a lot depends whether the state appropriates any money.

Commissioner Kostka asked about St. Johns County's extra funding selection of projects.

City Manager Royle advised that it was in the newspaper today and the County Commission selected County projects because they are trying to catch up with work that was needed and been funded. He explained that he will be looking at the Port & Waterway or the Tourist Development Council to fund the A Street project.

Commissioner Kostka had a concerned regarding nails on the walkovers coming up, which is St. Johns County's responsibility. She said one of the City's residences cut her foot on a walkover and she directed her to Beach Services.

City Manager Royle advised that he would call Parks and Recreation Department in St. Johns County regarding that issue.

Commissioner Rumrell asked when the Legislative Day at St. Johns County would be.

City Manager Royle advised that it is November 22, 2019, Friday, 8:30 a.m. at the County Administration building. He explained that he and Mr. Tredik will be there to see if they could get funding through a separate appropriation by the state for part of the weir costs that wasn't insured.

Commissioner Rumrell explained that he and City Manager Royle had a meeting with Senator Hudson and asked if the state would recover some of the weir costs. Senator Hudson advised that typically they do, and the City may be able to get 25% funding.

City Manager Royle advised that Governor DeSantis has line item veto, but we are going to mention that the weir helps with water quality which he promotes.

Mayor George request City Manager Royle to give out the passed resolution that the Commission passed when attending Legislative Day. She also asked Vice Mayor England to go if she was available.

Vice Mayor England asked City Manager Royle to remind her.

Public Works Director Tredik advised that the permit has been submitted for Mizell pond last week and is hoping that the South Water Management District will move quickly on it, then get state approval and then start construction. He explained that 3rd Lane Drainage Project is going out to bid shortly and should be starting construction early in 2020. Starting to design on 11th Street pipe repair and street repair. He advised that traffic calming request has come in for Atlantic Oaks Circle residents. A police survey was done and there is speeding through there. A letter is being sent to see if 60% of the residents want street humps to stop the speeding and are having a meeting on December 3rd.

Sgt. Carswell advised that Police Chief Hardwick gave his apologies for not being here tonight, but he had a prior engagement.

Finance Director Douylliez advised that she has hired a Financial Assistant, Mimi, who lives in the City. She will be organizing files, help with new budgeting processes.

Mayor George moved on to Item XV.

XV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 9:02 p.m.

_____

Undine C. George, Mayor

ATTEST:

_____

City Clerk

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 19, 2019

SUBJECT: Presentations:

A. Interview of Mr. Larry Einheuser for Position of Junior Alternate on the Comprehensive Planning and Zoning Board

B. Report on Veterans' Reunion in City, October 23-24, 2020, by Ms. Kim Kendall

C. Update Report by Communications and Events Coordinator Cindy Walker on Preparations for New Year's Eve Fireworks Show

ITEM A. INTERVIEW

Attached as pages 1-3 is Mr. Einheuser's application. He has been invited to your meeting for the customary interview.

If you approve his appointment, the Planning Board will have its full complement of members: seven regular and two alternates.

ITEM B. VETERANS REUNION

Attached as page 4 is an email from Ms. Kendall, in which she asks to present to you at your December 2nd meeting information about the veterans' reunion in our City next October.

ITEM C. NEW YEAR'S EVE EVENT

The City's Communications and Events Coordinator, Ms. Cindy Walker, has prepared a PowerPoint presentation of the preparations for the event, including an estimate of revenues and costs. Her presentation is attached as pages 5-17. Her revenue/expenditure estimates are on page 17. Please note the $8,750 she has gotten from sponsors and the $17,709 TDC grant that she got for the event. Half of the grant must be spent on out-of-area advertising, but the remaining half helps defray the event's operational costs.

City of St. Augustine Beach

2200 A1A South
St. Augustine Beach, Florida 32080
www.staugbch.com

City Mgr. (904) 471-2122
FAX (904) 471-4108

Bldg. & Zoning (904) 471-8758
FAX (904) 471-4470

ST. AUGUSTINE BEACH CITY COMMISSION
BOARD AND COMMITTEE APPLICATION

FOR APPOINTMENTS TO COMMITTEES INVOLVED IN LAND USE

Date received by City _____

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

Name: Larry Einheuser

Address: 420 Ocean DR St Aug Fl. 32080

Phone #: 904-669-5584 E-Mail Address: completepools13@Gmail.Com

How long have you been a legal resident of the City of St. Augustine Beach. 3 Yr.

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

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

List all active professional licenses and certifications: CB13380 / RP0067224

Educational background: High School

Past work experience: Swimming Pool Contrator

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

1. None
2.
3.
4.

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership: 420 Ocean Dr St Aug Fl 32080

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

Complete Pool Builders Inc. (Owner)

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

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

I am available for meetings

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

List three (3) personal or professional references:

1. David Quimey 904-669-9511
2. Ricky Copper 904-669-0217
3. Kevin Brock 904-669-1467

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

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

Yes all of the Above.

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

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

Signature

10-30-19
Date

Please return completed application to:

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

Thank you for your interest!

Max Royle

From: Kim Kendall <kimjkendall@gmail.com>
Sent: Monday, October 21, 2019 12:27 PM
To: Max Royle
Subject: DECEMBER AGENDA REQUEST

Mr. Royale -

As per our phone conversation, I am requesting to be placed on the Monday, December 2, 2019 City of St. Augustine Commission agenda.

I will be making a brief presentation to inform the Commissioners about a reunion event that is coming to St. Augustine and St. Augustine Beach.

The attendees are all military families that were formerly stationed at the U.S. Navy Base in Subic Bay, Philippines.

The attendees are coming from around the world, and we already have over 300 signed up to attend.

Our reunion hotel is the Embassy Suites Hotel Resort St. Augustine Beach. Though several of the attendees have already been booking less-expensive options of local St. Augustine Beach Airbnb's.

Free or inexpensive parking options (and shuttles to and from overflow parking lots) are my biggest concern. And any overall feedback from the Commission is very appreciated.

Sincere thanks,
Kim Kendall
kimjkendall@gmail.com
904-813-8799

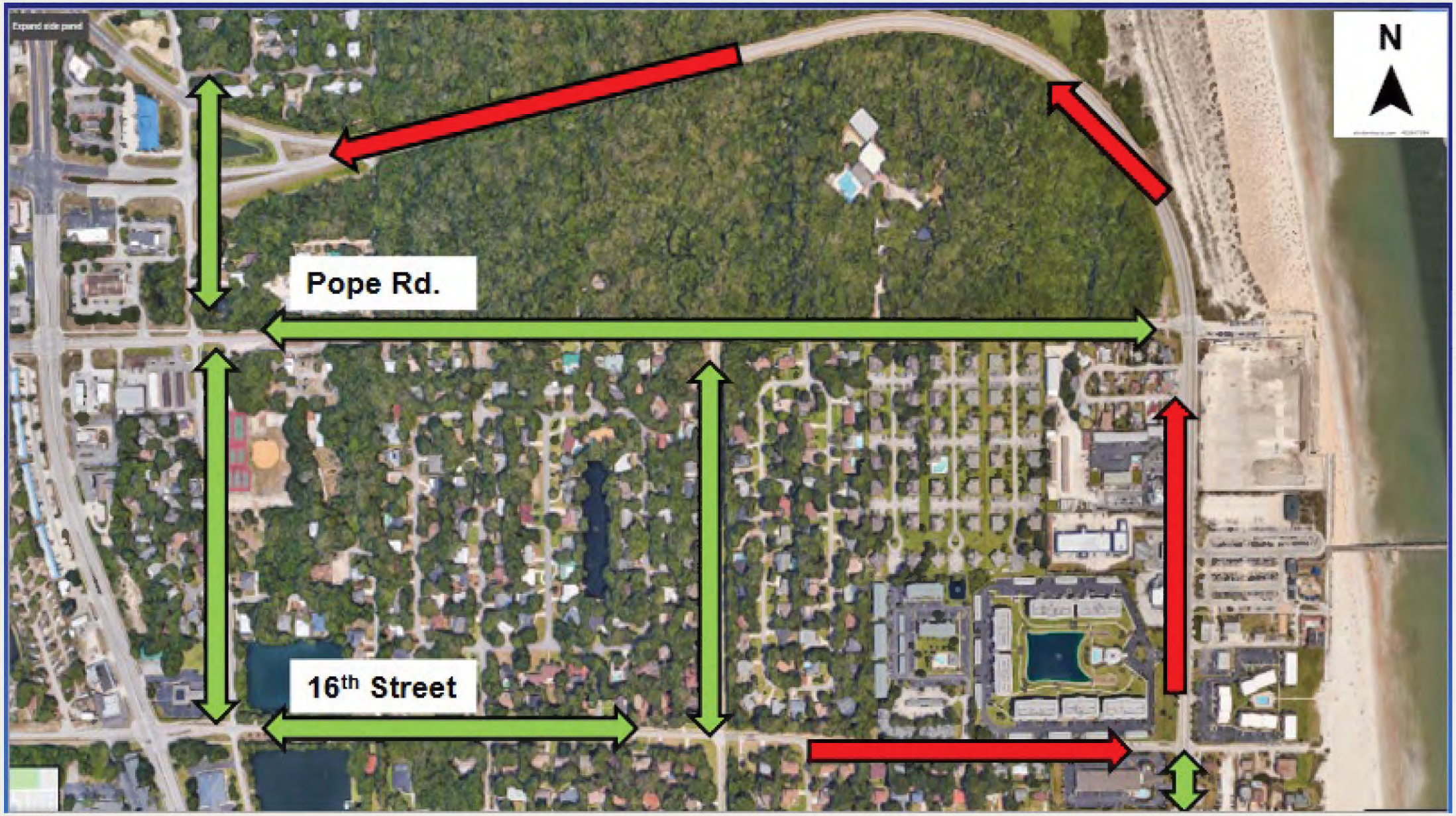
BEACH BLAST OFF INTO 2020

Cindy Walker
Communications & Events Coordinator

LITTLE KIDS ZONE
COMFORT ZONE
Bike Racks
RESTROOMS
37 38
39 40
RESTROOMS
25 26 27 28
29 30 31 32 33 34 35 36
TEEN ZONE
FIRE WORKS
24 23 22 21 20 19 18 17
ATM
ATM
INFO
16 15 14 13 12 11 10 9
BLEACHERS
BLEACHERS
NOVELTIES
ID
8 7 6 5 4 3 2 1
Sound booth for stage
BEER 20X20
STAGE
JUMBO-TRON
FIRST AID
sylvester parking

Transportation - 3:30 – 11 PM

- Bus Companies
  - Durham Schools Services
  - Old Town Trolley
- Parking Lots/ Bus Routes:
  - Vendors / Volunteers
    - YMCA
  - South Route (Pick Up on 16th Street):
    - City Hall
  - Yellow:
    - St. Anastasia Catholic Church (Handicap Parking)
  - Pink:
    - Amici's
  - Orange:
    - Anastasia Baptist Church
    - RB Hunt
    - St. Augustine Amphitheater


N
Pope Rd.
16th Street

Schedule of Events

5:00PM – 5:55PM – 105.5 The Beach
6:00PM – 6:55PM – Hope You're Happy
7:00PM – 7:55PM – Those Guys
8:00PM – 8:25PM – The Prom Kings
8:25PM – Countdown Announcements Start
8:30PM – 9:00PM – Fireworks Display
8:50PM – 10:00PM – The Prom Kings

Vendors

- Confirmed
  - *Old City Facecraft*
  - *Sweet Treats Concessions*
  - *Josies Latin Fusion*
  - *Kavelak's Commissary*
  - *TeamCo Food Service*
  - *Shortyboys Kettle Corn*
  - *Over the Top Concessions*
  - *African Love Kitchen*
  - *RM Concessions*
  - *Kaboom Kababs*
  - *BJ Events*
  - *Crazy Good Kettle Corn*
  - *Kona Ice*

Number of Spots Taken – 22
Number of Spots Available – 18
Number of Spots Available when Including "On Hold" Vendors – 12

- On Hold – (Incomplete applications)
  - *Superb Quality Foods*
  - *Millers Funnel Cakes*
  - *Espresso Based Treats*
  - *Antonio's Pizza*
  - *Poboys Creole Kitchen*

Vendors

- Alcohol
  - Vietnam Veterans Of America
- Kid’s Zone
  - Celebrations Party Rentals
- Novelties

Rentals

- Stage & Sound
  - *Polk Brothers*
  - *105.5 The Beach*
- Bands
  - *Hope You're Happy*
  - *Those Guys*
  - *The Prom Kings*
- Fireworks
  - *Santore Brothers*
- ATM Machines
- Tables and Chairs
  - *Celebrations Party Rentals*
- Lighting Towers
  - *United Rentals*
- Port-O-Lets
  - *Floaters Now*

Paid Advertisements

- Atlanta Parent Magazine
- Central Florida Magazine (Orlando Family Magazine)
- Flagler Broadcasting (Beach 105.5, Country 106.3, Beach 92.7, KIX 98.7)
- Money Pages
- Morris Media (Charlotte Parent Magazine)
- Touchpoint Innovative Solutions (Flagler & Volusia Parent Magazine)

Total - $8,902
Paid for by TDC Grant

Sponsors – In Kind

Diamond Sponsor ($2,500) – Flagler Broadcasting
Diamond Sponsor ($2,500) – WSOS
Ruby Sponsor ($2,000) – Mischele Miller Photography
Ruby Sponsor ($1,500) – Money Pages
Ruby Sponsor ($1,000) – Avid
Ruby Sponsor ($1,000) – Touchpoint Media
Ruby Sponsor ($1,000) – Heath Electric
Sapphire Sponsor ($750) – Old Town Trolley
Sapphire Sponsor ($500) – Salt Life

Total Value - $12,750

Sponsors – Cash

Diamond Sponsor ($2,500) – Burkhardt Distributing
Diamond Sponsor ($2,500) – Embassy Suites
Ruby Sponsor ($1,500) – Florida Power & Electric
Ruby Sponsor ($1,000) – Advanced Disposal
Sapphire Sponsor ($500) – The Bailey Group
Sapphire Sponsor ($500) – Coneheads
Emerald Sponsor ($250) – Kookaburra

Total - $8,750

Sponsor Totals

Cash & In Kind

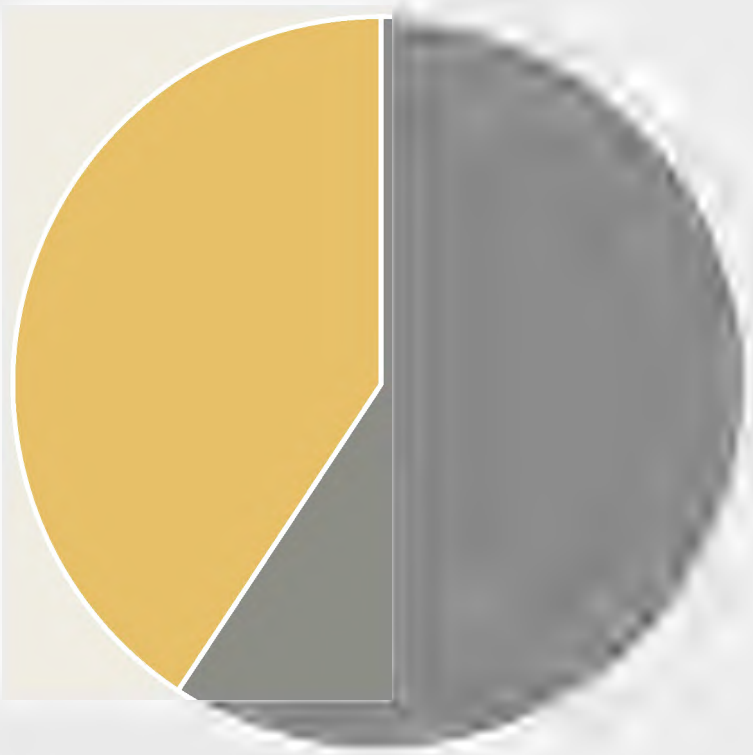
- $21,500

Cash Only

- $8,750

In Kind Only

- $12,750



Revenue (estimated) - $44,259

- Alcohol Vendor - $2,500
- Kids Zone - $4,300
- Vendors - $10,800 ($300 for 36 spaces)
- Sponsors - $8,750
- ATM Fees - $200
- TDC Grant – $17,709

Expenses (estimated) - $43,540

- Bands (grant)
  - *The Prom Kings - $500*
  - *Hope You're Happy - $250*
  - *Those Guys - $600*
- Polk Brothers (grant) - $5,750
- Busses - $8,250
- Port-o-lets - $3,000
- Light Towers - $2,670
- Security - $420
- Advertising (grant)- $8,900
- Stage Repairs – $1,200
- Law Enforcement Meals - $600
- Music Broadcasting License - $700
- Signage - $800
- Kids Zone Fence - $900
- Overtime - $9,000

Agenda Item # 1

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 15, 2019

SUBJECT: Ordinance 19-17, Public Hearing and First Reading, to Adopt Amendments to the Comprehensive Plan

BACKGROUND

Every seven years, state law mandates that cities and counties review their respective comprehensive plan, to determine what revisions need to be made to it because of changes over the past seven years, including new state laws that mandate changes. From that review, an evaluation and appraisal report, commonly called an EAR, is prepared. The EAR is then approved by city and county elected boards and sent to various agencies, as such the Regional Planning Council, the Water Management District and the Florida Department of Transportation, for review. In addition, it is reviewed by the Florida Department of Economic Opportunity, the successor of the Department of Community Affairs, which formerly was state's review and regulatory agency for comprehensive planning at the local level.

To do our City's EAR, in January 2018, you approved advertising a Request for Proposals from planning firms. As only one firm from Orlando responded and proposed a fee of $120,000, we sent the RFP to two Jacksonville planning firms. Only one, Fleet and Associates, responded. At your May 7, 2018, meeting you approved hiring this firm. One of its principals, Ms. Janis Fleet, is very familiar with the City's Comprehensive plan, as she helped the City write its 1990 Plan and had done several updates or EARs of it since then. In 1991, she had also helped the City write its Land Development Regulations.

You held several meetings with Ms. Fleet to prepare the EAR. The Comprehensive Planning and Zoning Board held two meetings with Ms. Fleet, as well as a joint meeting in November with you.

At your July 2, 2019, meeting, you held a public hearing for a final review of the changes proposed by the EAR and approved sending the EAR to the state and other agencies.

They have done their respective reviews. Only one, the Department of Economic Opportunity, proposed changes. They concern the Conservation/Coastal Management Element of the Comprehensive Plan and the need for the City to adopt policies that address such issues as sea level rise, coastal flooding mitigation, etc. The DEO's comments are attached, and Ms. Fleet has included the required policies in the revised Comp Plan.

ATTACHMENTS

Attached for your review is the following information:

a. Pages 1-11, the minutes of the discussion at your July 2, 2018, meeting, when you approved the transmittal of the Comp Plan changes to the state.

b. Pages 12-25, the comments about the changes from the Florida Department of Economic Opportunity and the other reviewing agencies.

c. Pages 26-29, Ordinance 19-17, which adopts the revised Comp Plan.

d. The revised Comp Plan, pages 1-47. The changes mandated by the DEO to the Conservation/Coastal Management Element begin on page 22.

ACTION REQUESTED

It is that you hold the public hearing and pass Ordinance 19-17 on first reading. If you do, its second public hearing and final reading will be scheduled for your January 6th meeting.

Ms. Fleet will be at your December meeting to answer any questions you may have concerning the proposed changes.

PLEASE NOTE: On page 12, Mr. James Stansbury of the Department of Economic Opportunity states that the second public hearing must be held within 180 days of the City's receiving the DEO's report. That report was received on October 9th.

CONTINUATION OF JUNE 10, 2019, PUBLIC HEARING FOR TRANSMITTAL TO STATE OF CHANGES TO THE CITY COMPREHENSIVE PLAN (Presenter: Ms. Janis Fleet, Planning Consultant)

Mayor George introduced Item IV and asked Ms. Fleet for a staff report.

Ms. Fleet, Planning Consultant, Fleet and Associates, 4041 Sunbeam Road, Jacksonville, FL, showed a PowerPoint, Exhibit 1. She explained that she prepared a draft document based on the Evaluation and Appraisal Report (EAR) amendments for the Comprehensive Plan. She remarked that once the Commission agrees with the draft, she will transmit the document to the Department of Economic Opportunity and seven other agencies. Once the agencies review it within the 60-day timeframe, it will come back with comments to her whether they agree or disagree with the Comprehensive Plan amendments the City made and then she will come back to the Commission for another public adoption hearing. She explained that she had meetings with the Commission and staff and made revisions based on the meetings and brought a draft back to the Commission on January 8, 2019. She then made changes to the draft from the Commission meeting on January 8, 2019 and presented it to the Comprehensive Planning and Zoning Board. The Comprehensive Planning and Zoning Board had a public meeting on February 19, 2019, when they decided to take comments, but to defer the public meeting until April 16, 2019, where the Board voted to transmit the draft Comprehensive Plan with comments to the Commission. The Board never made any specific changes to the Comprehensive Plan. She responded to all comments that she received until April 8, 2019. She explained that the Comprehensive Plan draft is composed by elements and the comments were included in the Commission books to discuss tonight. She stated the elements were: Future Land Use, Transportation, Infrastructure, Conservation and Coastal Management, Recreation Open Space, Intergovernmental Coordination, and Capital Improvements. She stated that she did not receive any comments for Intergovernmental Coordination or Capital Improvements. She commented that this is the City's Comprehensive Plan and any revisions, deletions, or changes are up to the Commission. She explained that if the Commission agrees to move the Comprehensive Plan forward after this meeting, she would transmit it to the Department of Economic Opportunity and the other seven agencies in the underline and strikethrough format. She asked the Commission to be specific in their language, so she could transmit it to the appropriate authorities.

Mayor George explained that the Commission could go element by element or just bring up any additional comments that the Commission would like to change. She told the Commission that she would like to integrate the majority of the comments that the Comprehensive Planning and Zoning Board made to the Comprehensive Plan. She explained that regarding the environmental issues, she does not want to rely on St. Johns County, but have the City provide their own decisions. She advised that the City could have a stronger basis for enforcing environmental issues and protections than the State of Florida or St. Johns County does. She commented that even if there is no staffing now, they could be noted as aspirational policy goals that the City wants to address in the future.

Ms. Fleet advised that one of the good things that the State Statutes did was to combine the full process together instead of coming back two years later; however, it is more rushed now because it should be done within a year's time. She explained that in five years the City will have to do this process again and advised that the Commission could add comments and see where the City is in five years. She explained that the Water Supply Plan was not even envisioned in 2008 and the sea level rise was not discussed in 2008 either but have been added with this Comprehensive Plan.

Vice Mayor England suggested where there are umbrella agencies, she would like to encourage language that the City wants to participate. She gave an example that she and staff go to the North Florida Transportation Planning Organization to be involved and would like it wherever possible to have the Commission or staff attend the umbrella agencies to participate and suggested an ordinance be established to actively participate with these agencies.

Ms. Fleet advised that Vice Mayor England's example was a good reason why the City should be involved.

Mayor George suggested moving forward with the Future Land Use Element first and asked Ms. Fleet to point out anything that is critical to the Commission.

Ms. Fleet commented that transient rentals need to be included in all the appropriate categories if it is included in the Future Land Use Element; otherwise, it would not be interpreted that transient rentals are allowed.

Mayor George agreed with Ms. Fleet's recommendation on transient rentals.

Vice Mayor England asked that under L.1.3.6, the language says that transient rentals shall be allowed in medium low and medium zones. She explained that the City has an ordinance that limits transient rentals in certain zones and was concerned about the word shall.

Ms. Fleet asked the Commission to look on page 5 in L.1.8.1, which goes together with L.1.3.6. She explained that in L.1.8.1 shows the land uses and what it allows in each of the land use categories. She advised that there is language for each zoning category by the Future Land Use Map and details what is allowed in each zoning category.

Vice Mayor England asked why the Comprehensive Plan has to say that transient rentals shall be allowed.

Mayor George agreed with Vice Mayor England.

Ms. Fleet advised that it can be removed. She explained that that was a recommendation that people wanted to address, so she included it, but she will remove all the language regarding transient rentals if that was what the Commission wants.

After discussion, it was the consensus of the Commission to remove all the language in Mixed Use, Commercial, High Density Medium, and Medium Low categories regarding transient rental and remove L.1.3.6.

Ms. Fleet advised that she would take that policy out of the Comprehensive Plan. She then asked if the Commission wanted to include the recommendations in the Future Land Use Element or not.

Mayor George asked to include the recommendations, unless Ms. Fleet feels that any of them are particularly dire.

Ms. Fleet advised that there were a lot of recommendations regarding the Sustainability Action Plan and they are addressed in L.1.1 but they are also addressed substantially in the Conversation and Coastal Management Element. She asked if the Commission wants the Sustainability Action Plan.

Mayor George advised that the Beautification Advisory Committee was just renamed the Sustainability & Environmental Planning Advisory Committee (SEPAC). She advised that she would be in favor of supporting the plan.

Ms. Fleet asked if she should change L.1.1 to read how the Commission would accomplish the goal.

Discussion ensued regarding Ms. West included her recommendations to be transmitted to the Commission with the draft Comprehensive Plan; Comprehensive Planning and Zoning Board did not vote what to include in the Comprehensive Plan; the draft Comprehensive Plan had all the comments that were received from all parties who participated; and the comments in the draft Comprehensive Plan do not have a consensus; and once the Comprehensive Plan is transmitted, then the agencies will make comments, and it will go back to the Commission for approval or changes.

Commissioner Rumrell requested to look at CC2.10.2, CC1.2, and CC1.2.2 regarding beach erosion and dunes. He explained that the dunes are the only defense to sea level rise and asked if the Commission should keep CC2.10.2 and change it to "the City shall work with the appropriate agencies to restore degraded natural areas in conjunction with the appropriate state agencies per present and future City owned properties' vegetation, shoreline, and dunes restoration." He explained that he doesn't want to remove language regarding dune restoration or to work with the appropriate agencies to maintain the City's shoreline.

Ms. Fleet advised that sea level rise is addressed on page 31.

Commissioner Rumrell explained that there is language for potentially affected areas, coastal flooding due to high storm surge, but doesn't see the word dunes on page 31. He advised that it is imperative that the City maintain some sort of protection with St. Johns County, Department of Environmental Protection, etc. to help replenish sea oats or dunes in a catastrophic hurricane.

Ms. Fleet asked if Commissioner Rumrell would like to change the policy.

Commissioner Rumrell advised that he was comfortable changing CC2.10.2 with his suggested language or "the City shall work with the appropriate state agencies on present and future City owned properties through new or non-vegetation, shoreline or dune restoration and the restoration of natural hydrology." He explained that he would like language to protect the dunes because that is the wall for sea level rise and storm surge.

It was the consensus of the Commission to use Commissioner Rumrell's language in the Comprehensive Plan.

Vice Mayor England asked to go in order of the elements.

Ms. Fleet asked what other comments the Commission had on the Future Land Use Element.

Mayor George advised that there is direction on the transient rentals and asked the Commission for any other comments.

Vice Mayor England asked to look at L.1.34 on page 3. She advised that the Commission approved rezoning a piece of property from residential to commercial for parking. She asked the Commission to discuss language regarding parking on the east side of A1A Beach Boulevard in particular. She asked if L.1.34 would prohibit that action.

Ms. Fleet explained that when there is language about retention and parking, they are there to serve commercial development. She advised that the City of Jacksonville looks at a retention area when it serves a commercial district. She explained that the City of Jacksonville locally considered that they needed residential areas for commercial development and the City of St. Augustine

Beach could do the same with parking. She commented that the Commission could use what is in the City's codes and say that parking is allowed on either side of commercial development.

Commissioner Rumrell suggested changed the word from "should" to "could."

Commissioner Samora advised that L.1.35 describes what Ms. Fleet just said.

Vice Mayor England asked if the Commission wants an exception for parking.

Ms. Fleet advised that she would do this in the Land Development Regulations, not in the Comprehensive Plan. She suggested defining language such as, "parking and retention areas even if they are serving commercial development are allowed in residential areas" in the Land Development Regulations.

Vice Mayor England suggested to add commercial development structures to L.1.34.

Ms. Fleet advised that L.1.34 and L.1.35 is specific to the Future Land Use Map and it would not be right to do commercial development in an area that is designated as residential.

Vice Mayor England asked if the Commission rezoned a property from residential to commercial for parking, would that be a problem for this goal.

Ms. Fleet advised no because it is specific to the Future Land Use Map.

Building Official Law advised that regarding parking lots, he reserves the right to change the rules regardless of the square footage in a commercial development if he feels it would be detrimental to the City.

Mayor George pointed out L.1.5 and asked if there should be a reference to the objective, even if the City does not have a carrying capacity.

Ms. Fleet explained that the carrying capacity has been taken out of the state legislation, so the City does not have to have it in the Comprehensive Plan. She explained that it is addressed through the evacuation routes.

Building Official Law advised that the City is not building any more subdivisions because of limited open property and the City's roads are part of the St. Johns County Emergency Operations Center.

Ms. Fleet moved on to the Transportation Element.

Mayor George was concerned on T.1.1.6 and advised that the City has a maintenance plan, so it shouldn't be removed.

Ms. Fleet advised that she would include it back in the Comprehensive Plan.

Mayor George was concerned about T.1.1.10 and advised it should also be put back in the Comprehensive Plan.

Vice Mayor England agreed with Mayor George.

Ms. Fleet advised that she would include T.1.1.10 in the Comprehensive Plan.

Commissioner Kostka asked if the public could speak after every element.

It was the consensus of the Commission to have public comments after every three elements discussed.

Commissioner Samora asked whether the Commission would agree to include in the goal T.4.1 to seek funding.

It was the consensus of the Commission to add to that goal to seek funding.

Mayor George was concerned about removing the first policy because the she felt that the City has an obligation to improve the City's facilities, which the City is doing. She suggested retaining T.4.1.1. She also suggested in T.4.1 to remove the strikethrough on "evaluate and."

The Commission agreed to keep "evaluate and" in T.4.1 and to keep T.4.1.1.

Commissioner Kostka advised that a lot of safety items have been struck through and she was concerned about the pedestrian crossings along A1A Beach Boulevard.

Ms. Fleet suggested T.4.1 objective deals with pedestrian and bicyclist safety. She also suggested adding another policy regarding monitoring pedestrian and bicyclist safety on A1A Beach Boulevard.

The Commission agreed to keep some of the policies that were taken out as discussed and adding a policy on monitoring pedestrian and bicyclist safety on A1A Beach Boulevard.

Commissioner Rumrell asked if T.3.1.1 affected the residential parking system.

Ms. Fleet advised that she would remove the strikethrough and leave it in the Comprehensive Plan and will remove on a yearly basis. She then moved on to the Housing Element and advised that there were not many comments.

Vice Mayor England asked if Ms. Fleet would add the language "new renovations" to H.1.1.

Ms. Fleet advised that she would add that language.

Mayor George asked to keep H.1.1.1.

Ms. Fleet advised that H.1.1.1 is more operational instead of a Comprehensive Plan issue.

Building Official Law advised that the Building Department has a residential sufficiency checklist already.

Discussion ensued regarding extending the public comments to three minutes instead of two because of the specificity of the Comprehensive Plan.

The Commission agreed to allow three minutes for public comments on the Comprehensive Plan.

Mayor George opened the Public Comments section on the first three elements. The following addressed the Commission:

Dr. Sandy Bond, 1117 Compass Row, St. Augustine, FL, advised that just because the City does not have the staff does not mean that the issues should be ignored and advised that there were a lot of deletions that should be kept in the Comprehensive Plan. She suggested having a definition on what sustainability is in the Comprehensive Plan, along with definitions of terms on the technical language. She requested public housing to be included.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Dr. Bond and thanked the Commissioners who requested those items to be kept in the Comprehensive Plan. He suggested that the City hire a City Planner. He asked to restore everything that has been deleted.

Vice Mayor England advised that what has been brought back tonight is the City's work product of the Commission and the other Boards and explained that the Comprehensive Plan needs to be more palatable and more efficient, so there can be some things removed and combined.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, explained that the residents live with A1A Beach Boulevard zoning, but if the residents live a couple of blocks off A1A Beach Boulevard they have certain zoning rights. He explained that the Comprehensive Plan should stop the commercial zoning from coming into the residential zones. He asked the Commission to give the residents who do not have gated communities an appeal process through the Comprehensive Plan. He commented that L.1.3.1 would give the residents a certain level of assurance to the community and to keep in the Comprehensive Plan L.1.6.1 regarding lots cannot be cleared of coastal hammocks and cannot built over the footprint of the previous structure. He suggested in C1.2.1 rights-of-way be restricted. He explained sea level rise floods the waterway by the retention pond and showed Exhibits 1 and 2.

Mayor George asked to be on point with public comments for the items being discussed regarding the Comprehensive Plan.

Mayor George closed the Public Comments section and explained H.1.7 that she would like this policy to be reinforced and given more substance. She suggested promoting green building and more efficient environmentally friendly features.

Ms. Fleet advised that a definition of sustainability would be better in the Land Development Regulations than the Comprehensive Plan. She explained that she could put language that by date certain the City will determine what the definition of sustainability is in the Comprehensive Plan.

Mayor George advised that sustainability in housing and building also includes reduction of waste programs and methods of standards to minimize negative impact against the environment, which has gotten lost in the Comprehensive Plan. She requested green progressive thinking in the Comprehensive Plan.

Ms. Fleet advised it would be better to add language in Conservation than Housing. She said that it would be more global in Conservation.

Vice Mayor England advised that she saw more policies with regards to plastics in Conservation. She asked how much the City's Building Department can do with the staffing they have.

Mayor George wanted to bring in the objectives with the policies, such as water conservation and irrigation. She advised that it is not only housing, but it should also be commercial buildings.

Ms. Fleet advised that that is why it should be in Conservation because it can be addressed in more categories than Housing. She explained that the reason why she took out public housing was because she thought that St. Johns County would be in charge of it, but they don't have a Public Housing Authority either and there was no intent for the City to have one.

Vice Mayor England asked on H.1.7 if Building Official Law and Ms. Fleet could work together on the Housing language.

Building Official Law advised that every three years before the building code is re-issued by the Florida Building Commission, the Florida Energy Codes increase efficiencies, such as LED lighting and energy efficient for air conditioners. Commercial buildings are regulated by C.4.0S of the Energy Codes which relates to light reduction controls and advised that the State of Florida is on top of this issue. He advised that he has no legal authority under the State Building Code; however, if someone wants it, he would allow it. He suggested not to put something in the code that he cannot regulate. He explained that he can put the same language that the Florida Energy Codes has.

Commissioner Samora suggested language to encourage energy efficiency without being so specific as using language as the Green Building Council. He asked Building Official Law and Ms. Fleet to find a middle ground to maintain the aspirational aspects, such as water conservation, energy efficiency, sustainability, but take out the references like Energy Star, etc.

Commissioner Rumrell suggested language that "the City shall support the state initiative for sustainable housing."

Building Official Law advised that language could say that the City promotes energy efficiency and sustainable housing.

Ms. Fleet advised that she is using the same Future Land Use Map, but there was one-word correction.

Commissioner Kostka commented that in L.1.6.1 it says, land clearing is limited in coastal hammock to that required of structures, access, and parking.

Mayor George asked to add language to the end of the sentence on L.1.6.1 "parking, to maximize preservation of the hammock. She also added the language to "maximize permitted."

The Commission moved on to the Infrastructure Element.

Commissioner Kostka advised that she likes U.1.2.2 but it should be changed to show that the ordinance prohibits plastics. She asked to change the language to "the City shall continue to develop public education programs to make the public aware of problems and techniques." She then advised that U.1.3.3 talks about a master drainage plan, but the City already has a master drainage plan.

Ms. Fleet explained that U.1.3.3 needs to be in the Comprehensive Plan because the City does have a master drainage plan that will need to be updated.

Commissioner Rumrell asked about U.1.3.1 why the language was stricken to seek assistance from the St. Johns County River Water District for technical matters on drainage.

Public Works Director Tredik advised that the City does consult with St. Johns County River Water District on drainage matters in certain cases.

Building Official Law suggested to change the word will to may.

Commissioner Rumrell agreed to change the word to may in U.1.3.1.

Mayor George advised U.1.2.4 addressed the reduction of solid waste and explained that she has been getting information on municipal composting programs. She explained that even if it is not done now, she suggested language change to "the City will cooperate with appropriate agencies or organizations and work to reduce solid waste by whatever reasonable and effective means available."

Ms. Fleet moved on to Conservation Coastal Management Element.

Commissioner Rumrell advised that CC2.10.2 on page 28 requested to add the language to work with the appropriate agencies but remove the word "state."

Mayor George moved to CC1.2 regarding the preservation of the dunes. She explained that there have been a couple of instances where property owners have torn down the dunes and the City did not have any language saying that they violated the City's standards. She commented that any enforcement has been handled by the state, which includes any potential fines. She explained that the City's hands are tied with no legislation.

Ms. Fleet asked if the Commission would want to draft an ordinance for the Land Development Regulations regarding dune protection and City standards.

Building Official Law advised that he can take the property owner to the Code Enforcement Board because the codes say that the property owner needs a Department of Environmental Protection (DEP) permit before disturbing the dunes.

Mayor George requested to have a City permitting process.

Building Official Law explained that the City has one because the property owner would need a letter from him to allow the property owner to request a permit to DEP. He requested more information on whether the City has the legal authority to fine a property owner that really is not the City's jurisdiction.

Mayor George asked to create an ordinance to regulate any modification of the dunes within the City's jurisdictional boundaries. She asked staff and legal to work on the ordinance.

Ms. Fleet advised that she would add a policy under CC1.2.10 that will address Mayor George's concerns. She then moved on to sewer and advised that St. Johns County Health Department would be the agency responsible for the sewer in this jurisdiction and if the property owner has a septic tank, the St. Johns County Health Department would have to permit the property to bring it into compliance with the sewer system.

Building Official Law advised that they cannot force property owners to hook into a force main for sewers, unless the property owner is renovating, and the Health Department makes them go to the sewer system.

Vice Mayor England asked why objective CC2.9 was removed.

Commissioner Kostka advised that it is stated in another area under CC1.6.1 and CC1.6.2, which are both removed and asked to keep those policies.

Ms. Fleet advised she would put back CC2.9, CC1.61 and CC1.6.2.

Mayor George requested CC2.7.1 be put back as well.

Ms. Fleet advised that the intent was to eliminate the size in CC2.7.1 because the City does not have any larger parcels. She asked whether the City wants a developer to do a management plan.

Mayor George advised yes.

Ms. Fleet commented that she would put the information back in for a developer to do a management plan for new developments.

Commissioner Rumrell asked about CC1.3.6 whether the City of St. Augustine Beach should not be removed since staff does participate in the evacuation plan when a natural disaster hit.

Mayor George advised that she was concerned because it did not say the City would update their evacuation plan periodically. She suggested language "the City of St. Augustine Beach will periodically update its disaster preparedness plan and coordinate disaster preparedness with St. Johns County and other local agencies."

Vice Mayor England advised that the City needs a plan for communications and beach walkovers.

Commander Ashlock advised that they do go to St. Johns County Emergency Operation Center to do planning and practice for an emergency. He explained that they do it once a year and sometimes more frequently.

Commissioner Samora advised that he would like a reference on when the preparations would be done than to say periodically.

Ms. Fleet advised that she will discuss this with St. Johns County to get their schedule on updates.

Vice Mayor England advised that CC.4.4.3 needs to have the word "Beach" taken out.

Mayor George asked why the historical sites were being deleted.

Ms. Fleet advised that staff said the City did not have any historical sites.

Mayor George advised that there are some historical sites and historic structures. She requested that the language be kept in the Comprehensive Plan.

Ms. Fleet advised that she would keep the goal and the policy on page 28.

Mayor George asked to use language for the objective as "the City of St. Augustine Beach will take efforts to identify and protect historically or culturally significant sites."

Ms. Fleet advised that the local mitigation strategy is under the umbrella of St. Johns County.

Mayor George asked if the local mitigation strategy is after a natural disaster.

Ms. Fleet advised that it shows what the hazards are in St. Johns County.

Mayor George asked about the air quality objective and she would like to keep CC.2.8 on page 27.

The Commission agreed to keep CC2.8 in the Comprehensive Plan.

Ms. Fleet moved on to Recreational Element.

Mayor George advised that she liked R.1.2.5 regarding the bicycle paths and after discussion decided to keep it as it was.

Ms. Fleet suggested adding a complete street policy. It is a policy relating to the entire roads and streets.

Vice Mayor England asked on page 33 regarding the park standards because as the population rises there will be no further land available for courts.

Ms. Fleet advised that she thinks the City is fine with this language because of the parks that are already in the City. She explained that new developments have their own recreational areas usually.

Commissioner Samora asked to look at R.1.2.9 regarding public beach access. He suggested that the City review public beach access periodically and asked it to be included in the Comprehensive Plan.

Mayor George advised that every five years St. Johns County does research public beach access for the beach renourishment funding. She asked to review R1.1.11 to keep the last sentence that says, "development will be done in aesthetic and environmentally sensitive manner."

Vice Mayor England requested to keep the first sentence on R.1.1.5 and remove the second sentence. She advised that she was thinking about Pier Park.

Mayor George asked to look at R.1.2.8 and advised that the City is currently working with the River and Sea Loop and asked if the language should remain the same as a greenway plan or was there a more updated terminology.

Vice Mayor England advised that the City is participating, not developing a greenway plan.

Ms. Fleet explained that the lead agency is the North Florida Transportation Planning Organization because they just funded a regional greenway plan.

Mayor George requested language change for R.1.2.8 as follows: "Will participate in greenway planning."

Ms. Fleet advised that Intergovernmental and Capital Improvements did not have any comments, unless the Commission has questions.

Vice Mayor England requested that C.1.3.1 to review and see if there a word missing.

Ms. Fleet advised that she would check it.

Mayor George asked why Ms. Fleet removed the rest of the sentence.

Ms. Fleet advised that she is repeating the statute in that full sentence, so it could be left in.

Mayor George asked to include language that it would be prior to the issuance of the development order or permit.

Ms. Fleet advised that it has to be when the impact occurs, so it cannot be prior to the issuance but at the same time.

Mayor George advised to leave it as it is and not delete any parts of the sentence. She asked if the Comprehensive Plan has references to the Police Department.

Ms. Fleet advised that that was not a required part of the Comprehensive Plan according to Florida Statutes.

Mayor George opened the Public Comments section on the first three elements. The following addressed the Commission:

Dr. Sandy Bond, 1117 Compass Row, St. Augustine, FL, quoted the New York Times regarding climate change. She requested to add a Climate Action Plan for the City and not to rely on St. Johns County or the City of St. Augustine. She asked how successful the three agencies have worked together in the past and asked the Commission to approve the City's own Climate Action Plan.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Dr. Bond and asked Mayor George to be the leader for St. Johns County Climate Action Plan. He asked for strong language to protect the park next to Publix. He also wants clean air and advised that St. Johns County has been an unjust steward on that. He said that where Embassy Suites is now may have been where the City of St. Augustine moved in 1566 to 1571 after the Indians burned down the City. He commented that public housing should be included, and the dunes should not be tampered with.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, agreed with Dr. Bond and Mr. Slavin that the City should adopt its own Climate Action Plan. He appreciated the Commission's environmental concerns and feels that historic preservation is important. He asked for a storm surge map for the City (Exhibits 1 and 2).

Mark Krempasky, 114 13th Street, St. Augustine Beach, FL, asked to put impervious surface ratios in the Comprehensive Plan in order to deal with flooding. He also asked the Commission to give incentives to property owners who add trees to the City because there were a lot of trees removed through development.

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

Ms. Fleet advised that in the Land Development Regulations there are impervious surface ratios and tree incentives. She explained a Climate Action Plan needs to be countywide, but that is up to the Commission. She explained that the City is participating in the Climate Action Plan.

Mayor George suggested adding a policy that the City should work to identify and apply for grants to fund studies on a Climate Action Plan. She explained that there are grants available.

Ms. Fleet asked if Mayor George wanted to keep the County policy too.

Mayor George advised yes.

Ms. Fleet advised that she would add that policy. She asked if the Commission wants to transmit the document with these changes.

Mayor George advised yes but wanted to clarify that the Comprehensive Plan would return to the Commission for one more review.

Ms. Fleet advised yes.

Mayor George asked for a motion.

Motion: to approve the transmitting of the planned amendments as presented and modified through the discussion here tonight. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Ron DeSantis
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Ken Lawson
EXECUTIVE DIRECTOR

October 7, 2019

The Honorable Undine George
Mayor, City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, Florida 32080

Dear Mayor George:

The Department of Economic Opportunity ("Department") has completed its review of the proposed comprehensive plan amendment for the City of St. Augustine Beach (Amendment No. 19-01ER), which was received and determined complete on August 8, 2019. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified an objection and have included recommendations regarding measures that can be taken to address the objection.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. **The second public hearing,** which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department's attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

RECEIVED
OCT 9 2019
CITY OF ST. AUGUSTINE BEACH

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

Department staff is available to assist the City to address the objection. If you have any questions related to this review, please contact Joseph Addae-Mensa, Planning Analyst, by telephone at (850) 717-8476 or by email at joseph.addae-mensa@deo.myflorida.com.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/jam

Enclosures: Objections, Recommendations, and Comments Report
Procedures for Adoption
Reviewing Agency Comments

cc: Max Royle, City Manager, City of St. Augustine Beach
Janis K. Fleet, AICP, Planning Consultant, City of St. Augustine Beach
Margo Moehring, Policy and Planning Director, Northeast Florida Regional Council

Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment
City of St. Augustine Beach 19-01ER

The Department of Economic Opportunity has identified an objection regarding the City of St. Augustine Beach's proposed comprehensive plan amendment. The objection is provided below, along with recommended actions the City could take to resolve issues of concern. If the City adopts the plan amendment without adequately addressing the objection, the Department may find the amendment not in compliance with Chapter 163, Part II, Florida Statutes (F.S.), pursuant to section 163.3184(4)(e)4., F.S.

Department staff has discussed the basis of the report with local government staff and is available to assist the City to address the objection.

Objection 1: Peril of Flood Requirements; Meaningful and Predictable Standards

Section 163.3178(2)(f), F.S, requires that coastal local governments adopt specific provisions into their comprehensive plans to address coastal flooding, including the related impacts of sea level rise. None of the requirements of this section have been adequately addressed. The specific statutory requirements and DEO's objection as to each requirement are:

> (2) Each coastal management element required by s. 163.3177(6)(g) shall be based on studies, surveys, and data; be consistent with coastal resource plans prepared and adopted pursuant to general or special law; and contain:
>
> (f) A redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The component must:
>
> **1.** Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

The proposed amendment does not identify specific development and redevelopment principles, strategies and engineering solutions the City will use or require property owners to use to reduce the flood risk from high-tide events, flash floods, stormwater runoff, and the related impacts of sea level rise within the City's jurisdiction. Proposed Policies CC.4.4.2 and CC.4.4.3 related to Adaptation Action Areas address coastal flooding due to extreme high tides, storm surge and the impacts of rising sea level but do not address flood risk related to other-than-extreme high tides, flash floods and stormwater runoff.

Proposed Objective CC.4.4 provides that the City will take sea level rise "into consideration" in future decisions related to infrastructure and public facilities. The applicable statute requires

that local comprehensive plans outline principles that must be used, not merely considered, in decision-making. The proposed objective does not address all coastal flood risks required by the statute to be addressed (e.g., flooding from high-tide events, flash floods, and stormwater runoff). The Objective is vague and fails to provide meaningful and predictable standards for the development of land within the City or meaningful guidelines for the development of implementing land development regulations.

The proposed objective and policies address sea level rise but fail to address flood risk from high-tide events other than extreme events (an undefined term), storm surge, flash floods, and stormwater runoff.

Proposed Policy CC.4.4.3 is listed under proposed Objective CC.4.4 related to sea level rise. The policy provides that the City will create a Climate Action Plan. While a Climate Action Plan might address sea level rise, depending on what is in it, Policy CC.4.4.3 does not satisfy applicable statutory criteria for the following reasons: (a) the policy does not identify what will be included or addressed in the Climate Action Plan and therefore fails to identify principles, strategies or engineering solutions that will be used to address flood risks in the City; (b) for the reasons set forth in subsection (a), the proposed policy fails to provide meaningful and predictable standards for the development of land in the City and fails to establish meaningful guidelines for the subsequent adoption of implementing land development regulations; (c) the statute requires that the proposed policies identify development and redevelopment principles, strategies and engineering solutions that reduce the flood risk City as part of this evaluation and appraisal-based plan amendment; and (d) the statute requires that the necessary principles, strategies and engineering solutions be identified in the comprehensive plan itself, but Policy CC.4.4.3 does not require that the Climate Action Plan be incorporated into the comprehensive plan.

> 2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.

The proposed amendment does not include a policy encouraging the use of best practices development and redevelopment principles, strategies and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency; and does not identify the specific best practices development and redevelopment principles, strategies and engineering solutions that are being encouraged for the purpose stated in the statute.

> 3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

The proposed amendment does not identify any specific site development techniques and best practices the City will implement to reduce losses due to flooding in the City.

> 4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

The proposed amendment does not include a policy requiring that development and redevelopment in the City shall be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

> 5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.

The proposed amendment does not include a policy requiring that construction activities seaward of the coastal control lines established pursuant to s. 161.053, F.S., be consistent with chapter 161, F.S.

> 6. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.

The proposed amendment does not include a policy that addresses this requirement, for example, a policy requiring that the City continue its participation in the Community Rating System if it is currently a participant.

Statutory Authority: Sections 163.3177(1) and (5)(b), 163.3178(2)(f), 163.3184(1)(b), and 163.3191, Florida Statutes.

Recommendations: The City should revise the amendment to include in the Conservation/Coastal Management Element goals, objectives, or policies that address each criterion in Section 163.3178(2)(f), F.S., for the City's entire jurisdiction.

In preparing the goals, objectives and policies that comply with Section 163.3178(2)(f), F.S., the City should gather appropriate data and analysis to identify current and future coastal flood potential, including the impacts of sea level rise, city-wide. The City could use a variety of methods, models, and tools to better identify those portions of the community most vulnerable to the effects of current and future coastal flooding hazards. Future coastal flooding impacts could be considered at 10, 20, and 30-year intervals and can be projected based upon low, medium, or high sea level rise elevation scenarios. Some resources available to assist the City in this effort include the mapping tools provided by the National Oceanic and Atmospheric

Administration and the University of Florida's GeoPlan Center to identify at-risk flood areas, development and infrastructure, available on these web links:

- https://coast.noaa.gov/digitalcoast/tools/flood-exposure;
- http://coast.noaa.gov/digitalcoast/tools/slr;
- https://coast.noaa.gov/slrdata/; and,
- http://sls.geoplan.ufl.edu

After identifying those areas most vulnerable to flood hazard, the City should identify any issues of concern to the community that could result in improved resiliency. This includes identifying the public facilities and infrastructure, cultural, historic and natural resources important to the community, and private investments located and planned to be located within the areas impacted by current and future coastal flooding areas.

Based upon community values and capacity to act, including available and projected fiscal resources, the City should develop appropriate strategies that will allow the community to lessen the impacts of potential flooding hazards. The strategies should seek to minimize impacts to identified facilities and resources and further the community's resilience to disasters and rapid social and economic recovery post disaster.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, **in color format,** clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

> "The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

From:	Plan Review
To:	Eubanks, Ray; DCPexternalagencycomments
Cc:	Plan Review
Subject:	St. Augustine Beach 19-1ER Proposed
Date:	Thursday, September 05, 2019 5:00:34 PM
Attachments:	image002.png

To: Ray Eubanks, DEO Plan Review Administrator

Re: St. Augustine Beach 19-1ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@floridadep.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

2198 Edison Avenue MS 2806
Jacksonville, FL 32204-2730

KEVIN J. THIBAULT, P.E.
SECRETARY

August 21, 2019

Mr. D. Ray Eubanks, Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning
107 East Madison Street MSC 160
Tallahassee, FL 32399-4120

SUBJECT: ***City of St. Augustine Beach Proposed Comprehensive Plan Amendment (19-1ER)***

Dear Mr. Eubanks,

Pursuant to Section 163.3184(4), Florida Statutes, (F.S.) in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed proposed amendment, City of St. Augustine Beach 19-1ER.

City of St. Augustine Beach proposes amendments to every Element of the County's Comprehensive Plan based upon evaluation according to section 163.3191 of the Florida Statutes. Among the changes in the Comprehensive Plan include the establishment of a Mixed Use land use (Policy L.1.8.1) and the incorporation of the City's Water Supply Facilities Work Plan (Policy U.1.5.5) and associated policies (U.1.5.6-U.1.5-8).

FDOT has determined the proposed amendment has no significant adverse impacts on important State transportation resources or facilities within its jurisdiction.

We appreciate the opportunity to review the proposed comprehensive plan amendment and request that a copy of the adopted amendment, along with the supporting data and analysis be transmitted within ten working days after the second public hearing for FDOT review.

If you have any questions, please do not hesitate to contact me by email: scott.clem@dot.state.fl.us or call: (904) 360-5681.

Sincerely,

Scott A. Clem

Scott A. Clem, AICP
FDOT D2 Growth Management Coordinator

cc: Jennifer Carver, FDOT Central Office, Office of Policy Planning
Janis Fleet, AICP, Planning Consultant, City of St. Augustine

FLORIDA REGIONAL COUNCILS ASSOCIATION
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

Regional Planning Council: **Northeast Florida Regional Council**
Regional Planning Council Item No.: **City of St. Augustine Beach Transmitted Amendment 19-1ER**
Date to be Mailed to Local Government and State Land Planning Agency: **September 5, 2019**
Local Government Item No.:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

This transmittal seeks to amend the City of St. Augustine Beach Comprehensive Plan in response to their Evaluation and Appraisal Report (EAR), local approaches and statutory changes. Highlights include policies to address the 2015 "Peril of Flood" statute and a Water Supply Facility Work Plan.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN

No adverse effects to significant regional resources and facilities in the Strategic Regional Policy Plan were identified.

2. EXTRA-JURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

No extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of an affected local government were identified.

Request a copy of the adopted version of the amendment?

Yes ☒	No ☐

Recommendation

Staff respectfully recommends that the Northeast Florida Regional Council Board President approve the staff review report of the City of St. Augustine Beach Transmitted Amendment 19-1ER.

From:	Steve Fitzgibbons
To:	DCPexternalagencycomments
Cc:	"Janis Fleet"; Spiers, Sherry A.
Subject:	City of St. Augustine Beach proposed comprehensive plan amendment 19-2ER
Date:	Friday, August 23, 2019 2:52:29 PM

Dear Mr. Eubanks,

St. Johns River Water Management District (District) staff have reviewed City of St. Augustine Beach proposed comprehensive plan amendment 19-2ER in accordance with the provisions of Chapter 163, *Florida Statutes*. The amendment contains the City's water supply facilities work plan (WSFWP). District staff have no comments on the proposed amendment.

District staff appreciated the opportunity to coordinate with City staff prior to transmittal of the proposed amendment and to provide feedback on the City's efforts to develop its water supply facilities work plan.

If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
Governmental Affairs Program
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
E-mail: sfitzgibbons@sjrwmd.com
Website: www.sjrwmd.com
Connect with us: Newsletter, Facebook, Twitter, Instagram, YouTube, Pinterest

www.sjrwmd.com/*e*permitting

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this link

Notices
• Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
• Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida

Statutes). Details, applicability and the registration form are available at http://www.sjrwmd.com/lobbyist/

ORDINANCE NO. 19-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF ST.AUGUSTINE BEACH FLORIDA, WHICH WILL CONTROL FUTURE LAND USE, GUIDE PUBLIC FACILITIES, AND PROTECT NATURAL RESOURCES PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT (CHAPTER 163, PART II, FLORIDA STATUTES), INCLUDING THE GOALS, OBJECTIVES AND POLICIES OF FUTURE LAND USE; TRANSPORTATION; HOUSING; INFRASTRUCTUE, CONSERVATION/CONSERVATION MANAGEMENT, RECREATION AND OPEN SPACE; INTERGOVERNMENTAL COORDINATION; CAPITAL IMPROVEMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

WHEREAS, Chapter 166, Florida Statutes, empowers the St. Augustine City Commission to prepare and enforce a Comprehensive Plan for the development of the City; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Commission of St. Augustine Beach to (a) plan for the City's future development and growth; (b) adopt and amend Comprehensive Plans, or elements or portions thereof, to guide the future growth and development of the City, (c) implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purpose of the Act; and

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the City Commission of St. Augustine Beach, duly designated the Planning and Zoning Board as the Local Planning Agency for the City of St. Augustine Beach; and

WHEREAS, the City Commission has undertaken and prepared an Evaluation and Appraisal Report as specified in Section 163.3191, Florida Statutes, setting forth an assessment and evaluation of the St. Augustine Beach Comprehensive Plan; and

WHEREAS, supporting data and analysis documentation was prepared as background and justification for the revised Comprehensive Plan's goals, objectives and policies; and

WHEREAS, the City Commission empowered by the above-cited laws and ordinances, and by Sections 163.3161 through 163.3215, Florida Statutes, prepared an amendment to the above-cited Comprehensive Plan, amending the Comprehensive Plan to address more adequately, and prepare for St. Augustine Beach's future development and growth; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Planning and Zoning Board, as the Local Planning Agency, held a public hearing on the amended version of the St. Augustine Beach Comprehensive Plan with due public notice having been provided, and having reviewed and considered all comments received during the public hearings and having provided for necessary revisions, and on April 16, 2019, recommended the amended version of the St. Augustine Beach Comprehensive Plan to the City Commission for approval; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission of St. Augustine Beach on July 2, 2019 directed the transmittal of the amended version of the Comprehensive Plan to the Department of Economic Opportunity for review; and

WHEREAS, the Department of Economic Opportunity, by letter dated October 7, 2019, transmitted its objections, recommendations, and comments on the amended version of the Comprehensive Plan to the City; and

WHEREAS, the amended version of the Comprehensive Plan was revised in view of the objections, recommendations and comments by the Department of Economic Opportunity; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, on December 2, 2019 and on January 6, 2020 the City Commission of St. Augustine Beach held a public hearing with due public notice having been provided, on the amended version of the Comprehensive Plan; and

WHEREAS, the City Commission of St. Augustine Beach further considered all oral and written comments received during public hearings, including the data collection and analysis packages, the recommendation of the Planning and Zoning Board, and objections, recommendations, and comments of the Department of Economic Opportunity; and

WHEREAS, in exercise of its authority, the City Commission of St. Augustine Beach has determined it necessary and desirable to adopt the amended version of the Comprehensive Plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within St. Augustine Beach.

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

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 166, Florida Statutes, as amended.

Section 2. Title of Comprehensive Plan. The revised version of the Comprehensive Plan for the City of St. Augustine Beach, Florida, shall be entitled " St. Augustine Beach Comprehensive Plan 2040".

Section 3. Adoption of Goals, Objectives, and Policies, Comprehensive Plan 2040. The City Commission of St. Augustine Beach hereby adopts the goals, objectives and policies of the following elements as the St. Augustine Beach Comprehensive Plan 2040: Future Land Use; Transportation; Housing; Infrastructure; Conservation/Conservation Management; Recreation and Open Space; Intergovernmental Coordination; and Capital Improvements as a part of the Comprehensive Plan 2040.

Section 5. Applicability and Effect. The applicability and effect of the St. Augustine Beach Comprehensive Plan 2040 shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance.

Section 6. Copy on file.

(a) A certified copy of the enacting Ordinance, as well as certified copies of the City of St. Augustine Beach Comprehensive Plan 2040 and any amendments thereof, shall be filed with the City Clerk of St. Augustine Beach and hereby incorporated herein by reference and attached hereto as Exhibit "A".

(b) To make the Comprehensive Plan 2040 available to the public, a certified copy of the enacting Ordinance, as well as certified copies of the City of St. Augustine Beach Comprehensive Plan 2040 and any amendments thereto, shall be maintained at St. Augustine Beach City Hall and shall be available to the public for a reasonable publication charge.

Section 7. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 8. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 9. Effective Date. This Ordinance shall take effect immediately upon passage.

INTRODUCED AND PASSED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, THIS _____ DAY OF _____, 2019.

CITY OF ST. AUGUSTINE BEACH, FLORIDA

BY: _____

Undine C. George, Mayor

ATTEST: _____
Beverly Raddatz, City Clerk

PASSED ON SECOND AND FINAL READING BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, THIS ___ DAY OF _____, 2020.

CITY OF ST. AUGUSTINE BEACH, FLORIDA

BY: _____
, Mayor

ATTEST: _____
Beverly Raddatz, City Clerk

FUTURE LAND USE ELEMENT

GOALS, POLICIES AND OBJECTIVES

GOAL L.1

THE CITY WILL EFFECTIVELY MANAGE GROWTH AND DEVELOPMENT BY DESIGNATING AREAS FOR ANTICIPATED FUTURE LAND USES WHICH WILL MAKE ST. AUGUSTINE BEACH A DESIRABLE PLACE TO LIVE, WORK AND PLAY, WHILE CONSERVING THE NATURAL ENVIRONMENT.

Objective: Environmental Conditions

L.1.1 For future land use decisions the City shall maintain in the Land Development Regulations provisions ~~adopted in 1991~~ for the protection of natural resources, soil conditions and topographic relief as conditions for any development order approval.

Policies

L.1.1.1 The City shall maintain ~~add positive incentives to~~ the tree ordinance to preserve/replant the natural or native vegetation within the City to maintain the natural beauty and water quality of the area, to control erosion, and to retard runoff.

L.1.1.2 For the protection of natural resources, the City shall work with local, State and Federal agencies to ~~develop interlocal agreements and/or intergovernmental coordination concerning information gathering, development permitting, and the monitoring of development to~~ minimize deleterious effects on the natural environment.

L.1.1.3 The City shall pursue private, State and Federal grant funding sources to purchase open space and natural areas to conserve natural resources in the City.

L.1.1.4 The City shall regulate development by enforcing the appropriate provisions in its Land Development Regulations and by following its Future Land Use Map.

L.1.1.5 The City shall maintain in its Land Development Regulations standards for intensities of permitted uses which are consistent with the land use densities as defined on the Future Land Use Map, hereby included by reference.

L.1.1.6 All development orders shall be governed by the City's Land Development Regulations and the goals, objectives and policies of this Element and the other applicable elements of the Comprehensive Plan.

L.1.1.7 The City shall prohibit the erection of any obstacle which would prevent safe and convenient onsite traffic flow from a site's parking area or prevent sharing access drives with adjacent properties by ~~providing~~ enforcing the provisions in the Land Development Regulations ~~to address this issue by December 31, 1999~~.

L.1.1.8 The City shall continue to support grants for purchase and preservation ~~the inclusion~~ of environmentally sensitive lands through the Florida Forever/Florida Communities Trust (FCT) Grant program and on other ~~possible~~ grants ~~for purchase and preservation~~ programs.

Objective: Essential Facilities and Services

L.1.2 St. Augustine Beach shall ensure the provision of necessary public facilities and services to future development at the adopted Level of Service Standards~~.~~, by conditioning ~~In order to maintain the adopted Level of Service Standards,~~ development orders and permits ~~will be conditioned~~ on the availability of public facilities and services at the adopted level of service.

Policies

L.1.2.1 The City will ~~adopt~~ maintain provisions ~~with~~ in the ~~unified~~ Land Development Regulations that require necessary public facilities and services are available or will be in place concurrent with the impacts of the development~~, or that facilities and services are authorized to serve the development, at the same time as the land uses are authorized~~.

~~L.1.2.2 The City shall ensure densities and intensities of future land use which are consistent with the availability of essential facilities and services by reviewing a development plan and requiring consistency with other elements of the Plan.~~

~~L.1.2.3 In the event that development proposal cannot meet policy L.1.2.1, the City may approve the development orders or permits if such are conditional on the availability of facilities and services necessary to service the proposed development, and that the utility or service entity authorizes the provision of service concurrent with the impact at the same time as the land uses are authorized.~~

~~L.1.2.4 The City shall pursue Federal and State funds, together with local funds, for the upgrading of drainage facilities, recreational activities, flood improvements and beach parking consistent with this Comprehensive Plan.~~

L.1.2.5 Should any potable water wellfields be located within the City or adjacent to its boundaries, the City shall cooperate with St. Johns County to protect them from developmental impacts by means of an interlocal agreement.

L.1.2.6 The City shall ensure the availability of suitable land for utilities in support of development by maintaining in its Land Development Regulations provisions for the dedication of utility sites upon receiving a plat approval or final development plan approval.

L.1.2.7 Public schools are a permitted use in the following land use categories: Institutional/Governmental, Commercial and High Density Residential; and that the delineation of land use categories for public schools shall be done in accordance with s.163.3177(6)(2), Florida Statutes.

Objective: Surrounding Land Uses

L.1.3 The City shall not allow land uses that are inconsistent with the City's character, and will maintain ~~stipulate the~~ conditions for the removal of non-conforming land uses in the Land Development Regulations.

Policies

L.1.3.1 The City shall prohibit encroachment of commercial and other incompatible land uses into residential areas ~~except within those areas designated for mixed use as established by current City ordinance~~, unless it is a component of a mixed use development.

L.1.3.2 The ~~City in the~~ Land Development Regulations shall include provisions to require a ~~maximum fifteen (15) foot wide~~ vegetative ~~and~~or a structural barrier between commercial and residential land uses~~. The barrier shall~~ to screen noise and glare and to visually screen adjacent non-compatible land uses~~, while maintaining the aesthetic purposes of the buffer zones. The width and structural barrier material will be subject to approval by the Comprehensive Planning and Zoning Board~~.

L.1.3.3 ~~For future development, the~~ The City shall ~~include~~ maintain in the Land Development Regulations design guidelines and standards for buffering, ~~construction of~~ location of curb cuts, landscaping and signage associated with proposed development ~~adjacent to arterial roads~~.

L.1.3.4 Commercial development shall not be allowed in to intrude into areas designated as residential on the Future Land Use Map.

L.1.3.5 The City ~~, through its Land Development Regulations, will ensure~~ shall promote the compatibility of adjacent land uses ~~by enforcing this Element and by having a~~ through its development ~~unified~~ review process and ~~regulatory process~~ implementation of the Land Development Regulations.

~~L.1.3.6 Transient rental, short-term rental properties are now~~ shall be ~~allowed in Low Density Residential land uses~~ categories~~. These rental uses are allowed in Medium Density Residential Density Residential land use districts by licensing issued by the City of St. Augustine Beach.~~

Objective: Historic and Archaeological Resources

L.1.4 The City will assure the protection of historic and archaeological resources ~~by including a site review and historic file search requirement within the Land Development Regulations~~.

Policies

L.1.4.1 The City shall protect significant archaeological and historic sites by identifying sites in St. Augustine Beach that are included in ~~as defined by~~ the Florida Bureau of Historic Resources' Master Site File ~~of the National Register of Historical Sites by requiring the identification of historic structures in proposed developments~~ and by adopting an historic preservation ordinance by 2025.

~~L.1.4.2 The City shall coordinate closely with other government agencies, including local, State and Federal governments and the Historic St. Augustine Preservation Board, to exchange data and information to develop sufficient knowledge and protection of all resources of the area.~~

~~L.1.4.3 The City shall not permit development projects that infringe on significant historical or archaeological sites through yearly review of current listings of these resources maintained by the Florida Department of State and the Historic St. Augustine Preservation Board.~~

~~L.1.4.4. The City shall continue with the assistance of the State of Florida and the St. Johns County Historic Resource Review Board, to identify significant historic resources which are in need of protection and to develop management and restoration plans as appropriate~~.

~~L.1.4.5 Historic resources shall be protected through designation as historic sites by the State or the City. The only historic designation within the City is City property, and the City shall through a lease for rental of said property, ensure the preservation of the structure identifies as the Old City Hall.~~

~~Objective: Coastal Areas~~

~~L.1.5 The City will base future land use decisions on the carrying capacity and the ability to evacuate in a major hurricane event as defined by the Northeast Florida Regional Hurricane Evacuation Plan.~~

~~Policies~~

~~L.1.5.1 The City shall coordinate with St. Johns County and the Northeast Florida Regional Planning Council in establishing the carrying capacity of the coastal areas.~~

~~L.1.5.2 Any amendments to the Future Land Use Plan shall reflect densities and intensities that do not exceed the carrying capacity of the designated evacuation routes.~~

~~L.1.5.3 Existing evacuation routes shall be so marked and should be given special consideration for improvement over other roads and highways in the City.~~

~~L.1.5.4 The City shall update its hurricane evacuation and disaster preparedness plan every five years in conjunction with St. Johns County and re-evaluate its effectiveness immediately after a major disaster event in order to recommend appropriate improvements.~~

~~L.1.5.5 The City shall update its hurricane guide, showing evacuation routes, hurricane hazards, safety procedures, shelters and every other pertinent information by or on the one-year anniversary of the adoption of this Plan.~~

~~L.1.5.6 The City shall adhere to the Department of Environmental Protection's coastal setback requirements and their permitted variances, regardless of the size of the developable parcel.~~

~~L.1.5.7 The City shall encourage St. Johns County, the St. Johns River Water Management District and/or the State of Florida to purchase areas subject to seasonal or periodic flooding, including flood-prone areas adjacent to the Atlantic Ocean, for use for public and beach access parking.~~

Objective: Innovative Land Development Regulations

L.1.6 The City shall maintain and enforce landscaping, land clearing, and signage ~~and historic preservation~~ provisions in its Land Development Regulations.

Policies

L.1.6.1 Provisions in the Land Development Regulations shall insure that ~~A~~ land clearing ~~ordinance shall be adopted to~~ is limited ~~land clearing~~ in the coastal hammock to that required for permitted structures, access and parking to maximize preservation of the coastal hammock.

~~L.1.6.2 The City shall provide a credit to developers for innovative landscape design as a part of the tree ordinance in the Land Development Regulations.~~

L.1.6.3 The City shall ~~develop and~~ enforce sign regulations which promote the public health, safety and general welfare and protect the character of residential and business areas of the City ~~by restricting the display of a sign to the land, buildings or use to which it is appurtenant~~.

~~L.1.6.4 The City shall review current ordinances, codes and regulations and update them as a part of the Land Development Regulations.~~

L.1.6.5 The City shall regulate all proposed development plans to determine that open space is available for both passive and active recreation ~~at or exceeding the standards in this Plan~~.

~~L.1.6.6 The City shall consider density for individual lots in accordance with the Land Development Regulations and for lot coverage allowances within Policy~~

Objective: Preventing Urban Sprawl

L.1.7 The City will discourage the proliferation of urban sprawl by ~~extending facilities and services beyond the City limits only for City-owned facilities and emergency services, or only for areas which want to be annexed into the City~~ only annexing areas into the City where public services and facilities are available.

Policy:

L.1.7.1 The City shall annex only already developed areas, or areas with existing infrastructure that are contiguous with existing developed areas.

Objective: Land Use Districts

L.1.8 ~~The City will base~~All future land use decisions shall be consistent with ~~on~~ the City's Future Land Use Map.

Policy

L.1.8.1 Any amendments to the Future land Use Map shall not exceed the densities and intensities established by this policy. The Land Use Districts are:

Low Density Residential allowing for single family residential development from one (1) to four (4) units per acre~~, 35% lot coverage~~ and recreational uses to support the residential development.

Medium Low Density Residential allowing for single family residential development up to seven (7) units per acre, and recreational uses to support the residential development.

Medium Density Residential allowing for single family and multi-family up to seven (7) units per acre~~, 35% lot coverage~~ and recreational uses to support the residential development.

High Density Residential allowing for up to twelve (12) units per acre~~, 35% lot coverage~~ and recreational uses to support the residential development.

Commercial allowing ~~a floor area ratio~~ up to forty percent (40%) ~~of gross~~ lot ~~size~~coverage.

Conservation allowing for passive recreation and up to ten percent (10%) lot coverage. No ~~no~~ residential or commercial uses are allowed.

Institutional allowing ~~a floor area ratio~~ up to forty percent (40 %) ~~of gross lot size~~lot coverage.

~~Planned Unit Development (PUD) shall be in accordance with Policy L.1.6.6 of the Future Land Use Element and shall only allow for single family residential development.~~

Mixed Use – allowing for a mixture of residential and/or commercial land uses. A maximum of 70% of site coverage for structures, roadways and parking, and sidewalks. Recreational uses to support the residential development is allowed in this category.

TRANSPORTATION ELEMENT

GOALS, OBJECTIVES, AND POLICIES

GOAL T.1

PROVIDE AND PROMOTE THE DEVELOPMENT OF A CITY TRANSPORTATION SYSTEM WITH THE CAPACITY TO SERVE THE SAFE AND EFFICIENT MOVEMENT OF PEOPLE AND GOODS.

Objective: Plan for Ongoing Transportation Needs

T.1.1 The City shall assure that ~~By the end of the year 2012, prepare a~~ transportation plans meet the ~~for~~ ongoing transportation needs within the City, including parking, pedestrian, and bicycle needs for residents and visitors. ~~The plan will be based on projected population, visitors, and available land.~~

Policies

T.1.1.1 The City will ~~coordinate its future transportation plan with~~ continue to support the FDOT five (5) year work program, the master plans from the ~~First Coast~~North Florida TPO (Transportation Planning Organization), and St. Johns County road construction efforts.

T.1.1.2 The City shall review development orders as to their impact on the transportation network. Mitigation improvements shall be made by the developers where necessary or appropriate to compensate for the developers' impact.

T.1.1.3 The City shall develop a plan to pave all ~~Continue to upgrade the~~ unpaved local roads within the city limits, based on available funding ~~network as population levels dictate~~.

T.1.1.4 Continue to cooperate with developers in the provision by them of safe, efficient and properly constructed roads.

T.1.1.5 Continue cooperation with St. Johns County for the maintenance and upkeep of County roads located within the City.

T.1.1.6 Continue to develop a road and street maintenance plan which provides for the timely repair and upkeep of local roads.

T.1.1.7 The City hereby adopts the Level of Service (LOS) D for ~~peak hour for~~ all roadway types within the City~~, except for 16th, 11th, and A Streets, which are Level C as adopted by City ordinance~~.

T.1.1.8 The St. Augustine Beach City Commission shall not permit any development that degrades the level of service on the transportation system in the City below the adopted LOS.

T.1.1.9 ~~If no FDOT or County funds are~~ available, ~~t~~The developer of a project will be required to pay all costs relating to maintaining the traffic circulation system at the adopted LOS, prior to obtaining a development permit, if funding is not available from FDOT or St. Johns County.

T.1.1.10 The City shall coordinate with St. Johns County to assess the needs for additional bicycle lanes, parking, and pedestrian walkways based on staff recommendations.

Objective: Right-of-Way Protection

T.1.2 The City shall continue to protect existing rights-of-way and to provide adequate rights-of-way in new developments.

Policies

~~T.1.2.1 Review existing ordinances for possible right-of-way safeguarding provisions and add provisions to preserve future right-of-way and not to degrade existing rights-of-way, if they do not currently exist.~~

T.1.2.2 Maintain in the Land Development Regulations provisions that ~~I~~insure that new development plans include the provision of adequate rights-of-way ~~at a minimum to meet the requirements of the Land Development Regulations~~ and preserve any future expansion of the State highway system.

T.1.2.3 The City Commission shall control connection and access points of driveways and roads by maintaining provisions in the Land Development Regulations to control connection and access points ~~by not allowing more than one access point on a lot of less than 50 feet of frontage~~.

~~Objective: Plan to Monitor Safety to Reduce Accidents by 10%~~

~~T.1.3 The City's Law Enforcement Organization shall establish a plan to monitor safety factors which affect the City's transportation system and that will reduce traffic accidents. Transportation – Has 10% goal been met, is that achievable~~

~~Policies:~~

~~T.1.3.1 Continue to cooperate with FDOT and St. Johns County in the collection of traffic count data.~~

~~T.1.3.2 Establish a system of accident information collection and filing which provides for accurate accident location data and provide and maintain current maps which reflect such information.~~

~~T.1.3.3 Continue to monitor all traffic safety considerations with a view toward the potential need for accident prevention measures.~~

~~T.1.3.4 In coordination with FDOT and St. Johns County, develop a plan for the provision of traffic signs and signal lights as new population and traffic growth patterns generate a need for such.~~

GOAL T.2

ESTABLISH MEANS OF COMMUNICATION ON TRANSPORTATION RELATED ISSUES WITH THE FDOT, THE FIRST COASTNORTH FLORIDA TPO, THE NORTHEAST FLORIDA REGIONAL ~~PLANNING~~ COUNCIL, ST. JOHNS COUNTY, ST. AUGUSTINE AND OTHER PUBLIC OR PRIVATE TRANSPORTATION RELATED AGENCIES.

Objective: Plan to Identify Common Transportation Goals, Objectives and Policies

T.2.1 The City shall ~~coordinate on an annual basis~~ its will promote the transportation goals, objectives and policies ~~with those goals, objectives and policies~~ of St. Johns County, the ~~First Coast~~North Florida TPO, and the FDOT five year plan, which ~~apply or~~ will have an influence on the City's transportation ~~plan and~~ network.

Policies

T.2.1.1 Continue to coordinate with St. Johns County to improve the traffic flow and safety standards of ~~Ocean Trace Road~~ all County roadways in St. Augustine Beach.

T.2.1.2 Continue to coordinate with the Florida Department of Environmental Protection and St. Johns County for the provision of improved and reinforced pedestrian and vehicular beach access ramps.

~~Objective: Improvements to Evacuation Routes~~

~~T.2.2 The City will inspect the evacuation routes within its limits during times of significant rainfall to see if any sections of the routes become flooded and will inform the FDOT or the County of the need to prevent the flooding.~~

~~Policy~~

~~T.2.2.1 Continue to coordinate with FDOT and St. Johns County on the study of and necessity for improved evacuation with elevation standards.~~

Objective: Coordination of Traffic Circulation Planning

T.2.3 Traffic circulation planning for the City will be coordinated with the future land uses shown on the Comprehensive Plan's Future Land Use Map, with the FDOT 5-Year Transportation Plan, and ~~any~~ the plans for the ~~First Coast~~North Florida TPO~~, of which St. Johns County and the City are members~~.

Policies

~~T.2.3.1 The St. Augustine Beach City Commission shall review subsequent versions of the FDOT 5-Year Transportation Plan, in order to update or modify this element, if necessary~~.

T.2.3.2 The St. Augustine Beach City Commission shall review for compatibility ~~with~~ this element with the traffic circulation plans and programs of ~~an~~ the FDOT 5-Year Transportation Plan, the ~~First Coast~~ North Florida TPO and ~~or~~ St. Johns County. ~~established for this area~~ and update or revise this element, if necessary.

~~T.2.3.3 All proposed amendments to this Transportation Element shall include a statement of findings supporting such proposals.~~

GOAL T.3

PROVIDE PARKING FACILITIES CONSISTENT WITH FUTURE DEVELOPMENT AND FUTURE TRANSPORTATION NEEDS.

Objective: Study to Assess Need for Motorized Parking

T.3.1 The City will continue to assess the need for the parking of vehicles ~~on a yearly basis.~~

Policy

T.3.1.1 Continue to evaluate City ordinances and their enforcement as related to parking facilities, both public and private.

~~Objective: Study for Off-Beach Parking~~

~~T.3.2 The City shall study alternatives to beach parking and shall explore the available options and how they can be implemented.~~

~~Policies~~

~~T.3.2.1 Review data which affects the safety and welfare of beach pedestrians with a view toward the provision of additional off-beach parking.~~

~~T.3.2.2 As population growth dictates, continue to work with the State and County in efforts to procure land for use as off-beach parking.~~

GOAL T.4

DEVELOP A SAFE BICYCLE AND PEDESTRIAN WAY SYSTEM ACCESSIBLE TO ALL MAJOR PUBLIC AND PRIVATE TRANSPORTATION FACILITIES.

Objective: Improve Transportation System for Bicyclists and Pedestrians

T.4.1 The City will evaluate and recommend to the appropriate agencies ~~provide~~ bikepaths/sidewalks and seek funding where feasible or needed along the City's transportation system.

Policies

T.4.1.1 Evaluate the need to improve existing pedestrian facilities.

~~T.4.1.2 Continue to work with the St. Johns County Bicycle Planning Committee toward the provision of bicycle and pedestrian ways on County-maintained roads within the City limits and on other roads contiguous to the City.~~

~~T.4.1.3 Continue to work with the Department of Environmental Protection and St. Johns County for the provision of additional pedestrian crossovers as beach use increases with population growth.~~

T.4.1.4 The City will coordinate with DEP, FDOT, St. Augustine and St. Johns County in the construction of bicycle paths and pedestrian ways, including beach crossovers ~~when those facilities cross the jurisdictional boundaries from one government's area to another's.~~

T.4.1.5 The City shall require ~~that major~~ new residential or commercial developments ~~of ten (10) acres or more~~ shall to have sidewalks, where needed for pedestrian safety and roadways to accommodate bicyclists.

T.4.1.6 The City shall monitor pedestrian and bicyclist safety along AIA Beach Boulevard and recommend improvements to the appropriate agencies.

HOUSING ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL H.1

TO PROVIDE AND MAINTAIN AN ADEQUATE INVENTORY OF DECENT, SAFE AND SANITARY HOUSING IN SUITABLE NEIGHBORHOODS AT AFFORDABLE COSTS TO MEET THE NEEDS OF THE PRESENT AND FUTURE RESIDENTS OF THE CITY.

Objective: Housing Demand

H.1.1 The City~~, by maintaining the Building and Zoning Department to~~ shall provide technical assistance, permits and inspections, ~~shall~~ that provide enable the ~~opportunity for~~ construction of new dwelling units and renovation of existing dwelling units to meet the housing needs of the City's existing and anticipated population.

Policies

H.1.1.1 The City shall provide information and technical assistance to the private sector to maintain a housing production capacity sufficient to meet the required production. ~~This includes maintaining a checklist of items needed to obtain a building permit and reviewing a permit with all the required information within two weeks.~~

~~H.1.1.2The City shall develop local government relationships with the private sector by annually holding meetings with the St. Johns Builders Council to make recommendations to improve the efficiency and expand the capacity of the housing delivery systems.~~

H.1.1.3 The City shall ~~review~~ amend ordinances, codes, regulations and the permitting process, as necessary for the purpose of streamlining ~~and amending~~ requirements in order to increase private sector participation in meeting the housing needs~~, while continuing to ensure the health, welfare and safety of the residents~~.

Objective: Substandard Housing

H.1.2 The City will continue its enforcement of property standards, inspection of rental units, and enforcement of building codes to prevent substandard housing.

Policies

H.1.2.1 The City shall ~~establish a housing safety code, provide increased~~continue its code enforcement activities ~~and draft an ordinance to implement compliance~~.

~~H.1.2.2The City shall increase code enforcement activities through regular inspections of the housing stock and institute code enforcement activities where warranted.~~

H.1.2.3 The City shall encourage the establishment of neighborhood groups who coordinate neighborhood upgrading projects ~~by providing code enforcement assistance, removing blighting influences and concentrating capital and/or operating budget improvements in such neighborhoods~~.

~~H.1.2.4The Building and Zoning Department of the City of St. Augustine Beach shall maintain a list of Federal, State and local subsidy programs available to residents of St. Augustine Beach.~~

Objective: Historical Housing

H.1.3 The City shall assist with the preservation and protection of historically significant housing for residential uses where consistent with neighborhood development in cooperation with the Division of Historical Resources.

Policies

H.1.3.1 The City shall assist the rehabilitation and adaptive re-use of historically significant housing ~~through technical assistance~~.

~~H.1.3.2The City shall assist property owners of historically significant housing in applying for and utilizing State and Federal assistance programs, where appropriate.~~

Objective: Existing Housing

H.1.4 The City shall ~~assist in~~ promote conserving and extending the useful life of the existing housing stock in St. Augustine Beach ~~by provisions in the Florida Building Code~~.

Policies

~~H.1.4.1The City shall review and amend, where necessary, the City's housing stock and health codes and standards relating to the care and maintenance of residential and neighborhood environments and facilities.~~

~~H.1.4.2During the annual budgetary process, the City shall schedule and concentrate public infrastructure and supporting facilities and services to upgrade the quality of existing neighborhoods. The City shall also work with the County to upgrade infrastructure services provided through interlocal agreements.~~

H.1.4.3 ~~Annually, the~~The City shall encourage homeowners to increase private reinvestment in the existing housing stock in St. Augustine Beach ~~by providing information and public assistance~~.

~~Objective: County Wide Public Housing Agency~~

~~H.1.5 The St. Augustine Beach City Commission will support and cooperate with any efforts by the Board of County Commissioners to establish a County-wide Public Housing Agency, which will provide sites for low and moderate income housing within the County.~~

~~Policies~~

~~H.1.5.1The St. Augustine Beach City Commission will cooperate with the County and St. Augustine on the forming of a Housing Task Force to develop needs and establish priorities for a public housing agency.~~

~~H.1.5.2Should the County form a Housing Task Force, the St. Augustine Beach City Commission shall designate one of its members to be a member and to meet to analyze and propose sites for low and moderate income housing in the County.~~

Objective: Placement of Group Homes and Foster Care Facilities

H.1.6 The City shall allow the placement of group homes and foster care facilities in residential areas consistent with the provisions of Chapter 419, Florida Statutes.

Policy

H.1.6.1 The Land Development Regulations will contain provisions to allow group homes and foster care facilities in residential areas consistent with State Statutes.

Objective: ~~Green and Innovative~~Sustainability Building Programs

H.1.7 The City shall promote and encourage sustainable housing and promote green construction in new housing and the renovation of existing housing. ~~use of green, or other innovative/efficient/progressive building designs, methods, and standards within the City which minimize impact to the local and extended environment, increase energy efficiency, preserve water and water quality, increase the efficiency of building materials, reduce waste, etc, as recognized by the U.S. Green Building Council.~~

Policies

H.1.7.1 The City shall promote sustainable design and green construction by promoting energy efficiency in new residential development and rehabilitation of existing dwelling units ~~, through the Building and Zoning Department, research recognized green and progressive building methods and resources for the public and local governments provided by the U.S. Green Building Council and National Association of Home Builders' National Green Building Standards, Environmental Protection Agency's Star Rating, or other reputable sources, for identifying which materials, methods, and designs are green and identifying incentive programs appropriate for use within the City~~.

~~H.1.7.2The City shall maintain a list of grant and alternative as well as non- alternative funding sources for the implementation of green building programs that may be utilized within the City either by a governmental entity or private entity.~~

~~H.1.7.3The city shall apply for Federal, State, County, and private grants that will further the implementation of green and efficient building within the City as those grants which are viable to the City become available.~~

~~H.1.7.4The City shall cooperate with St. Johns County, the State of Florida, and the Federal Government for the implementation of green initiatives with the City.~~

~~H.1.7.5The City shall review and revise the City of St. Augustine Beach Land Development Regulations to integrate green or innovative building incentives for new building within the City as well as for remodeling.~~

~~H.1.7.6The City shall maintain and distribute to applicants when applications are received an updated list of resources for high-efficient alternative building materials which might be utilized for private new construction and remodeling. Such list should not be restricted solely to structural improvements but also to landscaping (e.g. Xeriscaping, irrigation standards, alternatives to pesticides, etc.)~~

~~H.1.7.7The Building and Zoning Department shall report on the resources looked to for the implementation of this objective and policies to the City Commission and the Comprehensive Planning and Zoning Board.~~

H.1.7.8 The City shall support the state initiatives for sustainable housing and energy efficiency included in the Florida Building Code.

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL U.1

TO MAKE AVAILABLE SAFE AND SANITARY POTABLE WATER SANITARY SEWER FACILITIES, DRAINAGE FACILITIES AND SOLID WASTE FACILITIES TO CURRENT AND FUTURE RESIDENTS OF ST. AUGUSTINE BEACH~~ AND TO PROTECT THE AQUIFER RECHARGE AREA~~.

Objective: Sanitary Sewer

U.1.1 The City shall maintain ~~Part III, Sections 14-17 of~~ the St. Augustine Beach Master Interlocal Agreement ~~it has~~ with St. Johns County, signed April 28, 1992, for the County ~~Utility Department~~ to provide safe, sanitary sewer facilities for current residents, to coordinate the extension and increase of capacity, and to plan the facilities required to meet future needs.

Policies

U.1.1.1 All new developments ~~, except single family dwelling units on lots platted prior to the adoption date (1990) of the City's Comprehensive Plan~~ shall be required to connect to the County's central sewer system. ~~Septic tanks shall be limited to areas of suitable soil types, and residential lot sizes shall, at a minimum, comply with current State or County regulations.~~

U.1.1.2 Residents currently using septic tanks shall be required to tie into the County Utility Department's mains, ~~when they become available~~ as required by the County Health Department.

~~U.1.1.3 Septic tanks will not be permitted in the 100 year Floodplain, except in residential areas in subdivisions platted prior to 1965~~.

U.1.1.4 ~~Annually, representatives of the~~ City staff shall continue to meet with representatives of the County to discuss the capacity of the facilities, the schedule of any construction projects and any facility expansion plans.

Objective: Solid Waste

U.1.2 To provide waste disposal to the residents of the City without adversely affecting the natural environment or the health, safety and welfare of its citizens~~, the City shall maintain a coordination mechanism with the County which assures residents that solid wastes will be disposed of in a safe, environmentally sound manner~~.

Policies

U.1.2.1 The City shall ~~have an~~ maintain the interlocal agreement with St. Johns County ~~to review annually the capacity of the Tillman Ridge Landfill~~ to assure adequate solid waste disposal for the City of St. Augustine Beach.

U.1.2.2 The City shall ~~develop~~ have public education programs to make the public aware of the problems and techniques of waste disposal recycling. ~~The City shall~~ and maintain its recycling program with either the County or another agency or a private company which will ensure that the City's recycling goals are met.

~~U.1.2.3 The City shall hold annual coordination meetings with the St. Johns County Solid Waste Department to further the extension of transfer and disposal capacities.~~

U.1.2.4 The City will cooperate with the ~~County~~ appropriate agencies and organizations in its recycling programs and will work ~~with the County~~ to reduce solid waste by whatever ~~percentage is mandated by State law or by mutual agreement between the City and the County~~reasonable and effective means available.

U.1.2.5~~The City shall cooperate with the County, regional and/or State agencies should there be a proposal to establish a resource recovery facility and should such a facility be economically feasible~~.

~~U.1.2.6The City shall require the addition of the North American Industry Classification System (NAICS, 1997 edition) data to building permits to facilitate the tracking of hazardous waste.~~

Objective: Drainage

U.1.3 The City shall continue ~~the Drainage Improvement Program it started in 1992, which has resulted in the joint City/County/FDOT regional stormwater project~~ to promote adequate drainage for properties in St. Augustine Beach.

Policies

U.1.3.1 The City ~~will~~ may seek assistance of the St. Johns River Water Management District for such technical matters as establishing a baseline analysis of drainage facilities.

U.1.3.2 The City shall continue ~~its inspection and maintenance program of its major drainage canals that it started in 1993 as part of~~ to participate in FEMA's community rating ~~service~~ system program to lower the flood insurance premiums for the City's property owners.

U.1.3.3 The City shall prepare a master drainage plan update to determine drainage needs ~~through the year 2020~~ in St. Augustine Beach ~~and shall prepare a monthly schedule annually in its Capital Improvements Program to meet the drainage~~ and the use of a "green" drainage system and other new technologies ~~needs~~.

U.1.3.4 The City shall assure developments have the appropriate permits from ~~continue to work with~~ the Florida Department of Environmental Protection and the St. Johns River Water Management District that will have ~~to develop~~ management practices for water resources to mitigate urban and non-point sources of water degradation.

U.1.3.5 City shall ~~amend~~ maintain in the Land Development Regulations ~~as needed to ensure compliance with the~~ Erosion and Sediment Control ~~Ordinance adopted in February 2005~~ measures.

U.1.3.6 ~~Through its Land Acquisition Program, the City shall give priority to a developer if the developer wishes to provide land for purchase or to~~ The City shall allow developers to provide a donation to the City as part of the approval of a final development plan for planned unit development that will protect surface water and groundwater resources from pollution by development.

U.1.3.7 The City Commission shall investigate the benefits of a stormwater utility.

Objective: Drainage

U.1.4 To protect the natural drainage routes in the City from the impact of development while utilizing these areas in environmentally safe ways, the City shall utilize the drainage regulations that are part of its Land Development Regulations.

Policies

U.1.4.1 The City shall continue enforcement of its flood plain management ordinance that manages and regulates development within 100-year floodplain and requires the use of natural drainageways for retention.

~~U.1.4.2 The City shall manage and regulate development within 100-year floodplain through a drainage ordinance which requires the use of natural drainageways for retention as a part of the Land Development Regulations.~~

~~U.1.4.3The City hereby adopts by reference the water quality standards as set forth in the Chapter 40C-42, Florida Administrative Code, for all new and existing stormwater systems.~~

~~U.1.4.4The City shall coordinate and enforce stormwater permitting for water quality with the St. Johns River Water Management District.~~

U.1.4.5 Before permitting construction of any development requiring a stormwater permit, the City shall require the applicant to first obtain proof of an environmental permit from the St. Johns River Water Management District and/or the Department of Environmental Protection.

Objective: Potable Water

~~U.1.5~~ The City shall maintain the St. Augustine Beach Master Interlocal Agreement it has with St. Johns County, signed April 28, 1992, for the County to ensure that water for drinking and domestic use is sufficient to meet current and projected demands~~, that the facilities are available to meet these demands, and there is coordination between the City and the County on the extension of the facilities in order to increase their capacity~~.

Policies

U.1.5.1 ~~Annually,~~ City representatives shall meet with County representatives as needed, to discuss the capacity of the County Utility Department's facilities, the schedule of any construction projects, and any facility expansion plans that may affect St. Augustine Beach.

U.1.5.2 All new developments in the City shall be required to connect to the County Utility Department's centralized water system.

U.1.5.3 The City shall not approve any development orders which will reduce the adopted level of service.

U.1.5.4 The City shall enforce the Florida Building Code ~~Construction Standard of ordinances~~ which require the use of water-saving devices and procedures for water conservation in new construction and specified reconstruction.

U.1.5.5 The City's Water Supply Facilities Work Plan is incorporated into the comprehensive plan as Appendix A of the Infrastructure Element.

U.1.5.6 The City will maintain a Water Supply Facilities Work Plan that is coordinated with St. Johns River Water Management District's North Florida Regional Water Supply Plan (NFRWSP) by updating the work plan and related comprehensive plan policies within 18 months of an update to the NFRWSP that affects the City.

U.1.5.7 The City will participate in the development of updates to NFRWSP and other water supply development-related initiatives facilitated by St. Johns River Water Management District (SJRWMD) that affect St. Augustine Beach.

U.1.5.8 The City will monitor and participate, as necessary, in St. Johns County Utility District's (SJCUD) water supply planning process to ensure that SJCUD accounts for and meets the City's current and future water needs.

Objective: Water Conservation

U.1.6 The City shall ~~adopt~~ enforce the Florida Building Code which includes policies for water conservation measures.

Policies

U.1.6.1 The City shall enforce the Florida Building Codes Construction Standard of ordinances which requires the use of water-saving devices and procedures for water conservation in new construction and specified reconstruction.

U.1.6.2 The City shall maintain information on water conservation measures at the Building and Zoning Department.

~~U.1.6.3 The Building and Zoning Department shall, during building plan review of the irrigation plan, recommend water conservation techniques for irrigation.~~

U.1.6.4 The City will cooperate with the County's Utility Department to implement within the City any water conservation measures adopted by the Department St. Johns County, including the use of reclaimed water.

U.1.6.5 St. Augustine Beach shall promote water conservation by encouraging the use of water efficient devices and Florida Friendly Landscapes as recommended by the University of Florida/IFAS program.

U.1.6.6 The City shall coordinate with appropriate St. Johns County and Regional, State, and Federal agencies to address current and future water sources, water use, and water conservation.

GOAL U.2

NEEDED PUBLIC FACILITIES SHALL BE PROVIDED IN A MANNER WHICH PROTECTS INVESTMENTS IN EXISTING FACILITIES AND PROMOTES ORDERLY COMPACT URBAN GROWTH.

Objective: Levels of Service

U.2.1 Prior the approval of a building permit or its functional equivalent, the City shall consult with the St. Johns County Utility Department (the City's potable water provider) to determine whether adequate water supply exists to serve new development no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent. The City shall ensure that adequate water supply and potable water facilities shall be in place and available to serve new development no later than a certificate of occupancy or its functional equivalent.

Policies

U.2.1.1 The City hereby adopts a 25-year, 24-hour duration storm as the interim level of service standard for design of all drainage and stormwater management systems developed or redeveloped after the adoption of this Comprehensive Plan.

U.2.1.2 The City hereby adopts the following levels of service:

Facility/Service area	Acceptable Level of Service Standard
Sanitary Sewer Facilities	~~300~~280 gallons/household/day
Potable Water Facilities w/o reuse	~~300~~ 350 gallons/household/day
Potable Water Facilities with reuse	280 gallons/household/day
Solid Waste Facilities	5.7 pounds/capita/day
Water Quality Standards for Stormwater Runoff	Chapter 40C-42 Florida Administrative Code

U.2.1.3 ~~In order to assure that the above identified level of service standards are maintained, procedures/systems for determining available capacity and demand shall be developed by plan implementation, and these procedures shall incorporate appropriate peak demand coefficients for each facility and for each type of development proposed.~~

U.2.1.4 All improvements for replacement, expansion or increase in capacity of facilities shall be compatible with the adopted level of service standards for facilities.

~~U.2.1.5The City shall coordinate with the St. Johns River Water Management District, Anastasia Mosquito Control District, and St. Johns County to require all stormwater facilities built prior to 1982 to have an ambient water quality survey, and those facilities found to be violating Class III standards as set forth in Rule 62-302.500, F.A.C., will be required to retrofit in order to meet these standards.~~

~~Objective: Deficiencies and Capital Improvements~~

~~U.2.2To correct deficiencies, as well as coordinate the extension of facilities to meet future needs, the City shall, upon plan implementation, develop and maintain a five-year schedule of capital improvement needs for these public facilities, which are under the City's control to be updated annually in conformance with the review process. for the Capital Improvements Element of this Plan.~~

~~Policy~~

~~U.2.2.1Proposed capital improvement projects will be evaluated and ranked according to the following priority level guidelines:~~

~~Level One: Whether the project is needed to protect public health and safety, to fulfill the City's legal commitment to provide facilities and services, or to preserve or achieve full use of existing facilities and correct existing deficiencies;~~

~~Level Two: Whether the project increases efficiency of use of existing facilities, prevents or reduces future improvement costs, provides service to development areas lacking full service or promotes in fill development; and~~

~~Level Three: Whether the project represents a logical extension of facilities and services within a designated service area.~~

~~Objective: Correcting Deficiencies~~
~~U.2.3The St. Augustine Beach City Commission shall review recommendations from staff regarding improvements to existing facilities and direct staff to coordinate the processes required to correct any deficiency so noted.~~

~~Policy~~~~If no public funds are available, the developer of a project will be required to pay all costs relating to maintaining the public facilities at the adopted Level of Service, prior to obtaining a development permit~~.

Objective: Existing Facilities
U.2.4 The City shall interface with the County to extend and/or improve the service provided by existing water and sewer facilities within the City.

U.2.4.1 To maximize the use of existing facilities, the City will require hook-ups to the centralized sewer and water facilities, if these facilities are available

U.2.4.2 All new developments, ~~except for the development of single family dwelling units on a lot platted prior to 1990,~~ shall be required to connect to the centralized water and sewer facilities of the St. Johns County Utility Department ~~or construct a system that would be acceptable to the County and designed in accordance with State statutes~~.

U.2.4.3 Owners of single family lots platted before 1990 shall be required to connect these lots ~~when developments occur on them~~ to the County's central sewer system, ~~should the system be available adjacent to or within 200 feet of the lots~~ if required by the St. Johns County Health Department.

CONSERVATION/COASTAL MANAGEMENT ELEMENT

GOALS, OBJECTIVES, POLICIES

COASTAL AND RECREATIONAL RESOURCES

GOAL CC.1

~~WHEREAS THE ECONOMIC AND SOCIAL WELL-BEING OF THE CITY OF ST. AUGUSTINE BEACH IS CLOSELY RELATED TO THE ABUNDANCE AND QUALITY OF THE COASTAL RESOURCES,~~ THE CITY SHALL ENSURE THAT THE DEVELOPMENT, USE OF AND ACCESS TO ITS COASTAL RESOURCES NEITHER CREATE A PUBLIC HAZARD NOR CAUSE A SIGNIFICANT ADVERSE IMPACT UPON THE REMAINING NATURAL RESOURCES BY CREATING A FUTURE DEVELOPMENT PATTERN THAT ENHANCES AND RESTORES COASTAL RESOURCES (BEACHES, DUNES, COASTAL STRAND).

Objective: Beach Access

CC.1.1 St. Augustine Beach shall ensure that development will not increase public hazard or have a significantly adverse impact on remaining natural resources by enforcement of the City's resource protection standards, ~~Article V in its~~ contained in the Land Development Regulations, which shall provide protection for the City's Trees, environmentally sensitive lands, protection of groundwater and wellheads, protection of habitat of endangered or threatened species and which shall contain flood damage prevention regulations.

Policies

CC.1.1.1 St. Augustine Beach will require any new beachfront development ~~which is thirty (30) to sixty (60) acres in size~~ to have at least one (1) beach access for use of residents within the development. ~~Any new beachfront development in excess of sixty (60) acres shall have at least two (2) beach accesses for use of residents within the development.~~

CC.1.1.2 St. Augustine Beach will not vacate any ~~more~~ easements, walkways and other access points to beaches and shores ~~except when the aggregation of land provides more linear feet and parking spaces~~.

CC.1.1.3 St. Augustine Beach, in conjunction with the County, will maintain the current beach walkovers ~~and plan~~ and provide for additional walkovers as funding sources are ~~identified and~~ available.

CC.1.1.4 Private land owners adjacent to public beach access points ~~, including easements,~~ will not be allowed to restrict public access to the beaches via plantings or other means ~~in accordance with provisions in the City's Land Development Regulations~~.

Objective: Preservation of Dunes

CC.1.2 St. Augustine Beach shall protect, conserve and enhance remaining coastal dunes by ~~requesting assistance from the Department of Environmental Protection, and shall identify long-term construction standards that will accomplish this objective, such as~~ enforcing the requirements of the Coastal Construction Setback Line established pursuant to 161.053, F.S. and that all development must be consistent with Chapter 161, F.S. by ~~enforcing Section 1.07.10.E of the Land Development Regulations, which states that where a forward building line has been established along the coast~~, and at a minimum to prohibit ~~no~~ building or an addition to an existing building ~~is permitted~~ in front of ~~this general line."~~established forward building line and to require an approval and/or permit from the Department of Environmental Protection for development seaward of the Coastal Construction Setback Line.

Policies

CC.1.2.1 St. Augustine Beach will ~~participate in~~ support dune stabilization and restoration projects with St. Johns County, State and Federal agencies.

CC.1.2.2 St. Augustine Beach will cooperate to control beach erosion by ~~monitoring~~ requiring the Corps of Engineers and DEP permit~~sting~~ for development along the coastline~~notices, and by making relevant recommendations to further this policy~~.

CC.1.2.3 Motorized vehicles will be prohibited on dune systems, except in a situation that has been designated an emergency by the local civil defense agency.

CC.1.2.4 St. Augustine Beach will promote hazard mitigation by enforcement of the Coastal Construction ~~Setback~~ Control Line established pursuant to 161.053, F.S. by requiring all development be consistent with Chapter 161, F.S. and an approval and/or permit from the Department of Environmental Protection for development seaward of the Coastal Construction ~~Setback~~Control Line.

CC.1.2.5 St. Augustine Beach will enforce the requirements of the Federal Flood Insurance Program by continuing to participate in the program ~~specifically by designating coastal high-hazard areas and by limiting development in such areas along with relocating any infrastructure~~.

CC.1.2.6 The City shall enforce building practices and coastal construction standards in Chapter 161.053, Florida Statutes that reduce the vulnerability of life and property to natural hazards, specifically hurricanes, in high hazard areas.

~~CC.1.2.7 The City shall include performance standards in the Land Development Regulations that prioritize Atlantic Shoreline uses with the primary purpose of expanding conservation and recreation uses.~~

~~CC.1.2.8 The City shall require all development and redevelopment along the Atlantic Shoreline to adhere to the public access requirements of the Coastal Zone Protection Act of 1985.~~

CC.1.2.9 The City shall not permit development that modifies undisturbed areas of the dune system.

CC.1.2.10 The City shall amend the Land Development Regulations to add protections to preserve the dunes within the city limits.

Objective: Disaster Preparedness

CC.1.3 St. Augustine Beach will participate ~~with~~ in the St. Johns County Local Mitigation Strategy Task Force ~~all applicable State and Federal agencies~~ to insure public safety by ~~keeping Disaster Preparedness plans current~~ incorporating the hazard mitigation annex of the peacetime emergency plan ~~as well as by updates of the Regional Planning Council and St. Johns County.~~

Policies

CC.1.3.1 The City shall coordinate with St. Johns County ~~require~~ for an assessment of the impact of new development on the City's emergency evacuation routes.

~~CC.1.3.2 The City will recommend to the responsible agency that existing evacuation routes will be given priority for improvement over other transportation facilities in the agency's annual capital improvements program.~~

CC.1.3.3 St. Augustine Beach shall implement the applicable portions of the St. Johns County Local ~~prepare and update its~~ hurricane evacuation plan and disaster preparedness plan that relate to St. Augustine Beach ~~every five years and also reevaluate the plan's effectiveness immediately~~ and any updates to St. Johns County Local Mitigation Strategy pPlan after major disaster events ~~to recommend appropriate improvements and post-disaster redevelopment activities, both immediate and long term~~.

CC.1.3.4 The City shall coordinate with St. Johns County to distribute ~~update~~ its hurricane guide showing evacuation routes, hurricane hazards, safety procedures, shelters and other pertinent information for its citizens ~~every year by the anniversary date of the adoption of the Comprehensive Plan~~.

CC.1.3.5 The City will coordinate with the County for transportation of any handicapped and/or indigent persons in the City during times of mandatory evacuation.

CC.1.3.6 St. Augustine Beach will ~~annually~~ coordinate disaster preparedness ~~plans~~ with St. Johns County and other local agencies ~~the City of St. Augustine~~ and at a minimum update the City's emergency operations plan every four (4) years.

CC.1.3.7 The City will participate with the County ~~and the Northeast Florida Regional Planning Council in developing~~ for the implementation of the ~~a~~ local mitigation strategy plan ~~to better prepare the~~ for St. Johns County ~~and the City for natural disasters and~~ to lessen the damages from ~~such~~ disasters.

~~Objective: Public Expenditures~~

~~CC.1.4 Consistent with elements of the adopted Comprehensive Plan for the City, public expenditures shall be used for, but not limited to, recreation, protection of park facilities, conservation of natural resources, and issues dealing with public health within the coastal high hazard areas.~~

~~Policies~~

~~CC.1.4.1 Infrastructure shall be planned and required to be installed currently with future development in areas outside of coastal high hazards areas.~~

~~CC.1.4.2 All private and public infrastructure, utilities and drainage improvements must be constructed concurrently, or in accordance with a phased plan approved by St. Augustine Beach.~~

~~Objective: Hurricane Evacuation~~

~~CC.1.5 The City shall require that new residential developments provide an assessment of the impact of the developments on the City's evacuation routes.~~

~~Policies~~

~~CC.1.5.1 Transportation systems (roads, streets, etc.) shall be designed and built to handle traffic generated during emergency evacuations as defined in the City's evacuation plan.~~

~~CC.1.5.2 All roadways in the coastal zone shall be constructed to City specifications using salinity tolerant construction techniques and materials.~~

~~CC.1.5.3 Transportation drainage systems including swales and ditches shall be maintained to ensure hydraulic capability.~~

~~CC.1.5.4 The City will coordinate with St. Johns County in urging and supporting FDOT in widening State Road A1A from Owens Avenue to State Road 206 as a key evacuation route.~~

Objective: Protecting Water Resources

CC.1.6 The City shall minimize the adverse impacts of development on the water resources on Anastasia Island.

Policies

CC.1.6.1 Assure that new development does not interfere or restrict surface water from entering wetlands or estuaries to maintain normal biological productivity by requiring all positive drainage structures to be designed and constructed to retain the first half inch of rainfall in an offline retention structure.

CC.1.6.2 Development orders will be denied that do not protect the nature and function of wetlands, waterways, inlets and estuaries.

CC.1.6.3 All development shall be designed and constructed to City specifications to minimize stormwater discharge and shall be designed to meet the requirement of Chapters 17-25 and 40D-4, F.A.C.

~~CC.1.6.4 Approved stormwater management systems will be designed and operated to prevent silt and other pollutants from entering adjacent waters without 24- hour detention.~~

~~CC.1.6.5 The City shall require the restoration and enhancement of the beaches/dune system and natural drainage patterns which are tributary to the Intracoastal Waterway within all new~~ developments.

CC.1.6.6 The City shall require developers to obtain all ~~enforce environmental performance standards to limit the specific and cumulative impacts on wildlife habitats and living marine resources, such as requiring development plans to comply with~~ applicable ~~federal, state and water management district regulations~~ permits relating to environmentally sensitive lands, including the U.S. Army Corps of Engineers wetlands mitigation permit, if applicable, and the St. Johns River Water Management District's Environmental Resource Permit.

~~Objective: Water Dependent Activities~~

~~CC.1.7 Development permits and other decisions made by the City concerning shoreline uses will give priority to water dependent activities consistent with the Future Land Use Element and the standards set forth in the policy below.~~

~~Policy~~
~~CC.1.7.1 Water dependent and other shoreline uses will be prohibited from active shellfish harvesting areas and manatee habitats.~~

CONSERVATION OF NATURAL RESOURCES

GOAL CC.2

~~WHEREAS CONSERVATION OF AIR, WATER, SOIL, WILDLIFE AND OTHER NATURAL RESOURCES IS IMPORTANT TO THE VARIETY AND STRENGTH OF ST. AUGUSTINE BEACH'S AESTHETIC VALUES,~~ ST. AUGUSTINE BEACH SHALL CONSERVE, UTILIZE AND PROTECT THE NATURAL RESOURCES OF THE AREA, INCLUDING AIR, WATER, WETLAND, WATERWELLS, WATER BODIES, SOILS, VEGETATIVE COMMUNITIES, WILDLIFE, WILDLIFE HABITAT AND OTHER NATURAL AND ENVIRONMENTAL RESOURCES.

Objective: Potable Water

CC.2.1 St. Augustine Beach shall maintain its interlocal agreement with the County to ensure that the City has adequate water supplies of a quality sufficient to meet existing and projected future demands, and consistent with the adopted Level of Service in the Potable Water Sub-Element.

Policies

CC.2.1.1 St. Augustine Beach will coordinate with the St. Johns County Utility Department as they develop and update the estimate of water needed for potable and other demands and ~~shall~~ examine the feasibility of alternate water sources as a supply of water prior to an emergency situation ~~on an annual basis~~.

Objective: Water Conservation

CC.2.2 The City will promote water conservation ~~in coordination~~ consistent with the St. Johns County Utilities Department, St. Johns River Water Management District and ~~adopted State~~ the Florida Building Codes.

Policies

CC.2.2.1 The City will enforce the water conservation requirements ~~as mandated by~~included in the ~~State adopted~~ Florida Building Code ~~codes~~ for all permitted construction.

CC.2.2.2 The City shall support the St. Johns County Utility Department public outreach efforts to publicize and promote Best Management Practices (BMPs) as suggested by the State of Florida and St. Johns River Water Management District that illustrate the importance of water conservation and promote the use of "Florida-friendly landscaping".

CC.2.2.3 The City shall support efforts of the St. Johns County Utility Department to promote water conservation through its rate structures that provide financial incentives for water conservation.

CC.2.2.4 The City shall continue to encourage conservation of water resources and use of innovative land development techniques to decrease water use. Water conservation measures shall include, but not limited, to the following:

(a) All plantings shall be selected based on the principles of Florida Friendly landscaping including planting the right plant in the right place and providing for efficient watering.

(b) Construction limitations within the 100-year floodplain, Environmentally Sensitive Lands and SJRWMD designated significant Surficial and Floridan recharge areas.

(c) Reclaimed water for irrigation, where available.

(d) Encourage the use of or the retrofitting of plumbing fixtures that are water saving devices such as ultra-low flow fixtures.

Objective: Protection of Wetlands

CC.2.3 The City shall protect wetlands and other hydrologically sensitive areas from adverse development pressures ~~by restrictions on the use of structures for water management and by penalties for encroachment~~ by requiring the appropriate Federal and/or State permits prior to approving any development permits.

Policies

~~CC.2.3.1 Non-structural stormwater management techniques shall be required where appropriate to enhance the hydrologic conditions of stressed, impacted wetlands by coordinating with St. Johns County, the Department of Environmental Protection, the St. Johns River Water Management District and the Corps of Engineers.~~

CC.2.3.2 The City shall continue to enforce provisions to protect and enhance wetland areas and their functions within the City's limits in accordance with applicable agencies responsible for wetland protection, including the Department of Environmental Protection and St. Johns River Water Management District

~~CC.2.3.3 The City shall enforce wetland protection standards, such as requiring development plans to comply with all applicable wetland regulations, including the Water Management District's Environmental Resource Permit.~~

Objective: Reduce Impact of Flooding

CC.2.4 The City shall ~~, through its Master Drainage Plan,~~ continue to improve drainage systems to reduce the impacts of flooding.

Policies

CC.2.4.1 The City, ~~will review existing development in low-lying areas for future drainage improvements~~ through ~~the~~ a ~~City's~~ Master Drainage Plan update, will recommend drainage improvements that will minimize possible flooding potential.

CC.2.4.2 All new development shall conform with the minimum flood plain requirements of the Land Development Regulations ~~and the amended St. Augustine Beach flood plain ordinance.~~

Objective: Removing Septic Systems

CC.2.5 The City will ~~cooperate with~~ encourage the County to have sewer mains provided in older, developed subdivisions so that the property owners can connect to the central sewer system.

Policies

CC.2.5.1 New ~~Septic~~ septic tanks shall be prohibited ~~where soils are unsuitable unless adequate approved fill is supplied for the septic tank and drainfield~~, unless permitted by the St. Johns County Health Department.

CC.2.5.2 The City shall restrict the use of septic tanks ~~within the City limits by requiring all new development, with the exception of~~ to only single-family dwelling units on lots platted prior to 1990, not having available sewer~~, to be connected to the St. Johns County Utility Collection System~~ with approval from the St. Johns County Health Department.

Objective: Hazardous Substances

CC.2.6 Protect natural resources of the City from contamination by any hazardous substances.

Policies

CC.2.6.1 ~~In conformance with State and Federal regulations, commercial~~ Commercial establishments which use, treat, store, generate or transport toxic or hazardous substances shall ~~prepare a plan which identifies the materials and how these materials will be handled and disposed~~ comply with all appropriate State and Federal Regulations.

~~CC.2.6.2 St. Augustine Beach will work with other State agencies to develop sites for households, small businesses and other low volume generators of hazardous waste to deliver hazardous waste for later disposal at an approved hazardous waste disposal site.~~

CC.2.6.3 Sites polluted from underground petroleum storage tanks shall be promptly cleaned up and the tank replaced, repaired or removed as ~~presented in an approved plan within six months of discovering the problem~~ required by State and Federal regulations.

Objective: Preservation of Natural Habitats

CC.2.7 The City ~~through its Land Development Regulations shall assist the Department of Environmental Protection in the~~ shall protect~~ion of~~ unique habitats and ecological systems by requiring permits from the St. Johns River Water Management or Department of Environmental Protection, prior to approving development permits.

Policies

CC.2.7.1 For the protection of significant habitats of viable populations of threatened or endangered species of special concern of plants and animals in the City, the City shall require a habitat management plan for new developments, ~~parcels of five (5) acres or more unplatted as of June 30, 1999~~ which will show the locations of the significant habitats of threatened or endangered species of plants and/or animals and will state the activities by the owner or owners to protect threatened or endangered species~~. The protection activities shall be made a part of the final development plan for any development approved by the City's Comprehensive Planning and Zoning Board on the parcel(s)~~ and to be compliance with all appropriate State and Federal regulations.

CC.2.7.2 Developments proposed adjacent to Class II waters and State parks shall be environmentally compatible by providing at least 25 feet of native natural buffer.

Objective: Air Quality

CC.2.8 The City shall protect existing air quality by evaluating developments and traffic improvements to determine the impact on ambient conditions.

Policy

CC.2.8.1 The City shall keep in its Land Development Regulations Federal and State air quality standards.

Objective: Protection of Estuaries and Marine Resources

CC.2.9 In cooperation with the County, the Water Management District, and various departments of the State of Florida, the City shall further the protection, conservation and enhancement of surrounding estuaries, coastal wetlands and living marine resources as well as coastal barriers and pristine wildlife habitat located in the City.

Policies

CC.2.9.1 The City shall request that the St. Johns County Intergovernmental Committee establish joint efforts to conserve the natural functions of existing soils, fisheries, wildlife habitats, wetlands and especially marine and estuarial communities.

CC.2.9.2 The City shall request the participation of State agencies in the inventory and determination of environmentally sensitive lands within the City.

Objective: Conserving Native Vegetative Communities

CC.2.10 The City shall maintain landscaping ~~performance standards~~requirements in the Land Development Regulations to conserve the remaining native vegetative communities, especially the hardwood hammocks.

Policy

CC.2.10.1 The City shall limit disturbances to the native vegetation and limit the size of trees that may be removed by ~~enforcing~~ maintaining tree protection standards ~~that shall include prohibiting the removal, cutting down or destruction of any tree located on any property without obtaining a permit, and not authorizing the removal of protected trees unless the developer demonstrates the reason for the removal~~ in the Land Development Regulations.

CC.2.10.2 The City shall work with the appropriate agencies to enhance and/or restore degraded natural areas in conjunction with the appropriate ~~State~~ agencies on present and future City-owned properties through the removal of non-native vegetation, reforestation, shoreline or dune restoration and/or the restoration of the natural hydrology.

~~CC.2.10.3 The City through its Land Acquisition Program will give priority to the purchase of vacant land that has been degraded and/or has been invaded by non-native vegetation.~~

~~CC.2.10.4 By 2008, the City shall include in its Land Development Regulations provisions that prohibit new development from using non-native vegetation for landscaping.~~

~~Objective: Maintaining Adopted Levels of Service~~

~~CC.2.11 The entire City is a coastal area, and the City in its Land Development Regulations shall maintain Level of Service standards which will be consistent for the entire City. Infrastructure will be phased to meet the development needs and to maintain the adopted Level of Service standards that are included in the Plan's Capital Improvements Element.~~

~~Policy~~

~~CC.2.11.1 Developments will not be permitted if facilities are not available or will not be available when the development is completed to maintain the adopted level of service.~~

CULTURAL AND HISTORIC RESOURCES

GOAL CC.3

St. Augustine Beach shall actively promote the preservation of, and access to, cultural and historical resources by requiring in its Land Development Regulations that development proposals investigate the potential of such resources on site.

Objective: Identification and Protection of Historic Sites

CC.3.1 St. Augustine Beach will take efforts ~~coordinate with the State Division of Archives and others~~ to identify and protect cultural and historically significant sites.

Policies

~~CC.3.1.1 The City will amend building codes and other enforcement practices, as needed, to allow for historic structures to be granted any variances which are needed and desirable so as to preserve the structures' historical characteristics.~~

~~CC.3.1.2 The City shall assist owners who want to apply to have their properties included on the National Register of Historic Sites and Places.~~

CC.3.1.3 The City shall work towards creating ~~an ordinance~~ a process to identify ~~and site~~ cultural and historic resources located within the City ~~limits~~.

HAZARD MITIGATION

GOAL CC.4

THE CITY SHALL MAKE EVERY REASONABLE EFFORT TO ENSURE PUBLIC SAFETY, HEALTH AND WELFARE OF PEOPLE AND PROPERTY FROM THE EFFECTS OF COASTAL STORMS BY LIMITING PUBLIC EXPENDITURES IN AREAS SUBJECT TO REPEATED DAMAGE BY WIND AND WATER ~~THEREBY REDUCING THE EXPOSURE OF HUMANS AND PROPERTY TO NATURAL HAZARDS, I.E. HURRICANES.~~

Objective: Post-Disaster Redevelopment

CC.4.1 The City shall ~~maintain and review a post-disaster redevelopment plan to~~ work with St. Johns County to reduce the exposure of human life and property to the destruction of hurricanes.

Policies

~~CC.4.1.1 The City's Building and Zoning Department shall maintain and update a post-disaster redevelopment plan so as to reduce the exposure of human life and property to destruction by hurricanes.~~

CC.4.1.2 The City will adhere to the standards for the removal, relocation or structural modification of damaged infrastructure and structures and only allow redevelopment consistent with all applicable State regulations~~, such as requiring all buildings to be located landward of the Coastal Construction Setback Line unless the buildings are elevated and meet the requirements of Chapter 161, Part I, the Beach and Shore Preservation Act; and Chapter 161, Part III, the Coastal Zone Protection Act of 1985, Florida Statutes~~.

CC.4.1.3 The City shall ensure that structures subject to repetitive losses due to storm events will be reconstructed in accordance with applicable City, State, and Federal requirements for reconstruction.

~~CC.4.1.4 The City shall include in the post-disaster redevelopment plan recommendations of interagency hazard mitigation reports.~~

~~CC.4.1.5 The City shall include in the post-disaster redevelopment plan measures for eliminating unsafe conditions and inappropriate uses in Coastal High Hazard Areas.~~

Objective: Development in Coastal High Hazard Areas

CC.4.2 The City shall restrict the intensity of development within Coastal High Hazard Areas consistent with public safety needs, such as limiting the height of buildings to thirty-five (35) feet above the minimum ground floor elevation, regardless of whether the ground floor is required to be non-habitable by any local, State or Federal regulation; excluding wind resistant engineered parapet walls, elevator shafts, mechanical equipment and other necessary attachments; maintaining required setbacks, except for variances granted by the strict application of hardship criteria as defined; prohibiting structures forward of the existing building line (platted lot lines) VE zones; and prohibiting commercial and high density residential land uses along the City's shoreline.

Policies

CC.4.2.1 ~~The Coastal High Hazard Area shall be defined as the evacuation zone for a Category 1 hurricane as established by the Northeast Florida Regional Planning Council's Hurricane Evacuation Study (October 1998), and r~~Redevelopment in the Coastal High Hazard Area shall comply with City, State, and Federal requirements pursuant to Chapters 161.053, 161.52 and 161.55, Florida Statutes, for activities or construction within the Coastal Building Zone.

~~CC.4.2.2 By 2000 the City shall identify any areas within the Coastal High Hazard Area needing redevelopment and develop a plan for eliminating unsafe conditions and inappropriate conditions.~~

Objective: Development in Coastal High Hazard Areas Local Mitigation Strategy Task Force

CC.4.3 The City will participate as a member of the St. Johns County Local Mitigation Strategy Task Force ~~and attend all scheduled meetings~~.

Policies

~~CC.4.3.1 The focus of the local mitigation strategy for the City will be to prevent repetitive loss and to lessen the City's vulnerability to natural disasters.~~

~~CC.4.3.2 The City will have in its local mitigation strategy coordination with the County to implement educational awareness programs and to develop sound emergency response plans.~~

CC.4.3.3 The City will participate as a member of the County's Local Mitigation Strategy Program (LMS) Task Force ~~and will incorporate LMS initiatives into appropriate initiatives and activities in the City's Comprehensive Plan once the LMS Program is developed by the County and the Northeast Florida Regional Planning Council~~.

~~CC.4.3.4 The City's Local Mitigation Strategy shall, at a minimum, include the following guiding principles to protect the lives of City residents by notifying home buyers that property is in the floodplain; ensuring that evacuation routes are well marked and maintained; basing all future land use decisions on the carrying capacity of evacuation routes and the ability to evacuate in a major hurricane; regularly updating the hurricane guide which details evacuation routes, hurricane hazards, safety procedures, shelter and other pertinent information;~~

~~- to protect property to ensure that its intrinsic value is preserved by educating residents of insurance notices of additional benefits and/or monetary incentives for preparing their homes for natural disasters.~~

~~- to protect infrastructure so that it is available during and after a disaster by developing standards for he removal, relocation or structural modification of existing damaged infrastructure and structures;~~

~~- to protect the environment to ensure that the City's quality of life is preserved by reducing or preventing storm damage by protecting natural systems which serve as buffers against storms; protecting wetlands, estuaries and tidal marshes through regulatory measures; conserving and protecting remaining coastal dunes and beach; adopting land development regulations which regulate building practices and land uses that reduce the vulnerability of human life and property to natural hazards.~~

~~- to protect the coastal high hazard area by controlling the development which occurs in this area by regulating the height of structures, promoting hazard mitigation through enforcement of the Coastal Construction Setback Line, and identify areas within the City which need redevelopment and the elimination of unsafe conditions.~~

Objective – Sea Level Rise

CC.4.4 Rise in sea level projected by the Federal Government ~~shall be taken into consideration~~will be included in all future decisions regarding the design, location, and development of infrastructure and public facilities in the potentially affected areas.

Policies

CC.4.4.1 The City shall recognize the Special Flood Hazard Areas designated on FEMA flood maps as the Adaptation Action Areas for those low-lying coastal zones that may experience coastal flooding due to extreme high tides, flash floods, and storm surge and are vulnerable to the impacts of rising sea level. (§163.3177(6)(g)(10), F.S.).

CC.4.4.2 The City will amend the Land Development Regulations to ~~shall~~require vulnerability reduction measures for all new development, redevelopment and infrastructure in the Adaptation Action Area areas. These measures ~~may~~ will include additional hardening, higher floor elevations, ~~or~~ and incorporation of natural infrastructure for increased resilience.

CC.4.4.3 The City shall develop a "Climate Action Plan" to address flooding due to extreme high tides, flash floods, stormwater runoff, and storm surge and work with St. Johns County and the City of St. Augustine to develop a county-wide "Climate Action Plan".

Objective – Redevelopment from Flooding

CC.4.5 The City will encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designation established by the Federal Emergency Management Agency.

Policies

CC.4.5.1 As grant opportunities arise or other potential funding sources, the City will consider acquiring for use as public open space, severe repetitive loss properties which have sustained repeated flood losses, thereby reducing potential losses due to flooding.

CC. 4.5.2 The City will continue during plan review for new construction the requirement that the minimum first floor elevation in residential buildings be at or above the design flood elevation, which is above the FEMA requirement, to allow for the maximum protection during flood conditions and from sea level rise.

Objective – Reduce Losses from Flooding

CC. 4.6 The City will identify site and development techniques and best practces that may reduce losses due to flooding and claims made under the flood insurance policies issued in the State of Florida.

Policies

CC.4.6.1 Maximize permeable landscape to allow for more stormwater infiltration.

CC.4.6.2 Encourage planting of vegetation that is highly water absorbent, can withstand the marine environment and the impacts of tropicl storm winds, and incorporate provisions for the care and maintenance of trees and plants into the Land Development Regulations.

CC.4.6.3 The Cty shall support development measures which integrate innovative climate adaption and mitigation designs such as low impact development (LID) practices to better manage stormwater runoff.

CC.4.6.4 The City will develop a City Standard Details Manual for guidance on approved means and methods of constructions and redevelopment on private properties and within public right of way to be adopted by the Commission.

CC.4.6.5 The City shall seek funding to assess the natural shoreline areas vulnerable to seas level rise and adopte standard means and methods to protect and preserve the upland area immediately adjacent to these areas in cooperation with the Florida Department of Environments Protection, the Army Corps of Engineers, and the St. Johns River Water Management District.

CC.4.6.6 The City shall continue to participate in FEMA's Community Rating System program to lower the flood insurance premiums for the City's property owners.

Objective – Flood Resistant Construction

CC. 4.7 The City will be consistent with or more stringent than the flood resistant construction requirements in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R. part 60.

Policy

CC.4.7.1 The City will review its Land Development Regulations and other related codes, and amend as necessary, to ensure that the City's development regulations applicable to development and redevelopment in the City will be consistent with or more stringent than the

flood resistant construction requirements in the Floria Building Code and pllicable floodplan management regulations in 44 C.F.R. part 60.

RECREATION AND OPEN SPACE ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL

R.1 THE CITY SHALL STRIVE TO ENSURE SUFFICIENT PRIVATE AND PUBLIC PARKS, RECREATION FACILITIES, AND OPEN SPACE TO MEET THE HEALTH, SAFETY, AND WELFARE NEEDS OF CITY CITIZENS AND VISITORS.

Objective: System of Neighborhood and Community Recreation Facilities

R.1.1 A system of neighborhood and community recreation facilities shall be maintained ~~and developed by 2005~~ to meet the minimum cultural, social and athletic needs of the City~~ as prescribed by appropriate State and County facilities criteria, and with additional facilities added as required to maintain the adopted Level of Service~~.

Policies:

R.1.1.1 The City will maintain the existing interlocal agreements between St. Augustine Beach and the County concerning the mutual use of recreational facilities.

R.1.1.2 The City shall formulate a recreation master plan for the undeveloped parks in the City and the development of the vacant park properties ~~which should identify recreational facilities that need to be developed and land that should be acquired for recreation in St. Augustine Beach. The recreation master plan should also~~ identify possible funding sources for ~~recreation and determine where funds generated from impact fees and the Tourist Development Council/Bed Tax should be spent~~.

~~R.1.1.3 Where appropriate during the development review and permit process, the City will encourage developers of large tracts to plan for open space areas to ensure that the residential character of the City is maintained.~~

R.1.1.4 The City shall pursue available grant sources for the acquisition and development of additional park and recreation areas.

R.1.1.5 The City will encourage the County to develop existing parks to their optimal level with consideration to the area's needs and the functional capacity of the parks. ~~Level of service (LOS) standards developed by the County will be reviewed by the City to ensure adequacy for City residents.~~

R.1.1.6 The City ~~will encourage~~ shall support the State efforts to open a bicycle access to Anastasia State Park along the Park's southern boundary

~~R.1.1.7 The City shall review large scale developments as to the need for public recreation facilities, including neighborhood and community parks. Where appropriate, these public active and passive recreation areas shall be provided as a condition to the development order.~~

R.1.1.8 The City will work with other public agencies for the development of compatible multi-use programs for public lands within the City.

~~R.1.1.9 The City shall use any appropriate Tourist Development Council/Bed Tax and St. Johns County Recreation Impact Fee funds and designate each year a specific portion to a recreation fund. These funds will be used for land acquisition or facilities expenditures.~~

R.1.1.10 The City will encourage the State and/or County to purchase land for recreation, open space and off-beach parking.

R.1.1.11 ~~Whenever possible, recreation~~ Recreation sites shall be planned ~~established~~ with multi-use purposes to provide both passive and active recreation facilities. ~~and to ensure the preservation or conservation of environmentally sensitive lands.~~ Development will be in an aesthetic and environmentally sensitive manner.

R.1.1.12 The diversion of public recreational and park sites to other uses shall not be permitted, except in cases of overriding public need or when other equivalent sites are supplied.

R.1.1.13 The City shall ~~coordinate its efforts with~~ support the County in preserving the beachfront through renourishment~~, using available federally funded programs~~.

R.1.1.14 The City of St. Augustine Beach adopts the following level of service standards for recreation:

Park Sites

	Standard	~~Size (Acres)~~
Neighborhood City/County Parks	1 acre per 5,000 populations	~~5.0~~

Facilities	Standard
~~Tennis~~ Courts	1 per 3,500 population
~~Basketball Court~~	~~1 per 5,000 population~~
Baseball/Softball Field	1 per ~~6,000~~ 8,000 population
~~Paddleball Court~~	~~1 per 2,500 population~~
~~Volleyball Court~~	~~1 per 2,500 population~~

R.1.1.15 The St. Augustine Beach City Commission will ~~annually review the status of the existing parks and recreation facilities and~~ recommend to St. Johns County needed improvements at County-owned facilities within the City, when improvements are identified.

Objective: Access to Recreation Areas

R.1.2 ~~By 1999, the~~The City shall ~~prepare a plan to provide~~ promote vehicular, pedestrian and bicycle access to recreation areas and beaches~~, where appropriate~~.

Policies:

R.1.2.1 The City will coordinate with the County the provision of vehicular parking and bicycle racks at all designated recreational sites.

R.1.2.2 The ~~construction of sidewalks and bicycle paths will be encouraged during the plan and plat review process, along roads which provide access from neighborhoods to parks. The~~City shall maintain in the Land Development Regulations ~~will contain provisions~~ requirements to include sidewalks and bicycle paths for new development, ~~where identified during the review process~~ as needed.

~~R.1.2.3 The City, in coordination with the County, will provide handicapped parking and barrier-free access to all recreation facilities.~~

R.1.2.4 Development or activities which reduce public access to recreational facilities ~~via existing access routes~~ shall be prohibited ~~from obtaining a development permit or order~~, unless such change is ~~demonstrated~~ to promote the public health, safety, welfare and/or aesthetics of the City

R.1.2.5 During the planning and design of City road improvement projects, the need for bicycle paths and pedestrian walkways will be analyzed and provided, ~~for, where they are proven viable~~, if feasible.

~~R.1.2.6 The City, in cooperation with State and County agencies, will plan for the development of off-beach vehicular parking. Vehicular travel on the City's beaches will be tempered by such development.~~

R.1.2.7 The City, ~~in coordination with the~~ will support efforts of the State and County~~, will~~ to provide additional pedestrianways across beach dunes to increase public access to the beach.

R.1.2.8 The City shall ~~develop a greenway plan to facilitate~~ participate in the planning ~~the implementation~~ of greenways within its jurisdiction. ~~As a minimum, the plan shall include a map of existing and proposed greenways, identify gaps in the greenway network, and set forth strategies for the maintenance and expansion of the existing network.~~

R.1.2.9 ~~Annually, by the adoption date of the Comprehensive Plan, t~~The City shall ~~conduct an analysis of the~~ review public beach access needs for both resident and non- resident users of the beach on an on-going basis.

Objective: Open Space

R.1.3 ~~Upon adoption of the St. Augustine Beach Comprehensive Plan, the~~The City shall ensure the provision of open space ~~in the Future Land Use Plan~~ by designating areas for recreational use on the Future Land Use Plan~~, and where it is appropriate, to~~ and will promote the provision of additional open space within residential areas ~~within individual developments during the development review process.~~

Policies:

R.1.3.1 The City shall develop incentives to serve as a mechanism to encourage public and private developments to provide additional open space.

R.1.3.2 The City shall ~~permit cluster-type~~ allow the clustering of developments ~~so as~~ to provide ~~larger~~ open spaces and recreation facilities ~~through the use of legally enforceable restrictions and covenants precluding future use of such open spaces for development and further provided that clustering shall not be permitted to offset areas which are otherwise required by rules, regulations or laws of other governmental entities to be set aside as conservation easements, wetlands or similar areas; that is, in the determination of maximum density there shall not be taken into account areas required by other governmental areas to be so set aside.~~

R.1.3.3 The City will ~~coordinate with~~ promote the State, the St. Johns River Water Management District, the County and other governmental entities to ~~designate or~~ acquire open space and natural ~~reservations~~ areas.

R.1.3.4 The City will make available the City-owned mini-parks to civic groups to maintain as passive parks.

R.1.3.5 The City shall ~~continue its Land Acquisition Program that was started in 2003, and shall have in its annual budget a fund dedicated~~ seek funds for the purchase of land for preservation, open space, and recreational purposes.

Objective: Coordination to Meet Recreation Needs

R.1.4 The City shall coordinate public and private resources to meet recreation demands.

Policies:

R.1.4.1 The City Commission shall coordinate public and private recreational resources.

R.1.4.2 The Land Development Regulations will permit recreational uses in all residential categories.

INTERGOVERNMENTAL COORDINATION ELEMENT
GOALS, OBJECTIVES AND POLICIES

GOAL I.1

ESTABLISH PROCESSES AMONG THE VARIOUS GOVERNMENTAL AGENCIES TO ACHIEVE: COORDINATION OF ALL DEVELOPMENT ACTIVITIES; PRESERVATION OF THE QUALITY OF LIFE; AND EFFICIENT USE OF AVAILABLE RESOURCES.

Objective: Formal Process for Intergovernmental Coordination

I.1.1 ~~By 1999, or when required by the State, coordinate~~ The City of St. Augustine Beach shall work with St. Johns County and the City of St. Augustine on establishing a formal process for intergovernmental coordination.

Policies

I.1.1.1 The City shall continue to coordinate with St. Johns County and the City of St. Augustine with the established policies found within ~~the formal~~ any intergovernmental coordination agreements.

I.1.1.2 The City shall promote staff level coordination with representatives from the ~~municipalities~~ St. Augustine and St. Johns County ~~meeting~~ on an as-needed basis for coordination purposes; or ~~meeting annually or~~ as required by any interlocal agreements between the ~~municipalities and/or the County as required by the St. Augustine Beach Master Interlocal Agreement between the City and the County signed on April 28, 1992, as may be amended by subsequent agreements~~ entities.

I.1.1.3 The St. Augustine Beach City Commission ~~shall~~ may invite the various governmental, public and private entities with which it shares coordination responsibilities to its various Board and Committee meetings.

~~I.1.1.4The City Commission and St. Augustine Beach staff, through the efforts of the St. Johns County Intergovernmental Committee, shall participate in intergovernmental coordination activities with other governmental, public and private entities.~~

~~I.1.1.5 The City Commission shall work with the Comprehensive Planning and Zoning Board and/or any other committee appointed by the Commissin to ensure the impact fees and the Tourist Development Council (TDC) fees are used for community improvements.~~

I.1.1.6 The St. Augustine Beach City Commission shall work with St. Johns County for joint funding of recreation, beach renourishment, utility improvements and housing rehabilitation to maximize funding opportunities ~~through the efforts of a County Housing Authority, if one is formed, and the Tourist Development Council~~.

I.1.1.7 The City shall maintain the existing St. Augustine Beach Master Interlocal Agreement it has with the St. Johns County Board of Commissioners signed April 28, 1992 for the provision of water and sewer services by the County, the disposal of solid waste, and for a solid waste recycling program.

I.1.1.8 The City shall use the Northeast Florida Regional ~~Planning~~ Council's Dispute Resolution Process to resolve annexation issues between the City and the County.

Objective: Coordination of Planning and Development with County and St. Augustine

I.1.2 The City will coordinate ~~major~~ planning ~~and development related activities~~ efforts with the comprehensive plans of St. Augustine and St. Johns County.

Policies

~~I.1.2.1 St. Augustine Beach shall work towards the establishment of a comprehensive plan coordinating committee consisting of members from affected local governments and appropriate public and private entities for the purpose of reviewing development and policy proposals which would require comprehensive plan amendments.~~

I.1.2.2 St. Augustine Beach shall ~~file a written request with~~ review the City of St. Augustine and St. Johns County ~~to receive copies of~~ proposed comprehensive ~~plans or~~ plan amendments ~~for review~~.

~~I.1.2.3The City shall request the County to consider including St. Augustine Beach in the County's comprehensive planning for notifying the City of developments along the City's boundary from SR-312 to the southern boundary of Sandpiper Village~~.

Objective: Coordination of Level of Service Standards

I.1.3 The City shall maintain ~~have~~ in its Land Development Regulations provisions by which Level of Service standards are coordinated with any State, regional or local entity having operational and maintenance responsibility in St. Augustine Beach.

Policies

I.1.3.1 The City shall ~~develop~~ maintain level of service standards ~~with~~ which are consistent with any state, regional or local entity having operational and maintenance authority in St. Augustine Beach ~~that will provide the required services necessary for proposed development~~.

~~1.1.3.2 The City shall coordinate public facilities extension policies to determine that required services shall be available when needed and economically feasible~~.

I.1.3.3 The City shall utilize the Northeast Florida Regional ~~Planning~~ Council informal mediation process for any type of interlocal conflict mediation.

Objective: Intergovernmental Coordination to Review County and St. Augustine Comprehensive Plan Amendments

I.1.4 The City shall continue ~~with the intergovernmental coordination~~ the process of reviewing comprehensive plan_s ~~and amendments~~ amendments for the City of St. Augustine and St. Johns County ~~as mandated by the City of St. Augustine Beach Comprehensive Plan~~.

Policy

I.1.4.1 The City shall ~~establish~~ maintain communication ~~formal liaison~~ with state and federal agencies which have permitting responsibilities in St. Augustine Beach.

~~Objective: Intergovernental Coordination of City of St. Augustine Beach Greenways Plan~~

~~I.1.5 The City shall develop and coordinate its greenways plan with that of St. Johns County and the City of St. Augustine so as to enhance the public's access to the natural and open space areas in the City.~~

~~Policies~~

~~I.1.5.1 The City shall enforce environmental performance standards to limit specific and cumulative impacts on wildlife habitats and living marine resources, such as requiring development plans to comply with applicable federal, state and water management district regulations related to environmentally sensitive lands, including the Army Corps of Engineers wetlands mitigation permit, if applicable, and the St. Johns River Water Management District's Environmental Resource Permit.~~

~~I.1.5.2 The City shall continue to coordinate and cooperate with St. Johns County on the acquisition of open space for conservation, recreation, and historical preservation purposes by appointing a City representative to the County's Land Acquisition and Management Program Board.~~

GOAL I.2

The City shall strive to maintain and enhance joint planning processes and procedures for coordination of public education facilities for planning and decision making.

Objective: Intergovernmental Coordination

I.2.1 On an ongoing basis, the City shall establish new and review existing coordination mechanisms that will evaluate and address its comprehensive plan and programs and their effects on the comprehensive plans developed for the adjacent local governments, school district and other units of local government providing services but not having regulatory authority over use of land and the State by an annual county-wide forum, joint meetings or other types of forums with other agencies. Assistance for this effort shall be requested from regional and state agencies by the Planning Division, as needed.

Policies:

I.2.1.1 In cooperation with the School District and the local governments within St. Johns County, the City will implement the Interlocal Agreement, as required by Section 1013.33, Florida Statutes.

I.2.1.2 On an annual basis, the City shall ask the School District to provide information from their Five Year District Facilities Work Plan to determine the need for additional school facilities, information detailing existing facilities, their locations and projected needs and planned facilities with funding representing the district's unmet needs.

I.2.1.3 In order to coordinate the effective and efficient provision and siting of public educational facilities with associated infrastructure and services within St. Johns County, St. Johns County, the St. Johns County School District, the City of St. Augustine, and the City of St. Augustine Beach~~, and the Town of Hastings~~ shall meet jointly to develop mechanisms for coordination.

I.2.1.4 Amendments to the Future Land Use Map will be coordinated with the School District and the Public School Facilities Planning Maps.

I.2.1.5 The City and the School District will develop and maintain a map depicting the required school facilities based on maximum development potential. On an annual basis, this map will be evaluated and revised as necessary.

Objective: Monitoring and evaluation

I.2.2 The City shall strive to continually monitor and evaluate the Public Schools Facilities Element in order to assure the best practices of the joint planning processes and procedures for coordination of planning and decision making.

Policy:

I.2.2.1 The City and the St. Johns County School District will coordinate during updates or amendments to the Comprehensive Plan and updates or amendments for long-range plans for School District facilities.

CAPITAL IMPROVEMENTS ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL C.1 ST. AUGUSTINE BEACH SHALL UNDERTAKE ACTIONS NECESSARY TO ADEQUATELY PROVIDE NEEDED PUBLIC FACILITIES TO ALL RESIDENTS WITHIN ITS JURISDICTION IN A MANNER WHICH PROTECTS INVESTMENTS IN EXISTING FACILITIES, MAXIMIZES THE USE OF EXISTING FACILITIES AND PROMOTES ORDERLY GROWTH.

Objective: Capital Improvements to be Provided

C.1.1 Annually, through the budgetary process, capital improvements will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities.

Policies:

C.1.1.1 St. Augustine Beach shall include all projects ~~identified in the other elements of this plan and determined to be of relatively large scale and high cost~~ ($25,000 or greater) as capital improvement projects for inclusion in the City's 5-year capital improvements plan, which is updated and revised annually. ~~All capital improvements costing less than $25,000 shall also be included in the City's 5-year capital improvements plan.~~

C.1.1.2 St. Augustine Beach shall ~~, as a matter of priority,~~ schedule and fund all capital improvements projects in the 5-year schedule of improvements which are designed to correct existing deficiencies, as funds are available.

~~C.1.1.3 Proposed capital improvement projects shall be evaluated and ranked in order of priority according to the following guidelines:~~

- ~~whether the project is needed to protect public health and safety, to fulfill the City's legal commitment to provide facilities and services, or to preserve or achieve full use of existing facilities.~~
- ~~whether the project increases efficiency of use of existing facilities, prevents or reduces future improvement costs, provides service to developed areas lacking full service, or promotes in-fill development.~~
- ~~whether the project represents a logical extension of facilities and services.whether the project accommodates new development or redevelopment.whether the project is financially feasible.whether the project promotes the plans of any state, regional or local agency~~

C.1.1.4 The City will replace worn out capital facilities under its jurisdiction, when it is cost effective to replace the facilities and economically feasible for the City.

C.1.1.5~~The City will coordinate with St. Augustine and the County on the construction of bicycle paths and pedestrian ways which cross jurisdictional boundaries, and will provide funds for these facilities in its 5-year capital improvements plan.~~

~~C.1.1.6The City will coordinate with the County and FDOT to accommodate bicycles and pedestrians in road design and construction whenever feasible, and will include its share of the funding for such facilities in its 5-year capital improvements plan.~~

C.1.1.7~~The City adopts the following Five-Year Schedule for Capital Improvements:~~

Objective: Future Development Paying for Facility Improvements

C.1.2 ~~If no public funds are available and if this requirement does not constitute a taking of private property without just compensation, future~~ Future development will bear the cost of those facility improvements necessitated by the development in order to maintain adopted Level of Service standards.

Policies:

~~C.1.2.1 St. Augustine Beach shall investigate the benefits of a program for dedications as a condition of plat approval for the provision of recreation and open space.~~

C.1.2.2 ~~If no public funds are available, and if this requirement is constitutional, new~~ New developments will be required to pay a pro rata share of the costs, or all of the costs, needed to finance those public facility improvements required by the development and needed to maintain the adopted Level of Service standards.

~~C.1.2.3The City is responsible for ensuring the financial feasibility of all capital improvements in the adopted Capital Improvements Element.~~

Objective: Managing Fiscal Resources to Provide Capital Improvements

C.1.3 ~~Annually through the budgetary process,~~ St. Augustine Beach shall manage its fiscal resources to ensure the provision of needed capital improvements.

Policies:

C.1.3.1 ~~Prior to the issuance of a development order or permit,~~ St. Augustine Beach will ensure that public facilities and services necessary to support proposed development and to maintain the adopted Level of Service standards will be in place at the time a development order or permit is issued, or will be in place concurrent with the impacts of development, or that development orders and permits are specifically conditioned on the availability of facilities and services necessary to serve the proposed development.

C.1.3.2 St. Augustine Beach shall include a 5-year capital improvements program, ~~and annual capital budget~~ as part of its budgeting process.

C.1.3.3 Efforts shall be made to secure grants or private funds whenever available to finance the provision of capital improvements.

~~C.1.3.4 – The total indebtedness, which for the purpose of this limitation shall include revenue, refunding, and improvement bonds of the city, shall not exceed two percent of the current assessed valuation of all real property located in the city.~~

C.1.3.5 ~~The City Capital Improvements Element shall be reviewed annually and updated as necessary to reflect proportionate fair share contributions.~~

Objective: Coordination of Development Orders with Development Requirements

C.1.4 ~~Upon adoption, decisions~~ Decisions regarding the issuance of development orders and permits will be based on ~~coordination of the development requirements included in this plan, the Land Development Regulations, and~~ the availability of necessary public facilities needed to support such development at the time needed.

Policy:

C.1.4.1 St. Augustine Beach shall use the following Level of Service standards in reviewing the impacts of new development and redevelopment upon public facility provision:

Facility/Service	Level of Servce Standard
Sanitary Sewer Facilities	- ~~350~~ 280 gallons per household per day (gphd)
Solid Waste Facilities	- 5.7 pounds per household per day
Drainage	- 25-year, 24-hour, design storm, per FDOT Drainage Manual
Potable Water without reuse	- ~~300~~ 350 gallons per household per day
Potable Water with resuse	- 280 gallons per household per day
~~Collector~~ Roadways	- Level of Service ~~A at peak hour~~ D
~~Arterial Roadways~~	~~- Level of Service B at peak hour CR-A1A~~ D
	~~- Level of Service A at peak hour~~

Recreation Standards for Facilities

Park Sites	Standard	~~Size (Acres)~~
NeighborhoodCity/County Parks	1 acre per 5,000 population	~~5.0~~
Facilities	Standard	
~~Tennis~~ Courts	1 per 3,500 population	
~~Basketball~~	~~1 per 5,000 population~~	
Baseball/Softball Field	1 per ~~6,000~~ 8,000 population	
~~Paddleball Court~~	~~1 per 2,500 population~~	
~~Volleyball Court~~	~~1 per 2,500 population~~	

~~Objective: Subsidizing Development in High Hazard Coastal Areas~~

~~C.1.5The City shall not allow public expenditures that subsidize future development in the high hazard coastal area, except for expenditures that support recreation, expenditures to the City-owned city hall/fire department complex, conservation of natural resources, prevention of flooding, and/or the extension of water and sewer facilities for public health.~~
~~Policy~~

~~C.1.5.1The budget of St. Augustine Beach shall not contain any public expenditures that subsidize future development in the high hazard coastal areas, except for expenditures that support recreation, expenditures to the City-owned city hall/fire department complex, conservation of natural resources, prevention of flooding, and/or the extension of water and sewer facilities for public health or the city hall/fire department.~~

Leased Relocatables shall be utilized to maintain the LOS on a temporary basis when construction to increase capacity is planned and in process. The temporary capacity provided by Relocatables shall not exceed 20% of the Permanent FISH capacity and shall be used for a period not to exceed five years. Relocatables may also be used to accommodate special education programs as required by law.

It is the intent of the School District that new schools be designed and constructed based on the following design capacities:

New Elementary (K-5)	Design Capacity of 700
New Middle (6-8)	Design Capacity of 1000
New K-8	Design Capacity of 1000
New High (9-12)	Design Capacity of 1500

C.2.1.2 The City shall ensure that future development pays a proportionate share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

C.1.2.3 The School District, in coordination with the City. shall annually update the total Revenue Summary and Project Schedules Tables reflecting the School District's financially feasible Work Program, to ensure maintenance of a financially feasible_capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the five year planning period.

C.1.2.4 The City hereby adopts as the five year public school capital facilities program the Total Revenue Summary and Project Schedules Tables from the School District's Five Year District Facilities Work Plan approved by the St. Johns County School Board no later than October 1st of each year. By December 1st of each year, the public school facilities program shall annually update the Total Revenue Summary and Project Schedules Tables, reflecting the School District's financially feasible Work Plan, to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the five year planning period. Each year the capital improvements plan will be evaluated to ensure that it meets these standards.

~~Objective: Coordination of Fiscal Resources to Maintain Adopted Levels of Service~~

~~C.1.6The City Commission shall coordinate land use decisions and available or projected fiscal resources with a schedule of capital improvements to maintain the adopted Level of Service standards for existing and future facility needs.~~

~~Policy:~~

~~C.1.6.1The Comprehensive Planning and Zoning Board shall include a schedule of Capital Improvements required for a development as part of their recommendation to the City Commission on a land use decision.~~

Objective: Public Facilities to be Available

C.1.7 No development order will be issued unless the developer demonstrates that the public facilities are available.

Policies:

C.1.7.1 All developments must have commitment letters from St. Johns County, including the County Utility Department, must have available public facilities ~~in order~~ for a development plan to be processed.

~~C.1.7.2The Land Development Regulations will include provisions stating the commitments and permits required prior to obtaining a development order.~~

~~Objective: Capital Improvements Element Review~~

~~C.1.8Annually, the City shall review the Capital Improvements Element and modify it as necessary in accordance with s. 163.3187 or s. 163.3189.~~

~~Policy:~~

~~C.1.8.1The review shall be conducted in conjunction with the preparation of the City's annual budget.~~

GOAL C.2 CAPITAL FACILITIES PLANNING FOR SCHOOL CONCURRENCY

Objective: Public School Facilities

C.2.1 The City shall ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools.

Policy

C.2.1.1 Consistent with the Interlocal Agreement, the uniform, districtwide level of service standards are initially set as 100% of the Permanent Florida inventory of School House (FISH) Capacity based on the utilization rate as established by the State Requirements for Educational Facilities (SREF), effective August 2005 and shall be adopted in the County/City/Down's public facilities element and capital improvements elements.

Agenda Item # 2

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 14, 2019

SUBJECT: Conditional Use Permit to Construct a Single-Family Residence in a Commercial Land Use District at 16 5th Street (Lot 18, St. Augustine Beach Subdivision, Mr. James Cochran, Applicant)

BACKGROUND

Number 16 5th Street is located east of ALA Beach Boulevard on the north side of 5th Street. It is the second lot east of the Boulevard and is in a commercial land use district.

Mr. James Cochran wants to build a single-family residence on the lot. Table 3.02.02 of the City's Land Development Regulations allows single-family residences in a commercial land use district only upon approval of a conditional use permit by the City Commission. Concerning his proposed residence, Mr. Cochran in the past has done:

a. Asked the Planning Board at its March 19, 2019, meeting for a recommendation to the Commission to approve his request for a conditional use permit. The Board recommended approval.

b. Asked the Commission at its April 1, 2019, to approve the permit. The Commission denied his request.

c. Asked the Commission at its September 9, 2019, meeting to waive the one-year requirement for him to wait before he could apply again for the permit. The one-year waiting period is stated in Section 1.0.03.02.A.3 in the Land Development Code. However, Subsection 4 allows the Commission to waive the one-year wait requirement. By a 3-2 vote, the Commission approved his request. Mr. Cochran then re-submitted his application.

d. Asked the Planning Board at its October 15, 2019, meeting to recommend that you approve his request for the permit. The Board by a 5-1 vote recommended approval.

e. Has asked you at your December 2nd meeting to approve the conditional use permit.

ATTACHMENTS

Attached for your review is the following information:

a. Pages 1-13, the application that Mr. Cochran submitted to the Planning Board for its October 15, 2019, meeting.

b. Page 14, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she states the Planning Board's 5-1 vote at its October meeting that you approve Mr. Cochran's request for the conditional use permit.

c. Pages 15-18, the minutes of that part of the Planning Board's October 15th meeting when it discussed and voted on Mr. Cochran's request for a recommendation to you.

d. Pages 19-23, the minutes of that part of your September 9th meeting when a majority of you voted to waive the one-year waiting period.

e. Pages 24-27, minutes of that part of your April 1, 2019, meeting when you denied Mr. Cochran's request.

ACTION REQUESTED

It is that you hold the public hearing and decide whether or not to approve Mr. Cochran's request to build a single-family residence in a commercial land use district at 16 5th Street.

City of St. Augustine Beach

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

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

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

To: Comprehensive Planning and Zoning Board
From: Bonnie Miller, Executive Assistant
CC: Brian Law, Building Official
Date: 10-09-2019
Re: CU 2019-05 16 5th Street

Conditional Use 2019-05 is a request to build a single-family residence in a commercial land use district, which requires the granting of a conditional use permit by the City Commission per Section 3.02.02 of the City's Land Development Regulations (LDRs).

The property owners and applicants, James and Kimberly Cochrane, previously submitted a conditional use application for construction of a single-family residence in a commercial land use district for this same address at 16 5th Street, which was considered by the Planning and Zoning Board in March 2019. The PZB voted 4-2 to recommend the City Commission approve the conditional use permit to allow residential construction in commercial zoning, but it was denied by the City Commission in April 2019. At its regular monthly meeting held September 9, 2019, the Commission voted to waive the one-year time period required for reapplication, so the applicants have submitted a new application and are once more requesting a conditional use permit for residential construction in a commercial land use district.

The Building and Zoning Department has no objection to the construction of a single-family residence in the commercial land use district at 16 5th Street and asks the Comprehensive Planning and Zoning Board to consider forwarding a recommendation of approval of the applicants' request to the City Commission, with the stipulation that the setback requirements and impervious surface ratio (ISR) maximum coverage for medium density residential property be adhered to.

Sincerely,

Bonnie Miller

Bonnie Miller
Executive Assistant
Building and Zoning Department

City of St. Augustine Beach Building and Zoning Department
Conditional Use Permit Application

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

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

   Lot(s) 18 Block(s) 5TH Subdivision NA

   Street Address 16 5TH STREET ST AUGUSTINE BEACH

2. Location (N, S, W, E): N Side of (Street Name): 5TH

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

4. Real estate parcel identification number: 1698900180

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

   James & Kimberly Cochrane
   328 S. Forest Dune Drive, St. Augustine, Fl. 32080

6. Current land use classification: Commercial

7. Section of land use code from which the conditional use permit is being sought: 3.02.02

8. Description of conditional use permit being sought: Single family residence on a commercial lot. We also request the permit to run with the land to enable development.

9. Supporting data which should be considered by the Board: Approval of this application will benefit our city in several ways including development of the land, increased taxes, raising the lot level to eliminate water pooling and insect infestations and improve the appearance of 5TH STREET and AIF

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

    If yes, what was the final result? Approved by P&Z Board, denied by Comm.

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

(✓) Legal description of property

(✓) Copy of warranty deed

NA ( ) Owner Permission Form (if applicable)

(✓) List of names and addresses of all property owners within 300-foot radius

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

(✓) Survey to include all existing structures and fences

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

(✓) Other documents or relevant information to be considered

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

James Cochrane	
Print name (owner or his/ her agent)	Print name (applicant or his/her agent)
9-10-2019	
Signature/date	Signature/date
328 S. Forest Dune Dr. St Aug	
Owner/agent address	Applicant/agent address
914 299 4235	
Phone number	Phone number

All agents must have notarized written authorization from the property owner(s)
Conditional use permits shall be recorded prior to issuance of the building/development permit
** Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the City Commission does not constitute approval for variation from the covenants and restrictions.**

Date: 9-16-2019

Conditional Use File #: CU 2019-05

Applicant's name: James & Kimberly Cochrane

Applicant's address: 3285 Forest Dune Drive, St. Augustine, Florida 32080

For conditional use permit at: 16 5th Street

Charges

Application Fee: $400.00 Date Paid: 9-16-2019

Legal Notice Sign: $7.50 Date Paid: 9-16-2019

Received by DM

Date 9-16-2019

Invoice # I901763

Check # 3642

Definition—Conditional Use Permit

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

Instructions for Applying for a Conditional Use Permit

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

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

Documentation Needed for a Conditional Use Permit

1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e.south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.

2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.

3) Indicate the current land use classification of the parcel under consideration. Current land use map are on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.

4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. **This list of names and**

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

5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.

6) A fee of $407.50 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which the conditional use permit application will be heard.

7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the last hearing at which the application was considered. Each final order shall contain findings upon which the City Commission's order is based and may include such conditions and safeguards prescribed by the Commission as appropriate in the matter, including reasonable time limits which action pursuant to such order shall be begun or completed or both.

8) Appeal of decisions on conditional use permits granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida.

9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

Limitations on Granting a Conditional Use Permit

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

1) That the conditional use permit will be transferable and run with the land when the facts involved warrant same, or where construction or land development is included as part of the permit.

2) The time within which the use shall be commenced may be extended for a period of time longer than

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

3) Whenever the City Commission denies an application for a conditional use permit, no further application shall be filed for the same use on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same use on any part or all of the same property has been denied, no further application shall be filed for this same use on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.

4) The time limits in paragraph 3 above may be waived by the affirmative votes of a majority of the City Commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the City.

PROPERTY APPRAISER

St. Johns County, FL

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

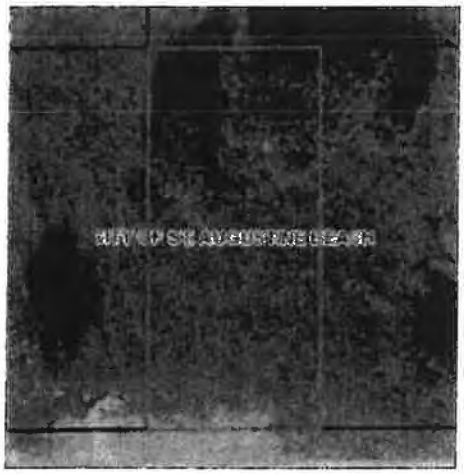
Summary

Parcel ID	1698900180
Location Address	5TH ST SAINT AUGUSTINE 32080-0000
Neighborhood	A1A Beach Boulevard (COM) (717.02)
Tax Description*	3-140 ST AUG BCH LOT 18 OR4650/25 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Commercial (1000)
Subdivision	St Augustine Beach
Sec/Twp/Rng	34-7-30
District	City of St Augustine Beach (District 551)
Millage Rate	17.0863
Acreage	0.120
Homestead	N

Owner Information

Owner Name	Cochrane James,Kimberly **100%** Cochrane Kimberly **100%**
Mailing Address	328 S FOREST DUNE DR SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2019
Building Value	$0
Extra Features Value	$0
Total Land Value	$282,258
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$282,258**
Total Deferred	$0
Assessed Value	**$282,258**
Total Exemptions	$0
Taxable Value	**$282,258**

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

Historical Assessment Information

Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
$0	$0	$292,712	$0	$0	$292,712	$292,712	$0	$292,712

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	48	105	5227	SF	$282,258

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/5/2018	12/4/2018	$100.00	WD	4650	25	U	V	CAM-ST AUGUSTINE LLC	COCHRANE JAMES,KIMBERLY
6/26/2009	6/25/2009	$100.00	WD	3210	957	U	V	MILLER GARY A TRUSTEE	CAM-ST AUGUSTINE LLC

Area Sales Report

Recent Sales in Area

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

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

Developed by Schneider GEOS

Last Data Upload: 9/16/2019 11:57:34 PM

Version 2.3.4

Instr #2018086840 BK: 4650 PG: 25, Filed & Recorded: 12/5/2018 1:00 PM #Pgs:2
Hunter S. Conrad,Clerk of the Circuit Court St. Johns County FL Recording $18.50 Doc. D $0.70

This instrument was prepared by:
Craig M. Herzog, CLC
Action Title Services of St. Johns County, Inc.
3670 US 1 South, Suite 110, St. Augustine, Florida 32086
File Number:18-16411
Consideration: $100.00
Documentary Stamps Paid: $0.70

This Warranty Deed

Made this **December 4, 2018 A.D.** By
Cam-St. Augustine LLC, a Florida Limited Liability Company hereinafter called the grantor,
to **James Cochrane and Kimberly Cochrane, husband and wife,** whose post office address
is: 328 S. Forest Dune Drive, St. Augustine, FL 32080,
hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that Grantor, for the sum of **Ten Dollars and no cents ($10.00)** and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the following described property:

Lot 18, St. Augustine Beach, according to the map or plat thereof, as recorded in Plat Book 3, Page(s) 140, of the Public Records of St. Johns County, Florida.

Parcel ID Number: 169890-0180

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon as defined by Article X, Section 4 of the Florida Constitution, nor is it adjacent to or contiguous with any of his/their homestead(s) and that the property described herein is not now, nor has it ever been, the primary residence/homestead of the owner or the owner's spouse or dependent child, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO covenants, restrictions, easements, limitations and reservations of record, if any. However, this reference does not reimpose same.. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes and assessments accruing subsequent to **December 31, 2018.**

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Cam-St. Augustine LLC, a Florida Limited Liability Company

Signed, sealed and delivered in our presence:

[1] Nicole M. Zillmer

Witness Printed Name Nicole M Zillmer

[2] Jennifer R Grell

Witness Printed Name Jennifer R Grell

State of FLORIDA
County of Clay

(Seal)
By Gary A. Miller
Its Managing Member
Address: 6891 Old Church Rd., Fleming Island, FL 32003

The foregoing instrument was acknowledged before me this December 4, **2018, by Gary A. Miller, as the Managing Member Cam-St. Augustine LLC, a Florida Limited Liability Company, who ☐ is | are personally known to me or ☒ who has | have produced DRIVER'S LICENSE(S) as identification.**

Nicole M. Zillmer
Notary Public
Print Name: Nicole M. Zillmer
My Commission Expires: 11/17/2019

[NOTARY SEAL]

NOTARY PUBLIC STATE OF FLORIDA
NICOLE M. ZILLMER
MY COMMISSION # FF 934746
EXPIRES: November 17, 2019
Bonded Thru Budget Notary Services

*16 5th Street, St. Augustine, FL
*3-140 ST AUG BCH LOT 19 OR3210/957
*Parcel# 1698900180
*SJC Utilites
*Zoned Medium Density, 50% Total Land Use + 15% for Semi-Permeable Pavers

Brandon Travis
(C) 904 904-814-9524
(E) Brandon@entireinc.net

*Overlay District Setbacks: F - 20', S - 7.5', R - 20'
*Maximum Height = 35'
-Building Height is measured as one (1) foot above the higher of either the Front Existing Grade or the Crown of the Road (to which the structure is addressed) to the highest point of building of structure. The amount of fill is limited to no more than five (5) feet.
*Flood Zone: XS
= Water Flow
Type "A" Drainage

1" = 20'

5th Street (40' R/W)
Paved

*Silt fence shall be provided around property boundaries to prevent impact to adjacent properties

* Land Usage: Lot = 5040 sq. ft.
* House 1375 + Deck 155.5 = 1549 sq. ft. (30.36%)

* Pool 264 sq. ft.
* Driveway 805 sq. ft
* Pool Deck 456 sq. ft.
* Sidewalk total 192.5 sq ft - Covered Sidewalk 119.5 sq ft = 73 sq. ft
* AC Pad 32 sq. ft.
* Stoop 32 sq. ft

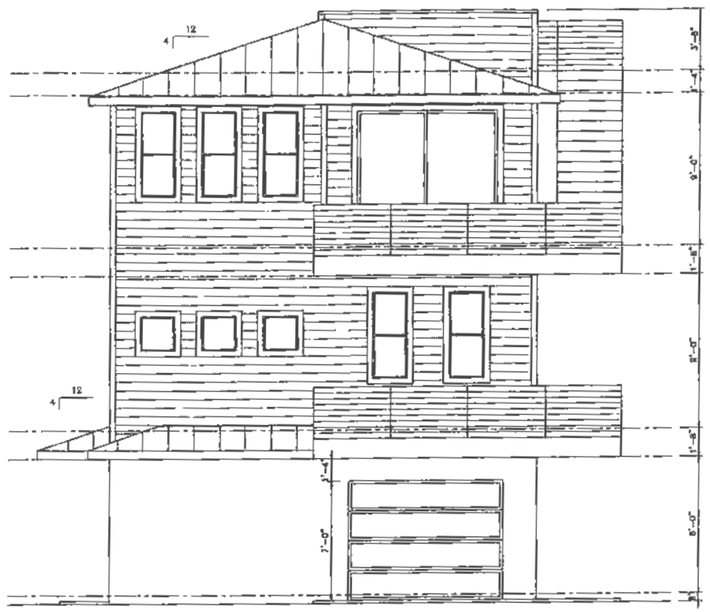
Total 3211 sq.ft = (63.71% Total Land Usage)

*Home shall be built on a 3-course stemwall including chair block
*1' compacted fill under homes footprint.

PARCEL AREA
SQ. FEET 5040
ACRES 0.12

ROOF VENTILATION

SPRAY FOAM INSULATION BLOWN IN ON THE UNDERSIDE OF THE ROOF SHEATHING, NO ROOF OR SOFFIT VENTS REQUIRED

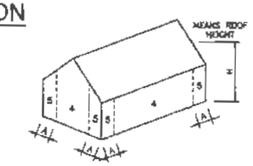


FRONT ELEVATION

SCALE: 1/4" = 1'-0"

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

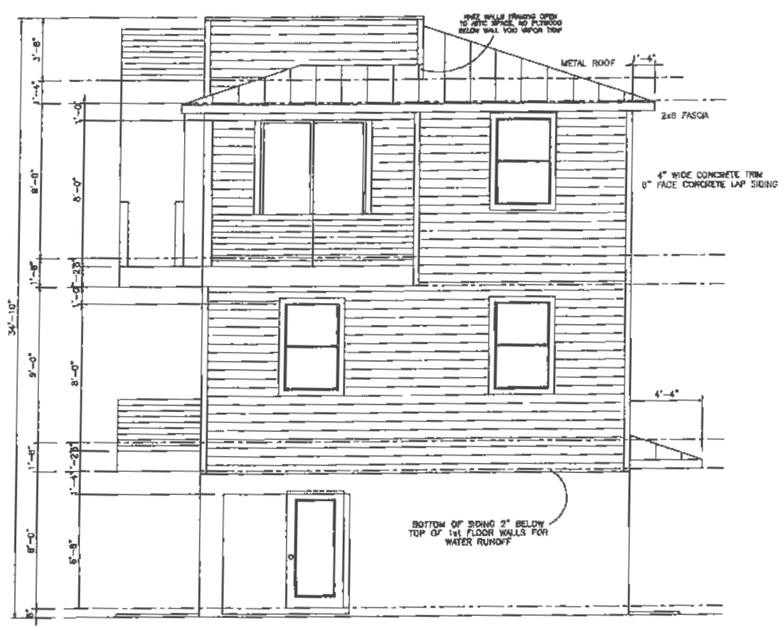


COMPONENTS AND CLADDING
WALLS
Structures less than or equal to 60 ft

COMPONENT PRESSURES:

AREA	PRESSURE (psf)
4	MAX = 35.05
4	MIN = -38.02
5	MAX = 35.05
5	MIN = -48.93

Dimension a = 3.00 ft



REAR ELEVATION

SCALE: 1/4" = 1'-0"

LEFT ELEVATION

SCALE: 1/4" = 1'-0"

Stanley P. Hoelle, Architect
Florida Reg. No. AR9033
1114 Mistletoe Drive,
Daytona Bch, Fl 32117
386-295-9790

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ALL CONTRACTORS & SUB-CONTRACTORS PLEASE CHECK & TRY TO HELP REDUCE ANY POSSIBLE PROBLEMS OR ERRORS ON THESE PLANS & ARE TO INFORM THE BUILDER AND DESIGNER BEFORE CONSTRUCTION.

ENTIRE CONSTRUCTION, INC
CUSTOM 3 STORY
Customized For
COCHERANE – 16 5th STREE

ENTIRE CONSTRUCTION INC.
ZAK ADAMS
P 904-814-7900
F 904-471-3324
ST. Augustine, Florida
www.entireconstruction.com

JOB NUMBER
2723
SUNSTATE

PLAN DATE
12/11/18

"PLANS CONFORM TO"
2017 FLORIDA BUILDING CODE
2014 NATIONAL ELEC CODE
2015 WFCM ENERGY CRITERIA
2014 ASCE24 FLOOD DESIGN
STRUCTURALLY ADEQUATE FOR
ALTERATION LEVEL: N/A
RISK CATEGORY: 2
WIND VELOCITY (MPH): 140
EXPOSURE CATEGORY: B
INTERNAL PRESSURE: .18
CONSTRUCTION TYPE: VB

LOT:
16 5th STREET
ST AUGUSTINE BCH
FLORIDA

ELEVATIONS

SHEET
1

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Conditional Use File No. CU 2019-05
Date: Wednesday, October 16, 2019

Please be advised that at its regular monthly meeting held Tuesday, October 15, 2019, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted to recommend the City Commission approve a conditional use application submitted for proposed new construction of a single-family residence in a commercial land use district at 16 5th Street, St. Augustine Beach, Florida, 32080.

The application was filed by James and Kimberly Cochrane, 328 South Forest Dune Drive, St. Augustine Beach, Florida, 32080, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO LOT 18, ST. AUGUSTINE BEACH SUBDIVISION, PARCEL IDENTIFICATION NUMBER 1698900180, AKA 16 5TH STREET, SECTION 34, TOWNSHIP 7, RANGE 30, AS RECORDED IN MAP BOOK 3, PAGE 140, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Ms. West made the motion to recommend the City Commission approve the conditional use application as submitted for proposed new construction of a single-family residence in a commercial land use district at 16 5th Street, St. Augustine Beach, Florida, 32080, subject to the following three (3) conditions: 1) The proposed new single-family residence shall be built in compliance with current Land Development Regulations (LDRs) requirements for medium density residential land use districts; 2) No variances shall be requested to reduce setback requirements or maximum impervious surface ratio (ISR) coverage per LDRs requirements for medium density residential land use districts; 3) Verification of building height in compliance with the City's height ordinance and LDRs shall be submitted by a certified and licensed surveyor prior to the issuance of a certificate of occupancy for the new single-family residence. Ms. West's motion was seconded by Ms. Odom and passed 5-1 by the Board by voice-vote, with Mr. Mitherz, Ms. Odom, Ms. West, Mr. Pranis and Mr. King assenting, and Ms. Longstreet dissenting.

FROM MINUTES OF PLANNING BOARD MEETING, OCTOBER 15, 2019

B. Conditional Use File No. CU 2019-05, for a conditional use permit for proposed new construction of a single-family residence in a commercial land use district on Lot 18, St. Augustine Beach Subdivision, at 16 5th Street, James and Kimberly Cochrane, Applicants

Mr. Law said if the Board recalls, this application came before them several months ago, and the Board recommended approval, by a 4-2 vote, to the City Commission to grant the conditional use permit to allow construction of a new single-family residence on this lot in the commercial land

use district. The Commission, however, turned it down the following month, and traditionally, a one-year waiting period is required before an applicant can reapply. However, the applicant went before the Commission last month and asked for the Commission's permission to waive the one-year time period for reapplication. The Commission voted in favor of waiving the one-year reapplication time period and the applicant was advised he'd have to submit a new application, which he has done, and which is now before the Board for recommendation to the Commission.

Mr. Mitherz asked why the original application was turned down by the Commission.

Mr. Law said he really can't speak for the Commission, but he thinks it had something to do with the Commission's hope that all six lots, of which this lot is one, originally owned by one property owner, would be developed as one commercial parcel with commercial uses.

Ms. West said development of all six lots would be impossible at this stage, as one of the lots already has a residential structure currently being built on it.

Mr. Law said yes, and two other lots will be developed as mixed-use buildings. The history of this property is that it's a big retention area, so any development is good as far as the Building Department is concerned, because development will require water to be shed to the north and south, which is a great plus for the City as far as correcting drainage issues.

Ms. West said so once again, there will be a residential use directly adjacent to commercial and mixed-use properties.

Mr. Law said yes, but the zoning will remain commercial, so they will not be awarded the same benefit of having a 15-foot-wide landscape buffer as is required in the Land Development Regulations (LDRs) between non-compatible uses such as commercial and residential land uses.

James Cochrane, 328 South Forest Dune Drive, St. Augustine Beach, Florida, 32080, said as Mr. Law mentioned earlier, there's a lot of history here, so he'll just briefly go through the facts. The lot behind his was granted a conditional use permit to build residential in commercial zoning, and there are five commercially zoned lots from a hotel group that have also recently been granted a conditional use permit to allow residential construction on them. It's his understanding all conditional use permit applications submitted for residential construction on commercial lots since at least 2016 have been granted. His lot is 48-feet-by-105-feet, and he believes this Board has heard before from real estate experts that there is no interest in this lot as a commercial property because it is not directly on A1A Beach Boulevard but is one lot off the commercial corridor, and due to the size of the lot, there is no space for parking. The only businesses that exist off the Boulevard are those that have the first lot off the Boulevard that can be used for parking. These are small lots and he can appreciate the sensitivity of what to do with them as commercial uses adjacent to residential properties. He's had this lot for sale since the Commission turned down his last application, but there has been no interest in it for commercial use, and it has been a vacant, low-lying dirt lot for some time now. He thinks it's beneficial for the City to grant this conditional use permit because the proposed residential use is consistent with the neighboring properties. The single-family residence he proposes to build will be a beautiful home consistent with others on the street. It will improve the appearance of 5th Street, increase the residential property tax base, and assist with water shedding. As a commercial lot, it is in a transient rental area, and basically there is no other commercially-viable use for this parcel.

Mr. Mitherz asked how many bedrooms the proposed single-family residence will have, and how many parking spaces are provided.

Mr. Cochrane said right now, the proposed residence, for which he provided elevations that have been copied to the Board, is configured as a five-bedroom home that will comply with all zoning and parking regulations, as he will not be asking or coming back to the Board for any variances.

Mr. Law said in the event the Commission approves this, the applicant's plans will be redesigned when submitted for permit review in accordance with whatever conditions the Commission decides to impose as part of the conditional use approval.

Ms. West suggested the Board recommend approval of the conditional use subject to the conditions that the use must comply with existing building and land use criteria and that no future requests for reduced setbacks or increased impervious surface ratio (ISR) coverage be submitted.

Mr. Law said the Board could also recommend, as they've done with recent recommendations to approve similar requests, that the regulations for medium density residential properties be met, otherwise, as a commercial lot, it would be allowed to have 70% maximum ISR and reduced setbacks. The lot to the north had reduced setbacks because it was permitted before October 1, 2018, when the more stringent setbacks went into effect, and this applicant also had to demonstrate parking spaces. Parking will be checked when a full set of plans is submitted for the permitting review process, as right now, the submitted site plan and elevations only show a one-car garage, and five parking spaces would be required for a five-bedroom home.

Ms. West asked if the conditional use permit for the lot adjacent to the north was granted to run with the land or only the property owner. She also asked Mr. Law to clarify what he said earlier about water pooling on this lot, which in the past has been kind of a retention area.

Mr. Law said the conditional use permit for the lot to the north ran with the land, because it was for a single-family house, which, once built, is a permanent structure. Mr. Cochrane's lot is in a lower area that goes down about two feet in the center, so when the house to the north was permitted, the builder was asked to gutter it so stormwater would drain to the driveway and out to the street. As these lots continue to be developed, drainage will be directed so water goes out to the storm systems in the streets, and gutters will be required on three-story houses in order to do this. Mr. Cochrane's lot is not a designated storage area, water just happens to pool there because it's a divot in the ground, which is why drainage needs to be directed out to the street.

Ms. Longstreet asked if the lot will be filled in to one foot above the grade of the road.

Mr. Law said yes, traditionally garages need to be at least six inches above the crown of the road so the water flows in a positive manner. They will be subjected to building height requirements which will be one foot above the crown of the road or one foot above natural highest front grade. In this case, he believes, the crown of the road will be the defining factor for measuring height.

Ms. Longstreet said she asked about this because the height is already at 34 feet, 10 inches.

Mr. Law said one condition the Board could recommend is that a final signed and sealed survey certifying building height in compliance with the City's height ordinance and LDRs be submitted. This is also something staff will check during the plan review and permitting process.

Motion: to recommend the City Commission approve Conditional Use File No. CU 2019-05 for new construction of a single-family residence in a commercial land use district at 16 5th Street, subject to the conditions that the new single-family residence shall be built in compliance with current LDRs for medium density residential land use districts; that no variances shall be requested for setback reductions or to exceed maximum ISR coverage per LDRs for medium den-

sity residential land use districts; verification of building height in compliance with the City's height ordinance and LDRs shall be submitted by a certified and licensed surveyor prior to the issuance of a certificate of occupancy for the new single-family residence. **Moved** by Ms. West, **seconded** by Ms. Odom, **passed 5-1** by voice-vote with Ms. West, Ms. Odom, Mr. Mitherz, Mr. Pranis and Mr. King assenting, and Ms. Longstreet dissenting.

C. Land Use Variance File No. VAR 2019-14, for rear and side yard setback reductions from 10 (ten) feet to 7 (seven) feet for proposed new construction of an inground swimming pool and rear and side yard setback reductions from 10 (ten) feet to 5 (five) feet for a pool deck at an existing single-family residence in a Planned Unit Development (PUD) on Lot 194, Seagrove St. Augustine Beach Unit 8, at 1349 Smiling Fish Lane, Bruce Cataldo, Caribbean Pools and Spas, agent for David J. and Lyndsey H. Stein, Applicants

Ms. West said she's a friend and neighbor of the applicants but does not feel the need to recuse herself from this variance application, as there is no pecuniary gain involved.

Mr. Law said the Board has seen a few of these variances in Seagrove in the last year or so, as Seagrove is a PUD and in the PUD ordinance there is language that requires 10-foot setbacks for pools, pool decks and pool screen enclosures. The applicants are requesting setback reductions to seven feet for the inground pool to the water's edge and five feet for the pool deck. The Building Department has no objection as these setbacks are not less than what is required for pool, pool deck, and pool screen enclosure setbacks in other land use districts.

Ms. West said this has been an ongoing issue and has been historically the basis for the undue hardship that is required for variance applications.

Bruce Cataldo, Caribbean Pools and Spas, P.O. Box 9378, Fleming Island, Florida, 32006, agent for David J. and Lyndsey H. Stein, applicants, said his clients have received approval for the proposed pool and pool deck from the Seagrove Homeowners Association and request this variance to have space for their kids to walk around the pool without falling in it. There is an air-conditioning unit the proposed pool addition must stay away from and certain building codes that must be met.

Ms. Pranis said he's not sure about the hardship, as a devaluation of property investment is not really a hardship.

Ms. West said the hardship for similar variances in Seagrove historically has been that the PUD setbacks are more restrictive than the setbacks in City Code. The Board has approved numerous similar variances in the past in Seagrove, so a precedent has been set based on the explicit hardship that the Seagrove PUD has more restrictive setbacks than City Code dictates for other land use districts. She doesn't see how the Board could take an inconsistent position on something they have very consistently voted in favor of in the Seagrove community in the past.

Motion: to approve Land Use Variance File No. VAR 2019-14 as requested. **Moved** by Mr. King, **seconded** by Ms. West, **passed 6-0** by unanimous voice-vote.

4. Denial of Conditional Use Permit to Build a Single-Family Residence in a Commercial Land Use District at 16 5th 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:

MAYOR GEORGE	**No**
VICE MAYOR ENGLAND	**Yes**
COMMISSIONER KOSTKA	**No**
COMMISSIONER RUMRELL	**Yes**
COMMISSIONER SAMORA	**Yes**

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.

VIII. PUBLIC HEARINGS

1. Request for Conditional Use Permit to Build a Single-Family Residence in a Commercial Land Use District at 16 5th Street (Lot 18, St. Augustine Beach Subdivision, James and Kimberly Cochran, Applicants (Presenter: Mr. Brian Law, Building Official)

Mayor George introduced Item 1 and asked Building Official Law for a staff report.

Building Official Law showed the lot in question and the empty lots surrounding the proposed lot. He explained that the Comprehensive Planning and Zoning Board approved two mixed uses on the Boulevard; however, staff has not received any plans for those lots at this time.

Mayor George asked if the lots were between 5th and 6th Streets.

Building Official Law advised yes. He explained that staff was in the process of the plan review for Entire Inc. towards the east, which is in the Medium Density Overlay District. Staff was informed that this would be a transient rental, so staff immediately contacted the contractor and informed him that the transient rental cap had already been achieved but the owner could be put on a waiting list. He explained that the owner has purchased the lot to the west in the Commercial District where transient rentals are unlimited. He commented that the Comprehensive Planning and Zoning Board has recommended approval of this conditional use with a 4 to 2 vote. He explained that the owners would like to build a residence in a Commercial District at this time. He further explained that the Comprehensive Planning and Zoning Board recommends no concrete for the driveway but recommends gravel or 10% or greater permeable pavers.

Vice Mayor England asked where commercial properties are around the proposed lot.

Building Official Law showed the surrounding commercial properties.

Vice Mayor England confirmed that Mixed Use District lots were on the Boulevard next to the hotel.

Commission discussed the commercial businesses in the area.

Building Official Law advised that he recommends the Commission grant a conditional use permit to build a single-family residence, that the Medium Density District has enforced protocols as everything to the east is the Medium Density District and advised that the Comprehensive Planning and Zoning Board recommended approval.

Mayor George asked if the design on this lot meet those protocols.

Building Official Law advised that he would reject the plans, regardless of the conditional use permit, because the third-floor decks exceed the 7 ½ foot setbacks and the roof overhang breaches the 18-inch barrier past the building restriction line.

Mayor George asked if that was his recommendation.

Building Official Law advised that his recommendation would be to follow all medium density protocols, but the driveway recommendation is recommended by the Comprehensive Planning and Zoning Board.

Mayor George asked what the owner would have to do to meet those protocols.

Building Official Law advised that they must shrink the front door overhang, which is on the side of the house and remove the staircase leading to the top deck on the third floor. He explained that the codes advised that no portion of a building could go past the building restriction line, with the except for the overhangs and then the code has built in certain provisions such as 25% rules. He explained that this deck and staircase exceeds 25% for that side wall of the home.

Discussion ensued regarding provisions to the code to prevent three-story shoe box homes.

Vice Mayor England advised that long-range the City needs mixed use and retail stores for the visitors staying at the hotels in the area. She explained that she doesn't want to give up the valuable Commercial or Mixed-Use District properties for residential uses. She commented that that was why she wanted to point out all the commercial properties around the proposed lot. She explained that in the past residents have complained about the music or noise next to a Commercial property to the Commission. She advised that the Commission wants pedestrian traffic and to have valuable commercial properties turned into a conditional use permit for a residence does not seem a good long-range plan.

Building Official Law advised that that was why the Commission must approve a conditional use permit.

Mayor George asked if the Commission could make that decision and asked what the standard of review would be in that regard.

Building Official Law advised yes because this is the review process and the Commission would have to make the decision.

Vice Mayor England commented that this was allowed in the past and that is where there might be some commercial lots that are surrounded by residential properties. She explained that when most of the properties surrounding the lot is residential, then the Commission should think long-range.

Commissioner Kostka advised that the City needs to clearly decide what it wants to be. She asked does the City want to be a beach side community or does the City want to be a tourist destination. She explained that this request is putting a short-term rental into a residential area. She explained that if the Commission continues to allow short-term rentals in the Commercial District and that tourists do not have a vested interest in the community. She remarked that short-term rentals are what disturbs the fabric of the community. She commented that short-term rentals will drastically change the face of the City. She stated that the City cannot be a tourist destination and a beach side community, and the residents must choose, and she feels that the residents want to be a beach side community. She commented that the Commission needs to protect that interest. She was concerned that short-term rentals will continue to saturate the City, which is not a good community investment.

Commissioner Samora remarked that the zoning districts are being eroded away by these conditional use permits and feels that the commercial space is important. He explained that at the last conditional use permit hearing he said this would come back and now it has. He suggested preserving the original zoning in the City and preserve the City's Commercial Districts because the City is going to need them in the future. He commented that if the legislation passes on short-term rentals that nullifies the City's code restrictions, then it is open game anyway. He stated he is against taking a commercial lot for a residence when that is pending. He asked if it would be a possibility to do a zoning change on the residential lot that is in between the commercial lots and change the residential lot and to commercial.

Building Official Law advised that would be problematic with the intent of the Comprehensive Plan.

Commissioner Rumrell advised that we need commercial property because it is a good tax base, which helps the City's revenues. He explained that the Commission should not pick and chose what we want to do.

Kimberly Cochran, 328 S Forest Drive, St. Augustine Beach, FL, explained that her and her husband own the property in question and lived in Sea Colony since 2012. She commented that she and her husband love St. Augustine Beach. She advised that they purchased the property for a transient rental before the 100th permit was issued. She explained that she switched lots, so it would be a commercial lot for the transient rental and advised that they like to construct a residential beautiful home behind the bike shop next to another residential property in the Medium Density District. She explained there are three lots behind the house that are also residential directly behind their lot and then another commercial lot that she believes may be developed. She asked if the two lots on A1A Beach Boulevard were approved for development.

Building Official Law advised they have been approved by the Comprehensive Planning and Zoning Board, but no plans have been submitted to the Building Department. He explained that one of the lots were presented to the Comprehensive Planning and Zoning Board as a bike shop with a residence on the top floor and the other was an undisclosed retail store. He commented that there is a financial sign on the lots and the architect gave conceptual sketches with a based floor plan.

Ms. Cochran advised that it is not inconsistent with the lots in the area and hopes to get the conditional use permit.

Mayor George asked if the plans were designed for this lot.

Ms. Cochran advised the plans were designed for the neighboring lot, but then the plans were changed to conform to this lot.

Mayor George asked why it exceeds the medium density protocols.

Ms. Cochran advised that the setback requirements were changed after the plans were approved for the other lot.

Mayor George explained that the Commission gave a grandfather timeframe for those who were caught in that.

Building Official Law advised that the Commission gave everyone three months that ended October 1st. He explained that the plans were in the timeframe of the moratorium, but when they withdrew the application and retrieved the plans while they purchased the other lot, it exceeded the timeframe for the moratorium by several months.

Ms. Cochran advised that that was because of the timing of the Comprehensive Planning and Zoning and Commission's agendas.

Vice Mayor England asked prior to purchase if an owner needed a zoning change, conditional use permit, or a variance could that owner come to the Building Department to request the status prior to purchase.

Building Official Law advised yes. He explained that the conditional use permit does not run with the individual, but with the property. He explained that Chapter 6 was advertised and discussed at the Commission meetings for six months and then the Commission gave an additional three-month moratorium to get the designs through.

Mayor George explained that she sympathizes with the owner's situation, but she is concerned that if people don't inquire before purchasing a property and then come to the Commission for a conditional use permit, that becomes a problem.

Commissioner Rumrell asked if the conditional use permit was denied, but the bill passed in the legislation, how does that change what the Commission already denied.

Mayor George advised that the City already has regulations and if the law is within the medium density residential, the new legislation would not undo the 100 transient rental permits. She explained that the commercial property would not be affected; however, the owners would not be able to get the use of a residential single-family. She explained that in this case, it would be irrelevant what happens in the legislature for this parcel.

City Attorney Wilson agreed.

Mayor George advised that the Commission have to decide whether to have a single-family structure and she feels that that the owners are not entitled to the conditional use permit. She commented that she sympathizes with the owners on their economic situation and it is not an easy decision.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, requested the Commission deny the transient rental or the condition use permit and believes that the transient rentals are destroying the City.

Mayor George closed the Public Comments section and asked for a motion.

Motion to deny this request for a conditional use permit for a residential use in a commercial zoned property. **Moved by** Vice Mayor England, **Seconded by** Commissioner Samora. Motion passed unanimously.

Agenda Item # 3

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 21, 2019

SUBJECT: Conditional Use Permit to Construct Eight Single-Family Residences in a Commercial Land Use District on West Side of A1A Beach Boulevard between E and F Streets (Lots 1-8, Block 43, Coquina Gables Subdivision, Mr. Len Trinca, Applicant)

INTRODUCTION

This requests the use of the eight undeveloped lots that are part of the 8 lots of Block 43 of the Coquina Gables Subdivision. Two or three months ago, the lots were cleared of underbrush.

Mr. Len Trinca, the owner, wants to build a single-family residence on each lot. To do this, he first must follow the City's Land Development Regulations and obtain from you a conditional use permit.

To the west of his eight lots are single-family residences; to the south on F Street is a small commercial building that has a real estate office and a surf shop. Next to it to the west is a two-story vacation rental. Across A1A Beach Boulevard to the east is a three-story transient rental and a house north of it. To the north across E Street is a four-unit condo building with a house to its west.

At its November 19, 2019, meeting, the Planning Board reviewed Mr. Trinca's request and by a 5-2 vote recommended that the request for the permit be denied.

ATTACHMENTS

Attached for your review is the following information:

a. Pages 1-15, the application Mr. Trinca submitted to the Planning Board.

b. Pages 16-19, the minutes of the Board's November 19th meeting when it discussed Mr. Trinca's request and recommended to you that it be denied.

c. Page 20, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she states the Board's motion and vote to deny the permit.

d. Pages 21-25, emails from citizens, stating their support or their opposition to Mr. Trinca's request.

ACTION REQUESTED

It is that you hold the public hearing and then decide whether to approve Mr. Trinca's request and with what conditions.

City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM
BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

To: Comprehensive Planning & Zoning Board
From: Bonnie Miller, Executive Assistant
CC: Brian Law, Building Official
Date: 11-06-2019
Re: Conditional Use File No. CU 2019-07

This conditional use permit application is for Lots 1-8, Block 43, Coquina Gables Subdivision, on the west side of A1A Beach Boulevard, comprised of the first four lots west of A1A Beach Boulevard on the south side of E Street and the first four lots west of A1A Beach Boulevard on the north side of F Street, all owned by the applicants, Leonard and Renee Trinca. The applicants are asking for a conditional use permit to build eight single-family residences on these eight lots, all zoned commercial, which requires a conditional use permit granted by the City Commission per Section 3.02.02 of the City's Land Development Regulations. The Building Department has no objection to the construction of single-family residences on these eight lots, however, if this conditional use permit is granted by the Commission, staff recommends the following conditions:

1) The conditional use permit be granted as transferable and run with the land.
2) The time limit within which the use shall be commenced shall be extended from one year to two years.
3) These properties be regulated as medium density regarding setbacks, lot coverage and impervious surface ratio (ISR) as specified in the City's Land Development Regulations, with a maximum ISR of 50 percent, as allowed for medium density residential.

We ask that the Comprehensive Planning and Zoning Board consider the applicants request for the construction of 8 single family residences on these eight commercially zoned lots and make a recommendation of approval or denial of the conditional use permit application to the City Commission.

Sincerely,

Bonnie Miller

Bonnie Miller, Executive Assistant
Building and Zoning Department

City of St. Augustine Beach Building and Zoning Department
Conditional Use Permit Application

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

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

   Lot(s) 1-8 8 Block(s) 43 Subdivision Coquina Gables

   Street Address 103 E Street & 104 F Street Lots 1-8 on west Side of A1A Beach Blvd.

2. Location (N, S, W, E): West Side of (Street Name): A1A Beach Blvd. between E and F Streets

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

4. Real estate parcel identification number: 170910-0000, 170920-0000, 170930-0000

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

   Leonard + Renee Trinca, 7 F Street, St. Augustine, FL 32080

6. Current land use classification: Commercial

7. Section of land use code from which the conditional use permit is being sought: 3.02.02

8. Description of conditional use permit being sought: Residential use

9. Supporting data which should be considered by the Board: Property has been on the market as Commercial for 3 years. All potential Buyers want use as Residential Nearby neighbors have expressed they do not want Commercial

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

    If yes, what was the final result?

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

(✓) Legal description of property

(✓) Copy of warranty deed

( ) Owner Permission Form (if applicable)

(✓) List of names and addresses of all property owners within 300-foot radius

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

( ) Survey to include all existing structures and fences

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

( ) Other documents or relevant information to be considered

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

Leonard Trinca	Renee Trinca
Print name (owner or his/ her agent)	Print name (applicant or his/her agent)
	Renée Trinca
Signature/date	Signature/date
7 F Street, St. Augustine, FL 32080	7 F Street, St. Augustine, FL 32080
Owner/agent address	Applicant/agent address
904-347-4203	904-347-4203
Phone number	Phone number
len1872-ext@yahoo.com	

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

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

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

Date: October 21, 2019

Conditional Use File #: CU 2019-07

Applicant's name: Leonard Trinca

Applicant's address: 7 F Street, St. Augustine, FL 32080

For conditional use permit at: Lots 1-8, Block 43, Coquina Gables
A1A Beach Boulevard between E and F Streets

Charges

Application Fee: $400.00 Date Paid: 10-21-2019

Legal Notice Sign: $7.50 Date Paid: 10-21-2019

Received by DM

Date 10-21-2019

Invoice # I2000127

Check # 3352

Definition—Conditional Use Permit

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

Instructions for applying for a Conditional Use Permit

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

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

Documentation needed for a Conditional Use Permit

1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e.south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.

2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.

3) Indicate the current land use classification of the parcel under consideration. Current land use map are on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.

4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. **This list of names and**

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

5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.

6) A fee of $407.50 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which the conditional use permit application will be heard.

7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the last hearing at which the application was considered. Each final order shall contain findings upon which the City Commission's order is based and may include such conditions and safeguards prescribed by the Commission as appropriated in the matter, including reasonable time limits which action pursuant to such order shall be begun or completed or both.

8) Appeal of decisions on conditional use permits granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida.

9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

Limitations on granting a Conditional Use Permit

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

1) That the conditional use permit will be transferable and run with the land when the facts involved warrant same, or where construction or land development is included as part of the permit.

2) The time within which the use shall be commenced may be extended for a period of time longer than one (1) year. Failure to exercise the permit by commencement of the use or action approved thereby

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

3) Whenever the City Commission denies an application for a conditional use permit, no further application shall be filed for the same use on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same use on any part or all of the same property has been denied, no further application shall be filed for this same use on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.

4) The time limits in paragraph 3 above may be waived by the affirmative votes of a majority of the City Commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the City.

St. Johns County, FL

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1709100000
Location Address	A1A BEACH BLVD SAINT AUGUSTINE 32080-0000
Neighborhood	A1A Beach Boulevard (COM) (717.02)
Tax Description*	3-30 COQUINA GABLES LOTS 1 THRU 4 BLK 43 & VACA ALLEY LYING IN BETWEEN PER OR4308/413 OR1001/288 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Commercial (1000)
Subdivision	Coquina Gables Subdivision No 1
Sec/Twp/Rng	3-8-30
District	City of St Augustine Beach (District 551)
Millage Rate	17.0863
Acreage	0.450
Homestead	N

Owner Information

Owner Name	Trinca Leonard,Renee 100% Trinca Renee 100%
Mailing Address	7 F ST SAINT AUGUSTINE, FL 32080-6915

Map

Valuation Information

	2019
Building Value	$0
Extra Features Value	$0
Total Land Value	$590,940
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$590,940
Total Deferred	$274,767
Assessed Value	**$316,173**
Total Exemptions	$0
Taxable Value	**$316,173**

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	$0	$0	$562,800	$0	$0	$562,800	$287,430	$275,370	$287,430
2017	$0	$0	$261,300	$0	$0	$261,300	$261,300	$0	$261,300
2016	$0	$0	$241,800	$0	$0	$241,800	$241,800	$0	$241,800
2015	$0	$0	$241,800	$0	$0	$241,800	$241,800	$0	$241,800
2014	$0	$0	$241,800	$0	$0	$241,800	$241,800	$0	$241,800
2013	$0	$0	$241,800	$0	$0	$241,800	$241,800	$0	$241,800
2012	$0	$0	$241,800	$0	$0	$241,800	$241,800	$0	$241,800
2011	$0	$0	$267,840	$0	$0	$267,840	$267,840	$0	$267,840
2010	$0	$0	$379,440	$0	$0	$379,440	$379,440	$0	$379,440

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	93	98	9114	SF	$273,420
Vacant Commercial	93	98	9114	SF	$273,420
Vacant Commercial	15	98	1470	SF	$44,100

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/28/2016	10/17/2016	$0.00	VC	4308	413	U	V	CITY OF ST AUGUSTINE BEACH	
	7/8/1993	$87,000.00	WD	1001	288	Q	V	KALEYIAS ANGELO	TRINCA LEONARD & RENEE
	1/10/1990	$0.00	DC	1001	287	U	V	KALEYIAS ANGELO & ANASTASIA T (DECD 1/10/90)	KALEYIAS ANGELO
	1/1/1980	$30,000.00		457	89	U	V		KALEYIAS ANGELO,ANASTASIA

Area Sales Report

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

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PROPERTY APPRAISER

St. Johns County, FL

Tax Bill

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Estimate Taxes

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2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1709300000
Location Address	103 E ST SAINT AUGUSTINE 32080-0000
Neighborhood	Coquina Gables (717)
Tax Description*	3-30 COQUINA GABLES LOTS 6 & 8 BLK 43 & N 1/2 OF VACA ALLEY LYING SOUTH PER OR4308/413 OR2368/264 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Residential (0000)
Subdivision	Coquina Gables Subdivision No 1
Sec/Twp/Rng	3-8-30
District	City of St Augustine Beach (District 551)
Millage Rate	17.0863
Acreage	0.230
Homestead	N

Owner Information

Owner Name	Trinca Leonard P,Renee 100% Trinca Renee 100%
Mailing Address	7 F ST SAINT AUGUSTINE, FL 32080-0000

Map

Valuation Information

	2019
Building Value	$0
Extra Features Value	$0
Total Land Value	$334,000
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	**$334,000**
Total Deferred	$131,782
Assessed Value	**$202,218**
Total Exemptions	$0
Taxable Value	**$202,218**

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	$0	$0	$334,000	$0	$0	$334,000	$183,835	$150,165	$183,835
2017	$0	$0	$309,000	$0	$0	$309,000	$167,123	$141,877	$167,123
2016	$0	$0	$210,000	$0	$0	$210,000	$143,748	$66,252	$143,748
2015	$0	$0	$150,000	$0	$0	$150,000	$130,680	$19,320	$130,680
2014	$0	$0	$130,000	$0	$0	$130,000	$118,800	$11,200	$118,800
2013	$0	$0	$108,000	$0	$0	$108,000	$108,000	$0	$108,000
2012	$0	$0	$108,000	$0	$0	$108,000	$108,000	$0	$108,000
2011	$0	$0	$108,000	$0	$0	$108,000	$108,000	$0	$108,000
2010	$0	$0	$120,000	$0	$0	$120,000	$120,000	$0	$120,000

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	100	0	100	FF	$325,000
Vacant Residential	0	0	2	UT	$9,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/28/2016	10/17/2016	$0.00	VC	4308	413	U	V	CITY OF ST AUGUSTINE BEACH	
	1/31/2005	$250,000.00	WD	2368	264	U	V	BEST MILLICENT RUDD ESTATE BY PERS REP	TRINCA LEONARD P & RENEE
	12/7/2004	$0.00	LA	2339	405	U	V	BEST MILLICENT RUDD (DECD 7/6/04)	BEST MILLICENT RUDD ESTATE (LETT OF ADMIN)

Area Sales Report

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

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2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1709200000
Location Address	104 F ST SAINT AUGUSTINE 32080-0000
Neighborhood	Coquina Gables (717)
Tax Description*	3-30 COQUINA GABLES LOTS 5 & 7 BLK 43 & S 1/2 OF VACA ALLEY LYING NORTH PER OR4308/413 OR1007/1256 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Residential (0000)
Subdivision	Coquina Gables Subdivision No 1
Sec/Twp/Rng	3-8-30
District	City of St Augustine Beach (District 551)
Millage Rate	17.0863
Acreage	0.230
Homestead	N

Owner Information

Owner Name	Trinca Leonard,Renee 100% Trinca Renee 100%
Mailing Address	7 F ST SAINT AUGUSTINE, FL 32080-6915

Map

Valuation Information

	2019
Building Value	$0
Extra Features Value	$0
Total Land Value	$334,000
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$334,000
Total Deferred	$131,782
Assessed Value	$202,218
Total Exemptions	$0
Taxable Value	$202,218

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	$0	$0	$334,000	$0	$0	$334,000	$183,835	$150,165	$183,835
2017	$0	$0	$309,000	$0	$0	$309,000	$167,123	$141,877	$167,123
2016	$0	$0	$210,000	$0	$0	$210,000	$143,748	$66,252	$143,748
2015	$0	$0	$150,000	$0	$0	$150,000	$130,680	$19,320	$130,680
2014	$0	$0	$130,000	$0	$0	$130,000	$118,800	$11,200	$118,800
2013	$0	$0	$108,000	$0	$0	$108,000	$108,000	$0	$108,000
2012	$0	$0	$108,000	$0	$0	$108,000	$108,000	$0	$108,000
2011	$0	$0	$108,000	$0	$0	$108,000	$108,000	$0	$108,000
2010	$0	$0	$120,000	$0	$0	$120,000	$120,000	$0	$120,000

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	100	0	100	FF	$325,000
Vacant Residential	0	0	2	UT	$9,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/28/2016	10/17/2016	$0.00	VC	4308	413	U	V	CITY OF ST AUGUSTINE BEACH	
	8/19/1993	$37,000.00	WD	1007	1256	Q	V	FISHWICK EDWARD H	TRINCA LEONARD,RENEE

Area Sales Report

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

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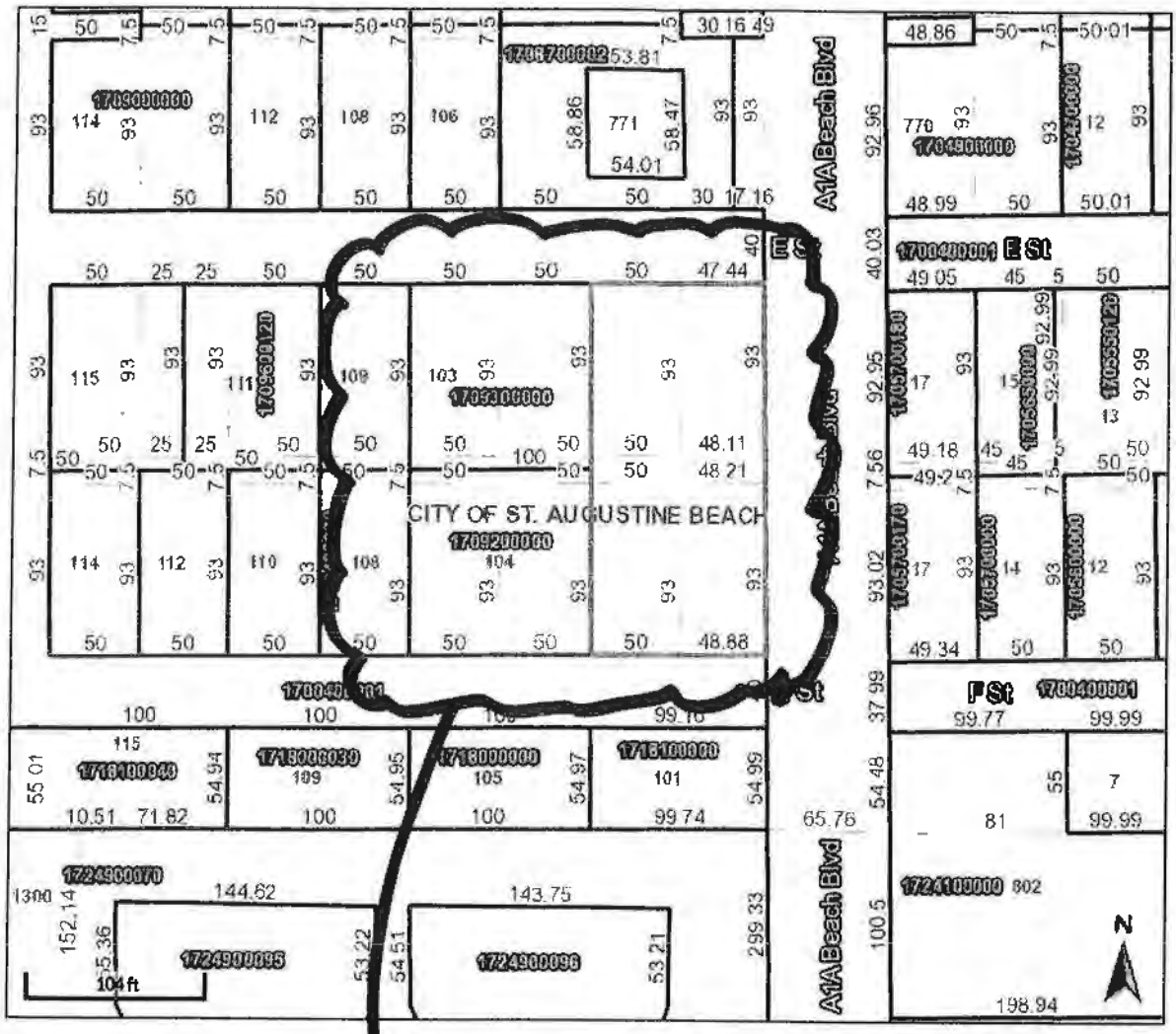
PROPERTY APPRAISER

St. Johns County, FL



Legend

- Parcels
- Roads
- Cities

Parcel ID	1709100000	**Physical Address**	A1A BEACH BLVD SAINT AUGUSTINE	**Building Value**	N/A	**Last 2 Sales**			
Property Class	1000 - Vacant Commercial	**Mailing Address**	TRINCA LEONARD,RENEE 7 F ST SAINT AUGUSTINE FL 32080-6915	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine Beach					7/8/1993	$87000	01	Q
Acres	0.45			**Total Land Value**	$590,940	1/1/1980	$30000	11	U
				Just Value	$590,940				
				Total Deferred	$243,150				
				Assessed Value	$347,790				
				Total Exemptions	N/A				
				Taxable Value	$347,790				

SUBJECT LOTS

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Date created: 10/25/2019
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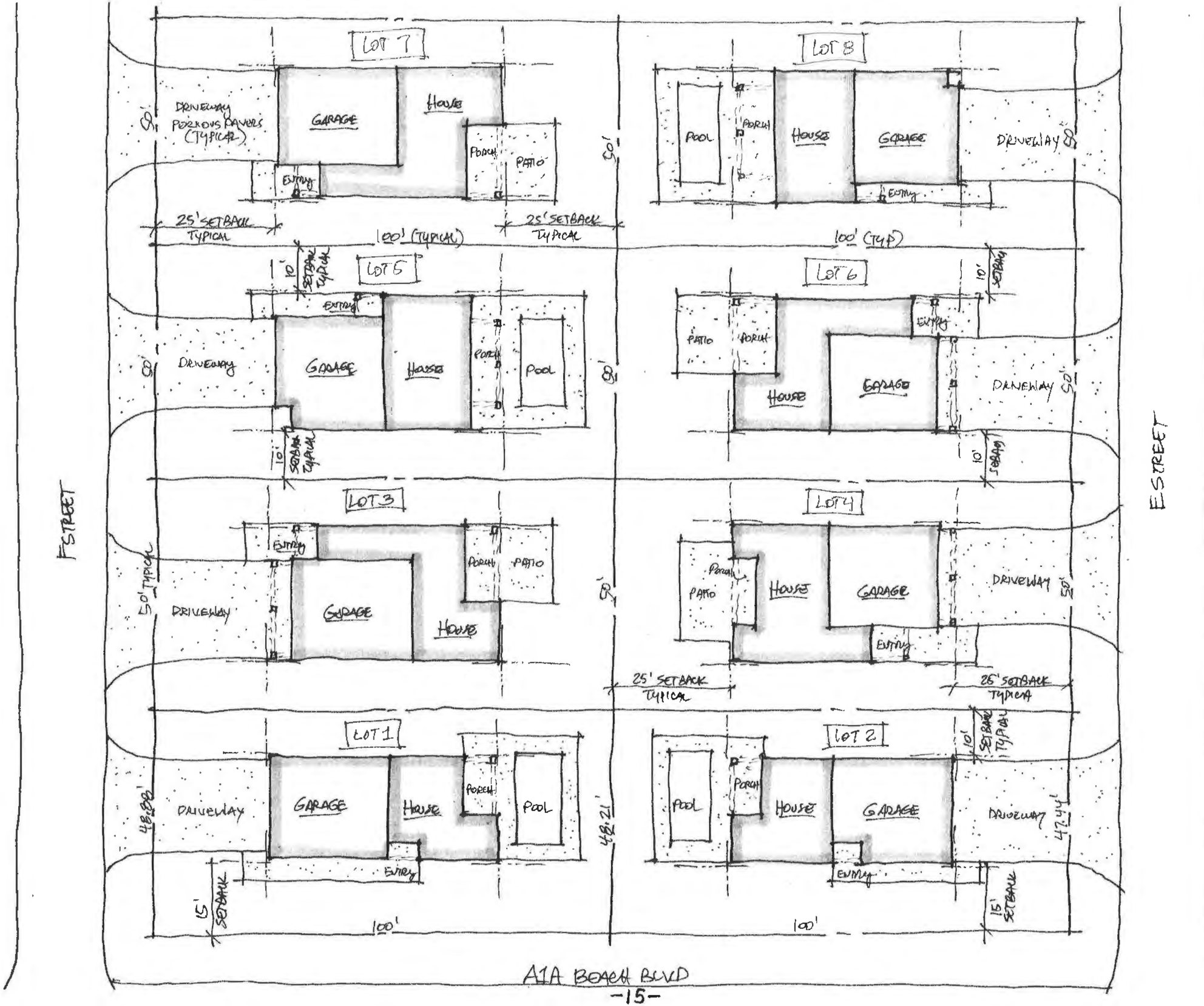
TRINCA PROPERTY



NOTES

- HEIGHT: ALL BUILDINGS SHALL MEET TO 35' HEIGHT REQUIREMENT
- DRIVEWAYS: ALL DRIVEWAYS SHALL BE PERVIOUS PAVERS
- LOT COVERAGE ALL BUILDINGS SHALL MEET MAXIMUM LOT COVERAGE REQUIREMENTS
- ISR: ALL PROPERTIES SHALL MEET MAXIMUM ISR

TRICA PROPERTY

SITE PLAN

1" = 20'-0"

NORTH

A. Conditional Use File No. CU 2019-07, for a conditional use permit for proposed new construction of eight (8) single-family residences on Lots 1-8, Block 43, Coquina Gables Subdivision, in a commercial land use district on four lots west of A1A Beach Boulevard on the south side of E Street and four lots west of A1A Beach Boulevard on the north side of F Street, between E and F Streets, at 103 E Street and 104 F Street, Leonard and Renee Trinca, Applicants

Ms. Miller said this application is a request to build eight single-family residences on eight lots, all zoned commercial, on the west side of A1A Beach Boulevard, running four lots west of the Boulevard on the south side of E Street and four lots west of the Boulevard on the north side of F Street. The action requested from the Board is a recommendation to the City Commission to approve or deny this conditional use application. If the Board moves to recommend approval, the recommendation from staff is that the single-family homes built on these eight lots be required to comply with the regulations for single-family residences built in medium density residential zoning, regarding setbacks, lot coverage, and impervious surface ratio coverage. Staff has received two letters from neighboring property owners regarding this application, both of which have been copied to the Board, and entered as part of the record of this meeting.

Len Trinca, 7 F Street, St. Augustine Beach, Florida, 32080, applicant, said he's been a resident of St. Augustine Beach since 1972, and he's had the eight lots he owns on the west side of A1A Beach Boulevard on E and F Streets, which he's tried to promote as commercial lots, for sale for two years. Originally, all the lots in Coquina Gables Subdivision, including the eight lots he owns, were platted as a retirement community, with small lots with 15-foot alleyways behind them meant for access for garbage trucks and utility company vehicles. The area surrounding the eight lots is basically a residential area, with only one commercial business across the street from the four lots he owns on F Street. Most of the commercial portion of A1A Beach Boulevard is farther to the north, starting at around B Street. He's had many people interested in buying individual lots and putting homes on them, in fact, he has a contract on one of the lots now, subject to the approval of this conditional use permit to allow the construction of single-family homes. Looking at the surrounding neighborhood, it really makes sense to have houses on these lots, as the eight lots together aren't really big enough to provide parking for a restaurant or any another business.

Ms. West asked what the total acreage of the eight lots are.

Mr. Trinca said as the alleyway between the lots on E and F Streets has been vacated, they are all 50-foot-by-100-foot lots, so the eight lots together comprise 40,000 square feet, which is just under an acre. A concept site plan of the single-family residences proposed on these lots has been designed by architect Mike Stauffer and submitted with the application, and all the homes will adhere to the building regulations and setbacks for the houses, garages, pools, etc.

Mike Stauffer, 1093 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, architect, said the site plan is basically just a conceptual drawing showing an idea of what the proposed houses will look like on the lots, as obviously, as each of these eight lots are sold individually, every homeowner will have their own custom design for what they want to build. The intent is to meet all requirements of current City Code, including lot coverage, building height, setbacks, etc., for medium density residential zoning, and the proposed site plan shows that it is possible to do this.

Mr. Mitherz asked if these homes will be actual residences or transient rental properties.

Mr. Trinca said they could be transient rentals, as the lots are all zoned commercial.

Ms. West asked Mr. Trinca if he ever had a contract to buy these lots when he had them listed as commercial.

Mr. Trinca said no. He had the lots listed with one commercial broker, who never had anyone interested in them for a commercial use. He did have someone interested in putting up condos on the lots, but this never went anywhere.

Ms. West asked for public comment, and said the Board members were given copies of two letters from neighboring property owners, one from Frank O'Rourke, 101 F Street, and one from Mr. and Mrs. James Minich, 10 F Street, which are to be incorporated into the record of this meeting.

Frank O'Rourke, 826 A1A Beach Boulevard Unit 11, St. Augustine Beach, Florida, 32080, said he also owns the commercial property at 101 F Street, and sent the letter the Board members received earlier today regarding Mr. Trinca's application, which he is opposed to, for the reasons stated in the letter. He thinks it's very important to maintain the character of the City and the property that is zoned commercial for commercial use, which has been eroding away for years now. The market changes all the time, and everyone thinks right now that vacation rentals are the way to go, but this could change in five years, or two years. Allowing residential homes on commercial property is a permanent change, as these homes won't go away, and these eight lots are the last mid-size commercial parcel in St. Augustine Beach. It's directly on A1A Beach Boulevard, and it's designed to be commercial, not residential. Allowing residences to be built on this parcel will severely affect his commercial property, as he will therefore be surrounded by residential homes. He was before this Board and the City Commercial a few years ago fighting for outdoor seating and service for a coffee shop, which was opposed by his residential neighbors, who said they didn't like the noise, even though these same people built houses on commercial properties, which are allowed to have noise. Mr. Trinca is asking 2.3 million dollars for the eight lots as a whole, which is maybe beyond what it's worth, and also why he hasn't been able to sell it as a commercial parcel. Allowing residences to be built on this parcel is a permanent decision that won't go away, it impacts the neighbors, and it will negatively affect his commercial property.

Ms. West said if some of the Board members recall, the City held some workshops with planners Lindsay Haga and Brian Teeple, and a big part of the discussion included ensuring that A1A Beach Boulevard remain commercial and encouraging walkability along the Boulevard. She understands why Mr. Trinca may not perceive this part of A1A Beach Boulevard as the most walkable section right now but that's because these lots are currently vacant, but obviously if little shops were along there, which was definitely what was contemplated in those visioning workshops, this would be aligned with what the City is trying to accomplish with its one very walkable commercial corridor. She personally has a problem with this conditional use request, and agrees this is a very unique parcel. She'd hate to lose the vision of what they're trying to accomplish in the City.

Ms. Odom said Mr. O'Rourke makes some very valid points in his letter, many of which they've seen happen in the past, and he references in his letter transient rentals and what happens when the income from them isn't good and the property owners want to sell them. If someone wants to buy an individual lot and apply for a conditional use permit to build residential on this one lot, this is the way she thinks it should be done, instead of allowing this for all the lots together under one blanket conditional use permit. She shares some of the same sentiments as Ms. West, as she'd like to see shops and commercial businesses on the lots along the Boulevard.

Ms. West asked why this request is being submitted as a conditional use, instead of a rezoning application, as allowing residential structures on all eight lots would be permanent.

Mr. Kincaid said residential uses are allowed on commercial property by conditional use, and he doesn't think this Board has ever denied a conditional use application to build residential in commercial. They recently approved a similar conditional use request for single-family homes on six lots zoned commercial not directly on the Boulevard, but in the middle of the block west of the Boulevard, around 6th Street. This parcel also had been for sale for several years and the owner was not able to sell it. He doesn't agree that this is part of the walkable section of the Boulevard, as these eight lots are kind of an island, due to their location. He has a house across the street, on F Street, and doesn't think developing the lots with commercial uses is going to make this section of the Boulevard more walkable, because it's just too far away from other businesses along the Boulevard. Mr. Trinca has a group of lots he hasn't been able to sell commercially, so if there are any market issues, it may be that there is no commercial market right now. He doesn't think they should hamstring the property owner if he's got another way to utilize his property. If he's got a way to subdivide it and use it in a way in line with everything around it, in order for him to sell and use it the way he wants, he has nothing but support for that.

Ms. West said she doesn't think the Board is here to be in the business of making sure people generate a profit from their property. The applicant went into this knowing full well he was buying a commercial piece of property right off A1A Beach Boulevard.

Mr. Kincaid said the applicant could use the property commercially, even with residential properties on it, as transient rentals. He has a little bit of a problem when one of the first questions asked is whether the properties will be used as vacation rentals, as this is really not part of the process. Whether or not the property will be used that way is not part of the Board's deliberation process, as what the applicant is asking is to be able to take this piece of commercial property that is currently unusable, or at least unwanted at the price he has it listed for sale, and split it up into eight separate lots that can be used in a different manner that will allow him to sell them individually. He already has a contract on a lot contingent upon the approval of this conditional use application, so the evidence is already working in his favor that this will work for him. He's not seeing the hardship on the City that allowing residences to be built on the property doesn't work for the City, and he's also not seeing a detriment to the City that somehow the City's better off with a big vacant piece of land as opposed to having more homes. He doesn't get that.

Ms. Longstreet said she sees this in a totally opposite way, as she doesn't see a hardship for the applicant aside from the one he's created for himself. The coffee shop previously across the street from these lots was really appreciated and liked by some people, but some of the neighbors didn't like it because of the noise, as customers were loud and wanted to stay there and hang out. A lot of people didn't want commercial property there, but it is a commercial parcel. The applicant bought commercial property, so that's his problem, and he needs to stick with commercial property. She voted no to other applicants who wanted to build houses on commercial lots, because she believes commercial property needs to stay commercial, as the City doesn't have much commercial property left. She wants to see bike shops, bagel and donut shops, and other mom-and-pop shops, not houses, on commercial parcels along the Boulevard.

Ms. Sloan said these are all good points, but she wants to clarify that there is no hardship involved with a conditional use application. It's a shame these lots could not be sold as commercial uses, and Mr. O'Rourke has a point that the asking price might be an issue, but there are a number of things going on here, and she thinks the recommendation from staff, if the Board considers recommending approval of this application to the Commission, that the conditional use permit would have to be granted as transferable and run with the land, is a good one. However, staff

also recommends the time limit within which the use be commenced be extended from one year to two, but if the Board recommended the conditional use permit be granted to require the use to commence within one year, as is the case with most conditional use permits, it will expire and the applicant will have to reapply, so this is kind of like a back-door catch if the lots don't sell and residences aren't built on them within a year. She also highly agrees with staff's recommendation that if the conditional use permit is granted, the properties be regulated as medium density residential regarding setbacks, lot coverage, and impervious surface ratio coverage.

Mr. Mitherz said he can't support this, as he'd rather see commercial development on these lots, and agrees that maybe the price the applicant is asking for the lots as a whole is the problem.

Mr. Pranis said he thinks they've set precedent in approving similar applications to build houses on commercial lots, so this could be an issue. Maybe there could be a compromise to separate the two lots on the Boulevard out for commercial development only, and approve the conditional use for the other six lots off the Boulevard to allow houses to be built on them.

Ms. West said her understanding of conditional use permits, per Section 10.03.02 of the City's LDRs, is that they do not have the same precedential effect as granting a variance. However, because this a conditional use and not a rezoning, there is a requirement in the City's Comprehensive Plan under Policy L.1.3.2 that requires a 15-foot vegetative buffer between residential and commercial uses. Having spent so much time working on the Comprehensive Plan and the Future Land Use Map, there's a reason why these lots are designated commercial, and it has definitely been identified in the City's visioning workshops as a parcel that should contribute to the economic viability of the City's most walkable Boulevard. She feels very strongly that switching it over to residential is going to cause an issue and is not the way to go.

Mr. Kincaid asked if anyone can point to any single similar application requesting residential use on a commercial lot that the Board has denied.

Ms. West said she knows the Board has denied at least one, but she can't think of where it was.

Mr. Law said in the past two years, he believes the Board has recommended approval of all the applications that have come before them for individual lots and for the five or six lots near the Courtyard by Marriott. The Board did turn down a variance request with a recommendation to approve a conditional use request for the property south of Obi's Restaurant, on the east side of 6th Street. The Commission has turned down only this same property on 6th Street for which the Board denied the variance while recommending approval of the conditional use permit, but the property owner has since reapplied, without asking for a variance this time.

Motion: to recommend the City Commission deny Conditional Use File No CU 2019-07. **Moved** by Ms. West, **seconded** by Ms. Sloan, **passed 5-2** by voice-vote, with Ms. Odom, Ms. West, Ms. Sloan, Ms. Longstreet, and Mr. Mitherz assenting, and Mr. Kincaid and Mr. Pranis dissenting.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Conditional Use File No. CU 2019-07
Date: Wednesday, November 20, 2019

Please be advised that at its regular monthly meeting held Tuesday, November 19, 2019, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted to recommend the City Commission deny a conditional use application submitted for proposed new construction of eight single-family residences on eight lots in a commercial land use district west of A1A Beach Boulevard on the south side of E Street at 103 E Street, the north side of F Street at 104 F Street, and adjacent to the west side of A1A Beach Boulevard between E and F Streets, St. Augustine Beach, Florida, 32080.

The application was filed by Leonard and Renee Trinca, 7 F Street. St. Augustine Beach, Florida, 32080, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO COQUINA GABLES SUBDIVISION, LOTS 1-8, BLOCK 43, PARCEL IDENTIFICATION NUMBERS 170910-0000, 1709300000, AND 170920-0000, AKA A1A BEACH BOULEVARD, 103 E STREET, AND 104 F STREET, RESPECTIVELY, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 3, PAGE 30, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Ms. West made the motion to recommend the City Commission deny this conditional use application for new construction of eight single-family residences on the eight lots described above in a commercial land use district. Ms. West's motion was seconded by Ms. Sloan and passed 5-2 by the Board by voice-vote, with Ms. West, Ms. Sloan, Ms. Longstreet, Mr. Mitherz and Ms. Odom assenting, and Mr. Kincaid and Mr. Pranis dissenting.

Max Royle

From: Phyllis Minich <phyllisminich@msn.com>
Sent: Friday, November 15, 2019 12:24 PM
To: Max Royle
Subject: Conditional use permit

Hi,
We live on F Street and are as concerned as any of our neighbors about the changes we have seen in the last 10 years we have lived here. This end of beach boulevard has had its changes but still maintains a residential tone unlike down by the pier which is very commercial. We would like to see Mr Trinka be able to sell his vacant property as individual lots for houses. It's a fit for the neighborhood and would be better for the people that actually live here. That doesn't always seem like much of a priority here on the beach but it certainly should be since we homeowners and residents are the backbone of the community!
Thank you,
Mr and Mrs James Minich
10 F Street
St Augustine, FL

Max Royle

From: betty Carvellas <bcarvellas@yahoo.com>
Sent: Thursday, November 21, 2019 9:20 AM
To: Max Royle
Subject: Conditional Use Permit

Dear Mr. Royle

It has come to our attention that our F St. neighbor, Len Trinca, has applied for a conditional use permit for his lots on the corner of F and E streets and A1A Beach Boulevard. The lots are currently permitted for commercial use and he would like a conditional use permit for residential use. We wholeheartedly support his request. We first came to St. Augustine in 2007 as renters on B St. and we purchased our home at 4 F St. in 2013. In that time we have seen many changes along the Boulevard but have still enjoyed the neighborhood feel of F St. and surrounding areas in Coquina Gables. New homes on the now vacant lots would be far more compatible with this area than additional commercial properties.

We are unable to attend the upcoming Commission meeting and ask that you please share this email with the members of the SAB Commission.

Sincerely,

Betty and John Carvellas
4 F St.
St. Augustine Beach

Max Royle

From: Frank O'Rourke <fdorourke@gmail.com>
Sent: Tuesday, November 19, 2019 2:15 PM
To: Max Royle
Subject: Please submit the letter below to the P & Z members for consideration

Regarding the request for a Conditional Use permit for Trinca -

Trinca Lots

Owner acquired 6 of the lots in 1993 for $124,000 then purchased lots 6 & 8 in 2005 for $250,000 to make a block of contiguous, commercially zoned lots. Total acquisition cost for these 8 lots is $374,000

Owner lists 8 lots for sale @ $2,300,000 in 2019.

Owner states the market wants residential homes vs commercial.

This is the last large commercially zoned block in SAB. It was assembled by the owner so that it would be more valuable as an 8-lot contiguous lot package – necessary to make it an easier commercial parcel to develop, especially considering parking, drainage, setbacks, etc

Our City needs small neighborhood commercial uses to maintain the community and neighborhood fabric that is quickly eroding and being replaced by large hotels and restaurants. Accessory uses such as bagel shops and delis, hair salons, art galleries, wine and cheese shops, specialty stores or even a small Inn or Hotel, frequented by the local residents and tourists, help to promote a sense of community and are tailor made for mid-size commercial parcels like this. And they are typically owned by neighborhood residents.

There is no hardship that can be claimed by the owner in a search for a suitable commercial developer/ Buyer – at an asking price of $2.3m or almost $2m more than his acquisition cost, this is more about asking for permission to change the rules in order to make a greater profit. The zoning and permitted uses were in place when the property was purchased. Breaking up into individual lots and adding 35' McMansion's actually increases the mass and density of the neighborhood. A great example is the huge blue house on the corner of F Street and A1A Beach Boulevard. Imagine 8 of those homes sandwiched together on these S0' lots....

The argument that building homes on this commercial land is more in keeping with the neighborhood is being perpetuated by the people who are profitizing by doing so? Get a conditional use permit to build a vacation rental home on a commercial lot, build up a rental income for a year and then sell it...how does that benefit the City or its residents?? Also, what happens when the inevitable market swings and the demand for vacation rentals crashes due to oversupply and competition from hotel rooms? Those same lot owners will be in front of the Board to ask for permission to move into the homes as they now can't afford to rent them.

Lastly, the biggest impact will be on the one property that is actually using their commercial zoning for its intended use – COMMERCIAL! That's right, if this conditional use is approved MY property is now fully surrounded by residential properties although most of the surrounding lots are zoned commercial. This creates a tremendous hardship and impact on my property. Perhaps you may recall the tenant in my building – Kookaburra, who received tremendous blow back from neighbors because they said there was too much noise and traffic. Most of these complaints were generated from owners who built homes on commercial lots and now complain about noise. But that is precisely why we have commercial zoning – to buffer the noise and traffic from residential uses. Surrounding me with residential homes only exasperates the potential for complaints...and will negatively effect my property value. To grant this Conditional use is to knowingly permit that to happen.

Respectfully,

Frank O'Rourke, Broker
St. Augustine Real Estate Company
101 F Street
St. Augustine, FL 32080
904-806-3063

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Max Royle

From: Tom Ringwood <tomorlindaringwood@gmail.com>
Sent: Thursday, November 21, 2019 3:33 PM
To: Max Royle; Comm George; Comm England; Comm Samora; Comm Rumrell; Comm Kostka
Subject: Conditional Use Permit for Len Trinka's property

To: The City Commissioners of St. Augustine Beach, Florida Nov. 20, 2019

Dear Commissioners,

We are writing in reference to Len Trinka's request for a conditional use permit that would allow single family homes to be built on the vacant property he has for sale between E and F Streets, on the west side of Beach Boulevard. This parcel is currently zoned for commercial use, but has been on the market as such for a lengthy time, with no offers. Obviously, there is no great demand for commercial property in that location, or it would have been sold during the time it was advertised.

Mr. Trinka's request for a zoning change is more in keeping with the rest of the properties fronting Beach Boulevard along that stretch of the road. It seems the demand is greater for housing sites than for commercial property.

Of course, the City of St. Augustine Beach has many single family homes that are, in reality, short-term rental businesses, so whatever is built on that land may, in fact, turn out to be more of the same. However, since there are no more available licenses for short-term rentals, perhaps this property will be purchased for residential use, and lend some stability to the neighborhood.

We would urge you to approve Mr. Trinka's application for a conditional use permit for his property.

Sincerely,
Linda and Tom Ringwood
8 F Street

Agenda Item # 4

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 21, 2019

SUBJECT: Conditional Use Permit for Outside Consumption of Food/Beverages at the Former Coquina Beach Surf Club Restaurant, 451 A1A Beach Boulevard (Lots 65, 66, 67, 77, and 78, Atlantic Beach Subdivision, Mr. Michael Rosa, Applicant)

BACKGROUND

The owners of the Sunset Grille, which include Mr. Rosa, purchased the Coquina Beach Surf Club Restaurant on the south side of 14th Street two or more years ago and closed it. Since then, the location has not been used as a business or for any other purpose except to provide space for overflow parking for Sunset Grille patrons.

Now the owners want to open the property for restaurant use again, and they want a conditional use permit to allow for the consumption of food and beverages outside of an enclosed building. Section 3.02.03 lists prohibited uses. Subsection 4.5. states the "the sale, offer for sale, or rental of any merchandise, outside of an enclosed business or on the premises of any business except as provided herein" is prohibited. However, Table 3.02.02 of the Regulations does allow by conditional use permit "food and/or beverage service/consumption outside of an enclosed building on the premises of a restaurant or hotel/motel." The previous owner of the Coquina Beach Surf Club property had such a permit, but the permit was non-transferable.

The new owners of the property want sell food and beverages outside of the building on the verandah that's located on its east side.

They submitted their request to the Planning Board for a recommendation to you. The Board reviewed this request at its November 19, 2019, meeting, and by 7-0 voted to recommend the following:

> That the permit be approved subject to conditions 13, 14, and 15 stated in the the previous conditional use permit granted by the Planning Board at its March 1, 2016, meeting for this property.

Conditions 13, 14, and 15 are shown on page 22 (attached).

13. The Applicant may have seven (7) parking spaces, as specifically depicted on the site plan dated February 2, 2011 with an additional one (1) foot extended into the City plaza and provided the Applicant fully executes the City's indemnity agreement, abides by the City's code related to

improvements within a City plaza and provided the specific location is approved in writing by the Building Official.

14. The existing sign may remain in the immediately adjoining City plaza provided the Applicant full executes the City's indemnity agreement, abides by the City's code related to having a sign in a City plaza, including Section 8.01.04.B., Ground Signs of the Land Development Regulations.

15. The Applicant shall also maintain the landscaping within the immediately adjoining City plaza.

A further condition was "to require the applicant to provide signage indicating patrons to the restaurant should turn left when exiting the property as residential parking only is allowed on 13th Street."

ATTACHMENTS

Attached for your review is the following information:

a. Pages 1-17, the application to the Planning Board.

b. Pages 18-19, the minutes of that part of the Board's November 19th meeting when it reviewed the application and made a recommendation to you.

c. Pages 20-22, a memo from Ms. Bonnie Miller, Building Department Executive Assistant, in which she states the Board's motion and vote to approve the permit with conditions.

ACTION REQUESTED

It is that you hold the public hearing and decide whether to grant the permit for outside consumption of food and beverages and the conditions you decide should be attached to the permit.

PLEASE NOTE: part of the parking lot on the east side of the restaurant is on public property. This was noted in the original conditional use permit (pages 8-9 attached) as paragraph 13.

The site plan for the new conditional use permit is shown on pages 16-17 (attached).

City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM
BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

To: Comprehensive Planning & Zoning Board
From: Bonnie Miller, Executive Assistant
CC: Brian Law, Building Official
Date: 11-6-2019
Re: Conditional Use File No. CU 2019-06

The submittal application is for a conditional use permit for food and/or beverage consumption outside of an enclosed building, which is permitted by conditional use per Section 3.02.02 of the City's Land Development Regulations, on the premises of the former Coquina Beach Club restaurant property at 451 A1A Beach Boulevard. This property was granted a conditional use permit for outdoor dining, food and beverage service, but one of the conditions of the conditional use order was that the use "shall be non-transferable." As the property has been sold and is now owned by a company whose title managers are Peter Darios and Mike Rosa, who also own Sunset Grille Restaurant at 421 A1A Beach Boulevard, Mr. Darios and Mr. Rosa are now applying for the same conditional use for outdoor dining.

The Building and Zoning Department has no objection to this conditional use permit for outdoor dining and service, and asks the Board consider the applicants' request and make any suggested recommendations and/or conditions to the City Commission.

Sincerely,

Bonnie Miller

Bonnie Miller, Executive Assistant
Building and Zoning Department

City of St. Augustine Beach Building and Zoning Department
Conditional Use Permit Application

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

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

   Lot(s) 65, 66, 67, 78 & 79 Block(s) N/A Subdivision Atlantic Beach Subdivision of Anastasia

   Street Address 451 A1A Beach Blvd

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

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

4. Real estate parcel identification number: 1674700000

5. Name and address of owner(s) as shown in St. Johns County Public Records: Somewhere on A1A Partners LLC

   421 A1A Beach Blvd

   St. Augustine Beach, FL 32080

6. Current land use classification: Commercial

7. Section of land use code from which the conditional use permit is being sought: Table 3.02.02

8. Description of conditional use permit being sought: Outdoor dining

9. Supporting data which should be considered by the Board: Previous Conditional Use Permit (CU-2011-01) granted for outdoor dining on February 15, 2011 and later extended on March 1, 2016.

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

    If yes, what was the final result? _____

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

(✓) Legal description of property

(✓) Copy of warranty deed

(✓) Owner Permission Form (if applicable)

(✓) List of names and addresses of all property owners within 300-foot radius

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

(✓) Survey to include all existing structures and fences

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

(✓) Other documents or relevant information to be considered

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

Michael Rosa	
Print name (owner or his/ her agent)	Print name (applicant or his/her agent)
10-1-19	
Signature/date	Signature/date
421 A1A Beach Blvd ST Augustine	
Owner/agent address	Applicant/agent address
904-687-8743	
Phone number	Phone number

All agents must have notarized written authorization from the property owner(s)
Conditional use permits shall be recorded prior to issuance of the building/development permit
** Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the City Commission does not constitute approval for variation from the covenants and restrictions.**

Date: 9-30-2019

Conditional Use File #: CU2019-06

Applicant's name: Somewhere on A1A Partners LLC

Applicant's address: 421 A1A Beach Blvd.

For conditional use permit at: 451 A1A Beach Blvd.

Charges

Application Fee: $400.00 Date Paid: 09/30/2019

Legal Notice Sign: $7.50 Date Paid: 09/30/2019

Received by Jennifer Thompson

Date 09/30/2019

Invoice # I1901936

Check # 1099

Definition—Conditional Use Permit

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

Instructions for Applying for a Conditional Use Permit

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

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

Documentation Needed for a Conditional Use Permit

1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e.south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.

2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.

3) Indicate the current land use classification of the parcel under consideration. Current land use map are on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.

4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. **This list of names and**

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

5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.

6) A fee of $407.50 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which the conditional use permit application will be heard.

7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the last hearing at which the application was considered. Each final order shall contain findings upon which the City Commission's order is based and may include such conditions and safeguards prescribed by the Commission as appropriate in the matter, including reasonable time limits which action pursuant to such order shall be begun or completed or both.

8) Appeal of decisions on conditional use permits granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida.

9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

Limitations on Granting a Conditional Use Permit

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

1) That the conditional use permit will be transferable and run with the land when the facts involved warrant same, or where construction or land development is included as part of the permit.

2) The time within which the use shall be commenced may be extended for a period of time longer than

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

3) Whenever the City Commission denies an application for a conditional use permit, no further application shall be filed for the same use on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same use on any part or all of the same property has been denied, no further application shall be filed for this same use on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.

4) The time limits in paragraph 3 above may be waived by the affirmative votes of a majority of the City Commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the City.

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

In re·

APPLICATION OF BARNACLE BILL'S, INC., FOR EXTENSION OF CONDITIONAL USE PERMIT FOR OUTDOOR DINING, FOOD AND BEVERAGE SERVICE AND CONSUMPTION AT 451 A1A BEACH BLVD., ST. AUGUSTINE BEACH, FLORIDA 32080

_____ /

Public Records of St Johns County, FL
Clerk number 2016019823
BK 4171 PG 7
4/1/2016 12 34 PM
Recording $18 50

ORDER EXTENDING CONDITIONAL USE (CU 2011-01)

This CAUSE came on for public hearing before the City Commission of the City of St Augustine Beach, Florida on March 1, 2016 upon recommendation for approval with conditions by the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, after hearing upon Application by Barnacle Bill's, Inc., to extend its conditional use permit (CU 2011-01) for the expanded restaurant to allow for outdoor dining, food and beverage service and consumption, at 451 A1A Beach Blvd., St. Augustine Beach, Florida 32080. The City Commission having reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions.

1 The documentation for granting of a conditional use as detailed in the Application and discussed at the hearing are incorporated herein as findings of fact.

2. The conditional use granted shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings, sketches and renderings

3 The Applicant shall construct and maintain a six-foot high fence along the entire west boundary line of the property adjoining Lots 67 and 78

~~4. No exterior sound system of any type and no live or recorded music whether amplified or not shall be allowed in the outside seating area approved by this Conditional Use Permit~~

5. The use shall expire five (5) years after the approval hereof, and the Applicant shall be required to apply to extend the Conditional Use beyond **March 2, 2021**.

6. Bollards or similar safety structures shall be required within the landscaped hedge row in front of the outside seating area on the east side of the building, for additional protection of customers, as recommended and approved by the Building Official

~~7. The south side of the building shall be repainted.~~

8 The addition to the existing building shall be architecturally pleasing, consistent with the existing building and will not be purple or pink.

9. The use shall be conducted in such a way as to not violate City Code or become a nuisance.

10. No other expansion of the existing restaurant shall be conducted other than that specifically granted herein except expressly permitted by the Land Development Regulations.

11. The use shall be non-transferable

12. The use shall be commenced within one (1) year and shall not lapse for more than one (1) year

13. The Applicant may have seven (7) parking spaces, as specifically depicted on the site plan dated February 2, 2011 with an additional one (1) foot extended into the City plaza provided the Applicant fully executes the City's indemnity agreement, abides by the City's code related to improvements within a City plaza and provided the specific location is approved in writing by the Building Official.

14. The existing sign may remain in the immediately adjoining City plaza provided the Applicant fully executes the City's indemnity agreement, abides by the City's code related to having a sign in a City plaza, including Section 8.01.04.B., Grounds Signs of the Land Development Regulations

15. The Applicant shall also maintain the landscaping within the immediately adjoining City plaza

16. The Applicant is informed that the City may require the removal or may remove any improvements made by the Applicant within the City plaza.

17. A violation of the conditions listed above shall void the conditional use granted herein.

Any appeal of this decision may be made by filing an appropriate action with a court of competent jurisdiction within thirty (30) days of the date of this Order.

DONE AND ORDERED this 1st day of March, 2016, at St. Augustine Beach, St Johns County, Florida.

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

Attest: _____
City Manager

By: _____
Rich O'Brien, Mayor

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

In re:

APPLICATION OF BARNACLE BILL'S, INC., FOR CONDITIONAL USE PERMIT APPROVAL FOR OUTDOOR DINING, FOOD AND BEVERAGE SERVICE AND CONSUMPTION AT 451 A1A BEACH BLVD., ST. AUGUSTINE BEACH, FLORIDA 32080

_____/

Public Records of St. Johns County, FL Clerk # 2011014250, O.R. 3419 PG 1593-1594 03/21/2011 at 08:23 AM, REC. $9.00 SUR. $9.50

ORDER APPROVING CONDITIONAL USE (CU 2011-01)

This CAUSE came on for public hearing before the City Commission of the City of St. Augustine Beach, Florida on March 7, 2011 upon recommendation for approval with conditions by the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, after hearing on February 15, 2011, upon Application (CU 2011-01) by Barnacle Bill's, Inc., for a conditional use permit to expand the existing restaurant to allow for outdoor dining, food and beverage service and consumption, at 451 A1A Beach Blvd., St. Augustine Beach, Florida 32080. The City Commission having reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions:

1. The documentation for granting of a conditional use as detailed in the Application and discussed at the hearing are incorporated herein as findings of fact.

2. The conditional use granted shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings, sketches and renderings.

3. The Applicant shall construct and maintain a six-foot high fence along the entire west boundary line of the property adjoining Lots 67 and 78.

4. No exterior sound system of any type and no live or recorded music whether amplified or not shall be allowed in the outside seating area approved by this Conditional Use Permit.

5. The use shall expire five (5) years after the approval hereof, and the Applicant shall be required to apply to extend the Conditional Use beyond March 7, 2016.

6. Bollards or similar safety structures shall be required within the landscaped hedge row in front of the outside seating area on the east side of the building, for additional protection of customers, as recommended and approved by the Building Official.

7. The south side of the building shall be repainted.

8. The addition to the existing building shall be architecturally pleasing, consistent with the existing building and will not be purple or pink.

9. The use shall be conducted in such a way as to not violate City Code or become a nuisance.

10. No other expansion of the existing restaurant shall be conducted other than that specifically granted herein except expressly permitted by the Land Development Regulations.

11. The use shall be non-transferable.

12. The use shall be commenced within one (1) year and shall not lapse for more than one (1) year.

13. The Applicant may have seven (7) parking spaces, as specifically depicted on the site plan dated February 2, 2011 with an additional one (1) foot extended into the City plaza provided the Applicant fully executes the City's indemnity agreement, abides by the City's code related to improvements within a City plaza and provided the specific location is approved in writing by the Building Official.

14. The existing sign may remain in the immediately adjoining City plaza provided the Applicant fully executes the City's indemnity agreement, abides by the City's code related to having a sign in a City plaza, including Section 8.01.04.B., Grounds Signs of the Land Development Regulations.

15. The Applicant shall also maintain the landscaping within the immediately adjoining City plaza.

16. The Applicant is informed that the City may require the removal or may remove any improvements made by the Applicant within the City plaza.

17. A violation of the conditions listed above shall void the conditional use granted herein.

Any appeal of this decision may be made by filing an appropriate action with a court of competent jurisdiction within thirty (30) days of the date of this Order.

DONE AND ORDERED this 14th day of March, 2011, at St. Augustine Beach, St. Johns County, Florida.

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

By: _____
Mayor, Commissioner

Attest: _____
City Manager

PROPERTY APPRAISER

St. Johns County, FL

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1674700000
Location Address	451 A1A BEACH BLVD SAINT AUGUSTINE 32080-0000
Neighborhood	Restaurant A1A (COM) (675.03)
Tax Description*	2-50 ATLANTIC BCH LOTS 65 66 & 67 78 & 79 OR4278/1608 *The Description above is not to be used on legal documents.
Property Use Code	Restaurants & Cafeterias (2100)
Subdivision	Atlantic Beach Subdivision Of Anastasia
Sec/Twp/Rng	34-7-30
District	City of St Augustine Beach (District 551)
Millage Rate	17.0863
Acreage	0.590
Homestead	N

Owner Information

Owner Name	Somewhere On A1a Partners LLC 100%
Mailing Address	421 A1A BEACH BLVD SAINT AUGUSTINE, FL 32080-0000

Map

Valuation Information

	2019
Building Value	$268,461
Extra Features Value	$19,908
Total Land Value	$781,800
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$1,070,169
Total Deferred	$0
Assessed Value	$1,070,169
Total Exemptions	$0
Taxable Value	$1,070,169

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

Historical Assessment Information

Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
$409,853	$19,908	$703,620	$0	$0	$1,133,381	$1,133,381	$0	$1,133,381
$491,818	$12,968	$728,604	$0	$0	$1,233,390	$1,233,390	$0	$1,233,390
$275,002	$9,442	$379,169	$0	$0	$663,613	$663,613	$0	$663,613
$282,537	$9,442	$379,169	$0	$0	$671,148	$671,148	$0	$671,148
$273,007	$9,442	$379,169	$0	$0	$661,618	$661,618	$0	$661,618
$280,098	$9,442	$379,169	$0	$0	$668,709	$668,709	$0	$668,709
$287,190	$9,442	$379,169	$0	$0	$675,801	$675,801	$0	$675,801
$318,110	$9,442	$420,948	$0	$0	$748,500	$748,500	$0	$748,500
$329,563	$10,861	$520,800	$0	$0	$861,224	$861,224	$0	$861,224

Building Information

Building	1	**Roof Structure**	Rigid Frame
Actual Area	5688	**Roof Cover**	Built Up
Conditioned Area	3822	**Interior Flooring**	Carpet, Ceramic Tile
Actual Year Built	1984	**Interior Wall**	Drywall
Use	Restaurants & Cafeterias	**Heating Type**	Air Duct
Style	04	**Heating Fuel**	
Class	N	**Air Conditioning**	Central
Exterior Wall	Concrete Stucco	**Baths**	

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	80%
Interior Flooring	Ceramic Tile	20%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	12 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Insulation	2" Fiberglass	100%
Floor System	Concrete Slab	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
FRAME UTILITY	0	252
BASE AREA	3822	3822
CANOPY (COMMERCIAL)	0	1377
CANOPY (COMMERCIAL)	0	99
CANOPY	0	42
FRAME UTILITY	0	96
Total SqFt	3822	5688

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Concrete Paving	0	0	0	0	467
Pole Light	0	0	0	0	60
Asphault Paving	0	0	0	0	15252

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Restaurants & Cafeterias	98	164	21600	SF	$540,000
Restaurants & Cafeterias	92	106	9672	SF	$241,800

Sale Information

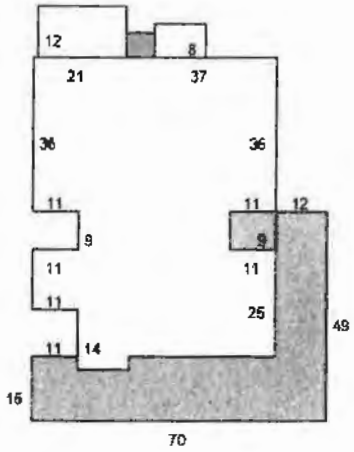
Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/31/2016	10/28/2016	$1,538,000.00	WD	4278	1608	Q	I	BARNACLE BILL'S INC	SOMEWHERE ON A1A PARTNERS LLC
	3/20/2000	$600,000.00	WD	1482	1763	Q	I	CARABETTA ARSENIO,NICOLINA	BARNACLE BILL'S INC
9/12/1996	9/5/1996	$100.00	QC	1195	345	U	I	CARABETTA PHILLIP	CARABETTA ARSENIO,NICOLINA
	10/15/1993	$425,000.00	WD	1016	885	Q	I	MANFREDI CARLA	CARABETTA ARSENIO,NICOLINA
	12/1/1983	$0.00		617	702	U	V		MANFREDI CARLA
	1/1/1981	$40,000.00		479	426	U	V		

Area Sales Report

Recent Sales in Area

Sketch Information

	Room Type	Area
	CANOPY	0
	OGN	0
	Base	0
	FUT	0



No data available for the following modules: Exemption Information.

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

Developed by

Last Data Upload: 10/9/2019 11:40:44 PM

Version 2.3.8

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Department of State / Division of Corporations / Search Records / Detail By Document Number /

Detail by Entity Name

Florida Limited Liability Company
SOMEWHERE ON A1A PARTNERS, LLC

Filing Information

Document Number	L16000191441
FEI/EIN Number	81-4229315
Date Filed	10/17/2016
Effective Date	10/12/2016
State	FL
Status	ACTIVE

Principal Address

421 A1A BEACH BOULEVARD
ST. AUGUSTINE, FL 32080

Mailing Address

421 A1A BEACH BOULEVARD
ST. AUGUSTINE, FL 32080

Registered Agent Name & Address

VO, AMY M, ESQ.
104 SEA GROVE MAIN STREET
ST. AUGUSTINE, FL 32080

Authorized Person(s) Detail

Name & Address

Title MGR

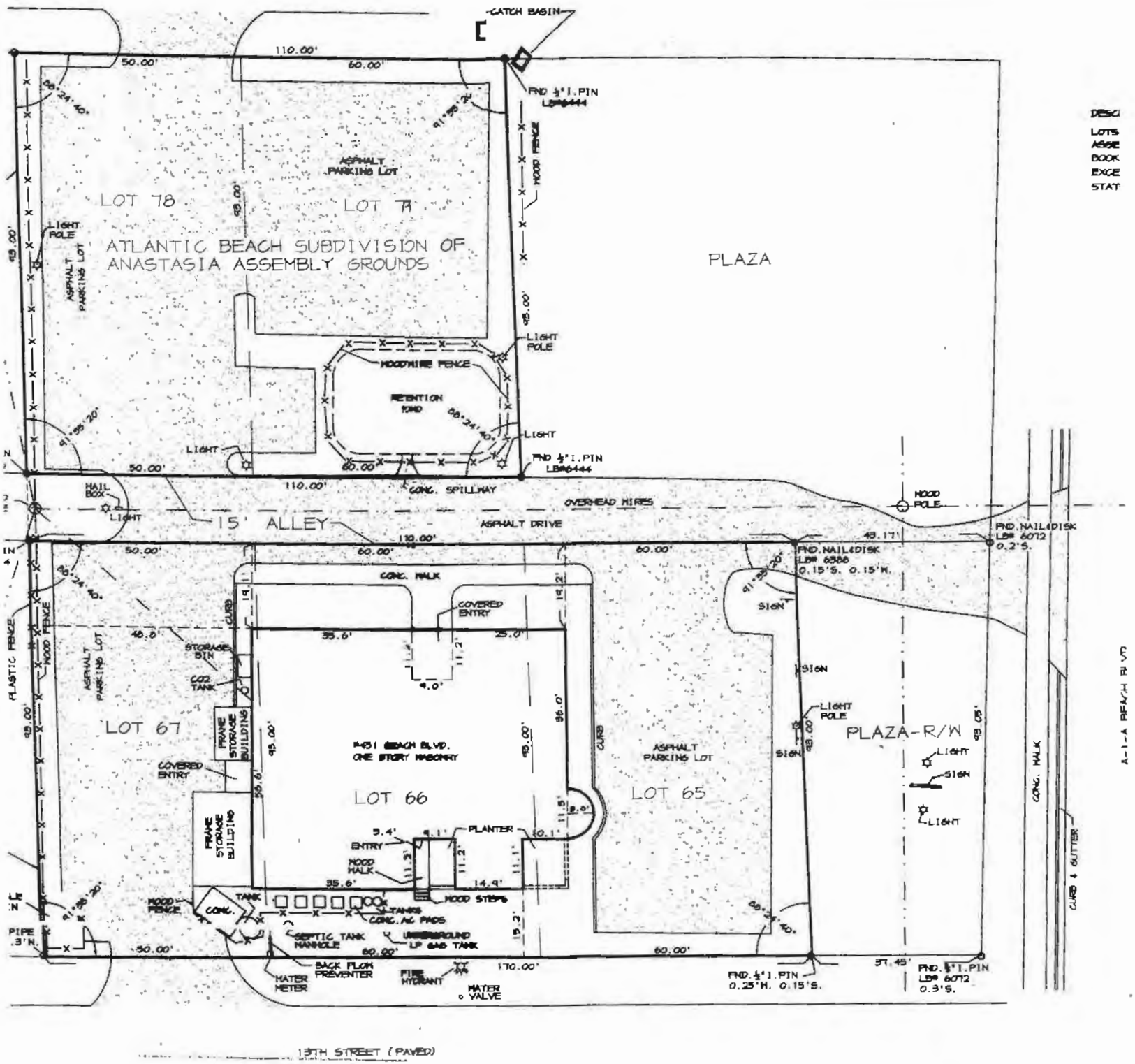
DARIOS, PETER
421 A1A BEACH BOULEVARD
ST. AUGUSTINE, FL 32080

Title MGR

ROSA, MIKE
421 A1A BEACH BOULEVARD
ST. AUGUSTINE, FL 32080

Annual Reports

Report Year	Filed Date
2017	04/24/2017


CATCH BASIN
110.00'
50.00'
60.00'
FND ½"I.PIN LB#6444
WOOD FENCE
ASPHALT PARKING LOT
LOT 78
LOT 79
ATLANTIC BEACH SUBDIVISION OF
ANASTASIA ASSEMBLY GROUNDS
PLAZA
LIGHT POLE
WOOD/WIRE FENCE
RETENTION POND
LIGHT
CONC. SPILLWAY
MAIL BOX
OVERHEAD WIRES
WOOD POLE
15' ALLEY
ASPHALT DRIVE
FND.NAIL&DISK LB# 6072 0.2'S.
FND.NAIL&DISK LB# 6566 0.15'S. 0.15'W.
CONC. WALK
COVERED ENTRY
SIGN
STORAGE BIN
CO2 TANK
FRAME STORAGE BUILDING
LOT 67
1451 BEACH BLVD. ONE STORY MASONRY
LOT 66
LOT 65
ASPHALT PARKING LOT
PLAZA-R/W
PLANTER
ENTRY
WOOD WALK
WOOD STEPS
TANK
TANKS
CONC. A/C PADS
SEPTIC TANK MANHOLE
UNDERGROUND LP GAS TANK
BACK FLOW PREVENTER
WATER METER
FIRE HYDRANT
WATER VALVE
FND.½"I.PIN 0.25'N. 0.15'S.
FND.½"I.PIN LB# 6072 0.3'S.
CURB & GUTTER
A-1-A BEACH BLVD
13TH STREET (PAVED)

Scale: 1/16 inch = 1 Foot

Barnacle Bills

PROJECT No.

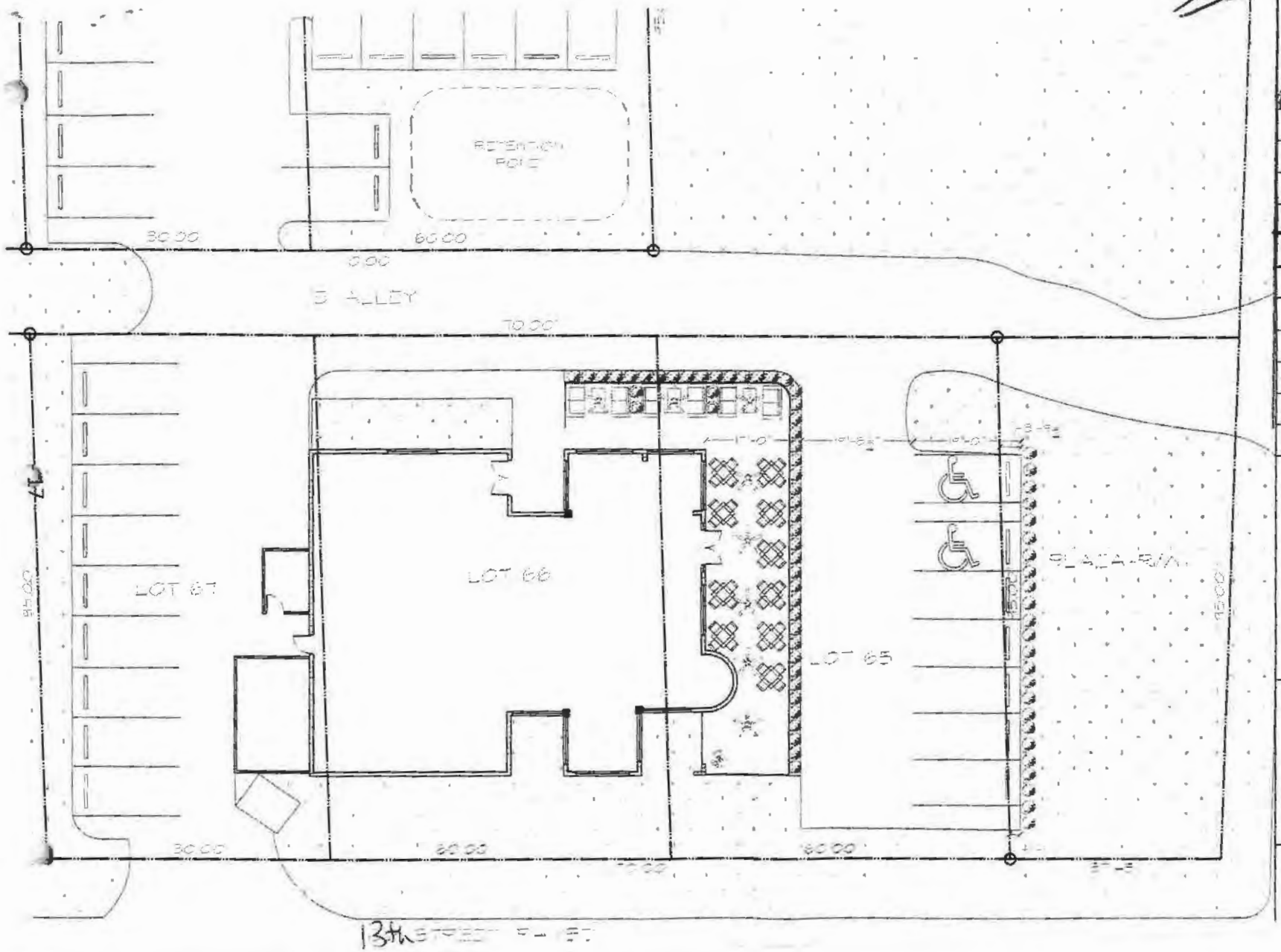
DRAWN BY: GP

DATE: 02/02/11

REVISIONS:

NORMAN PAUL R.A.

AR 92781



EXISTING FLOOR PLAN

SD 1

A. Conditional Use File No. CU 2019-06, for a conditional use permit for food and/or beverage service or consumption outside of an enclosed building in a commercial land use district on Lots 65, 66, 67, 78 and 79, Atlantic Beach Subdivision, at 451 A1A Beach Boulevard, Peter Rosa and Michael Rosa, Agents for Somewhere on A1A Partners LLC, Applicants

Mr. Law said about three years ago, the former Coquina Beach Club property was purchased by Somewhere on A1A Partners LLC. As the conditional use permit granted for outdoor dining to the owner of this property at this time was non-transferable, the new owners are reapplying for a new conditional use permit for outdoor dining. The Board has been provided copies of the prior conditional use permits granted to the previous owner and is tasked with making a recommendation to the City Commission to approve or deny the conditional use request for outdoor dining with any conditions the Board sees fit to recommend.

Mr. Pranis said why condition number four in the conditional use order granted March 1, 2016, which refers to music, was struck out.

Ms. Sloan the reference to music was struck because compliance with the City's noise ordinance is regulated by the Police Department and not part of the purview of a conditional use permit.

Mr. Mitherz asked how many tables and chairs the applicant is asking to put outdoors in the dining area under the canopy. He also asked if the blue tarp currently on the building is for repair work.

Peter Darios, 421 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, applicant, said he and his partner, Mike Rosa, bought the former Coquina Beach Club property in 2016, and they also own Sunset Grille Restaurant. They've decided it's time to do something with the property, so they're applying to reinstate the conditional use permit granted for outside seating. The former business had about 45 seats under the canopy, on the north side of the building. The blue tarp is up to close in this area while painting, clean-up, repair and remodeling work is being done.

Mr. Mitherz asked when the new business plans to open.

Mr. Darios said as soon as possible. Ideally, they'd like to open by February, but as remodeling work usually takes more time than expected, they don't have a set date for opening at this time.

Ms. Odom asked what the hours of operation will be.

Mr. Darios said they will be serving breakfast, lunch and maybe dinner, so a ballpark opening time for breakfast might be 7:00 a.m., and he really isn't sure any other hours of operation at this time.

Sonia Kulyk, 114 13th Street, St. Augustine Beach, Florida, 32080, said she's delighted the building is opening again, as it was a fabulous place in the past which they always enjoyed. She knows Sunset Grille probably has adequate parking, but the residents of 13th Street have worked really hard to make their street resident-parking only, and if you exit the former Coquina Beach Club property and make a right-hand turn onto 13th Street, you can't see the sign that says resident parking only. She'd like to request a left-hand turn only sign be put up on the 13th Street right-of-way so vehicles exiting the property from the 13th Street side know that parking for restaurant patrons is only allowed on the restaurant property, and not on 13th Street. Over the years, rumors have been flying as to what was going to open on this property, so she's relieved to hear it's simply going to be simply a restaurant and not some of the other creative things she heard it might be.

Bradley Leavitt, 200 12th Street, St. Augustine Beach, Florida, 32080, said he has no objections to a new restaurant, the only question that comes to mind relates to music. He would have no issue

with a soft-toned guitar with no loud amplification, but he would object to a five-piece rock band at 10:00 or 11:00 o'clock at night, so he asked if there were any plans to have music.

Mr. Darios said there are no plans for any music at this time.

Mr. Kincaid said for clarification, music is regulated by the City's noise ordinance. Anyone blasting music from a five-piece band in their yard is subject to the same noise regulations, which are enforced by the City's Police Department.

Motion: to recommend the City Commission approve Conditional Use File No. CU 2019-06 for five years subject to the following conditions: 1) The requirements in condition numbers 13, 14, and 15 in the previous conditional use order dated March 1, 2016 issued to the former owner of 451 A1A Beach Boulevard, be incorporated as conditions in the new conditional use order, if granted by the City Commission; 2) The applicant shall be required to provide signage indicating patrons to the restaurant should turn left when existing the restaurant property, as residential parking only is allowed on 13th Street. **Moved** by Mr. Kincaid, **seconded** by Ms. Odom, **passed 7-0** by unanimous voice-vote.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Conditional Use File No. CU 2019-06
Date: Wednesday, November 20, 2019

Please be advised that at its regular monthly meeting held Tuesday, November 19, 2019, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve a conditional use application submitted for food and/or beverage service and consumption outside of an enclosed building in a commercial land use district west of A1A Beach Boulevard at 451 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080.

The application was filed by Peter Darios and Michael Rosa, agents for Somewhere on A1A Partners LLC, Applicant, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO ATLANTIC BEACH LOTS 65, 66, 67, 78 & 79, PARCEL IDENTIFICATION NUMBER 1674700000, AKA 451 A1A BEACH BOULEVARD, SECTION 34, TOWNSHIP 7, RANGE 30, AS RECORDED IN MAP BOOK 2, PAGE 50, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Mr. Kincaid made the motion to recommend the City Commission approve this conditional use application for food and/or beverage service and consumption outside of an enclosed building in a commercial land use district at 451 A1A Beach Boulevard be granted for a period of five (5) years, subject to the conditions that the requirements in numbers 13, 14, and 15 as stated in the previous conditional use order granted for this property on March 1, 2016, be incorporated as conditions in the new conditional use order, and to require the applicant to provide signage indicating patrons to the restaurant should turn left when exiting the property as residential parking only is allowed on 13th Street. Mr. Kincaid's motion was seconded by Ms. Odom and passed 7-0 by the Board by unanimous voice-vote.

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

In re·

APPLICATION OF BARNACLE BILL'S, INC., FOR EXTENSION OF CONDITIONAL USE PERMIT FOR OUTDOOR DINING, FOOD AND BEVERAGE SERVICE AND CONSUMPTION AT 451 A1A BEACH BLVD., ST. AUGUSTINE BEACH, FLORIDA 32080

_____/

Public Records of St Johns County, FL
Clerk number 2016019823
BK 4171 PG 7
4/1/2016 12 34 PM
Recording $18 50

ORDER EXTENDING CONDITIONAL USE (CU 2011-01)

This CAUSE came on for public hearing before the City Commission of the City of St Augustine Beach, Florida on March 1, 2016 upon recommendation for approval with conditions by the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, after hearing upon Application by Barnacle Bill's, Inc., to extend its conditional use permit (CU 2011-01) for the expanded restaurant to allow for outdoor dining, food and beverage service and consumption, at 451 A1A Beach Blvd., St. Augustine Beach, Florida 32080. The City Commission having reviewed the Application, received public comments, and upon motion duly made, seconded and passed, the Application was approved subject to the following conditions.

1 The documentation for granting of a conditional use as detailed in the Application and discussed at the hearing are incorporated herein as findings of fact.

2. The conditional use granted shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all drawings, sketches and renderings

3 The Applicant shall construct and maintain a six-foot high fence along the entire west boundary line of the property adjoining Lots 67 and 78

~~4. No exterior sound system of any type and no live or recorded music whether amplified or not shall be allowed in the outside seating area approved by this Conditional Use Permit~~

5. The use shall expire five (5) years after the approval hereof, and the Applicant shall be required to apply to extend the Conditional Use beyond **March 2, 2021**.

6. Bollards or similar safety structures shall be required within the landscaped hedge row in front of the outside seating area on the east side of the building, for additional protection of customers, as recommended and approved by the Building Official

~~7. The south side of the building shall be repainted.~~

8 The addition to the existing building shall be architecturally pleasing, consistent with the existing building and will not be purple or pink.

9. The use shall be conducted in such a way as to not violate City Code or become a nuisance.

10. No other expansion of the existing restaurant shall be conducted other than that specifically granted herein except expressly permitted by the Land Development Regulations.

11. The use shall be non-transferable

12. The use shall be commenced within one (1) year and shall not lapse for more than one (1) year

13. The Applicant may have seven (7) parking spaces, as specifically depicted on the site plan dated February 2, 2011 with an additional one (1) foot extended into the City plaza provided the Applicant fully executes the City's indemnity agreement, abides by the City's code related to improvements within a City plaza and provided the specific location is approved in writing by the Building Official.

14. The existing sign may remain in the immediately adjoining City plaza provided the Applicant fully executes the City's indemnity agreement, abides by the City's code related to having a sign in a City plaza, including Section 8.01.04.B., Grounds Signs of the Land Development Regulations

15. The Applicant shall also maintain the landscaping within the immediately adjoining City plaza

16. The Applicant is informed that the City may require the removal or may remove any improvements made by the Applicant within the City plaza.

17. A violation of the conditions listed above shall void the conditional use granted herein.

Any appeal of this decision may be made by filing an appropriate action with a court of competent jurisdiction within thirty (30) days of the date of this Order.

DONE AND ORDERED this 1st day of March, 2016, at St. Augustine Beach, St Johns County, Florida.

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

Attest: _____
City Manager

By: _____
Rich O'Brien, Mayor

Agenda Item #5

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 19, 2019

SUBJECT: Resolution 19-13, to Express City's Intent to Levy a Non-Ad Valorem Assessment for the Collection and Disposal of Solid Waste and Recyclables

INTRODUCTION

This agenda item concerns not only the resolution but the commercial solid waste collection fees and information that Commissioner Kostka has requested.

The Finance Director and the City Manager discussed the sequence of topics to present to you for discussion/decision at your December 2nd meeting. We suggest that the Resolution should be first because it concerns residential, not commercial property, and because it merely states your intent to levy the assessment. It doesn't commit you to levying the assessment. You can make that decision later in 2020.

To help you understand the attached information, we have provided it to you in three sections.

1. The non-ad valorem assessment resolution and related information.
2. Emails from Commissioner Kostka to staff with her concerns and information about solid waste operations and collection that she has requested.
3. Information about commercial solid waste that Ms. Douylliez, the Finance Director, has provided.

We hope that this information is sufficient to help you make some key decisions about revenue to pay the City's solid waste collection and disposal costs.

ATTACHMENTS

In accordance with the three sections listed above, here's the breakdown of the attached information:

1. Pages 1-12, Resolution 19-13 and related information for the non-ad valorem assessment for residential properties.
2. Pages 13-34, emails from Commissioner Kostka, the Finance Director's response and information that Commissioner Kostka requested, which includes the following:
   - The results of the survey question, "To pay for the collection of residential solid waste, would you support a fee?" (pages 16-21)
   - Chapter 10 of the City Code, which has the City's garbage/trash regulations (pages 22-34).

Please note that Ms. Douylliez in the material below has provided additional information that Commissioner Kostka requested, as well as a breakdown that you asked for at your last meeting.

3. Pages 35-61, the costs of the City's solid waste service divided into two sections:
   - Pages 35-48, the costs that include the allocation for the Commission, City Manager, and Finance/Administration Department.
   - Pages 49-61, the costs without the allocation for the Commission, City Manager, and Finance/Administration Department.

ACTIONS REQUESTED

There are three:

1. Whether the pass Resolution 19-13.
2. Whether to increase fees for businesses.
3. Whether transient rentals are to pay the per-can commercial fee or be subject to the same non-ad valorem assessment levied on residential properties.

1. RESOLUTION 19-13

As noted above, the Resolution merely states your intent to levy the non-ad valorem assessment. Later in 2020, you could decide not to levy it.

For your discussion, please note the following:

- Pages 9-12, Chapter 197.3632, Florida Statutes. Note Subsection (3)(a), which states that a local government is to adopt a resolution at a public hearing prior to January 1st, or if the Tax Collector and Property Appraiser agree, prior to March 1st. The Subsection requires the City to advertise the intent to levy the assessment for four consecutive weeks prior to the public hearing. This the City has done.

Also, note Subsection (4) 4(a), which requires that the City adopt a non-ad valorem assessment roll between January 1st and September 15th. Subsection (4)4(b) requires that the City notify the owner of every property subject to the assessment of the date of the public hearing when the assessment roll will be adopted. It is for that notice that you set the non-ad valorem assessment. Or, you could decide before September 15, 2020, not to levy the assessment, which would make unnecessary the public hearing to levy the actual assessment.

A section of the City Charter concerning the solid waste service has been mentioned at recent meetings. The section is 1-11. It concerns fire protection, trash and garbage removal, and other municipal services. Here's the section in full, in case it is mentioned again.

> "(a) The city commission is hereby authorized to provide fire protection with the City of St. Augustine Beach, either by owning and operating necessary equipment with either a

volunteer or paid fire department, or to contract with another governmental entity by interlocal agreement for service by its fire department.

"(b) The city commission is hereby authorized to remove trash and garbage and to perform all other city services either through the use of employees or contractors."

There is no mention in this section about how the services are to be paid for. For fire protection, City residents are part of a County fire district and pay an ad valorem tax of 1.47 mils for the service.

2. RAISING ANNUAL COMMERCIAL SOLID WASTE FEE

The second action requested is that you discuss with Ms. Douylliez what businesses should pay for the solid waste removal service that the City provides.

On page 48, Ms. Douylliez shows that true annual cost for commercial can customers in the City is $457.51, or $2.90 a can. This amount includes the payment for administrative costs for the solid waste service (Commission, City Manager and Finance/Administration Department).

On page 61, she shows that the annual cost excluding administrative costs is $430.34.

Recommendation

It is that you set a new rate for solid waste removal that would be effective February 2, 2020, with a minimum service of $12 a month, which equates to four container equivalents at $3.00 per can, for an increase of $59.52 a year. Average can counts can be used for the businesses to set a monthly flat rate through FY 2020. New rate structures can be set up for FY 2021.

3. TRANSIENT RENTALS

The third action requested is that you decide whether transient rentals are to be subject to the same non-ad valorem assessment that's levied for residential properties or are to be considered businesses and pay the annual commercial service fee charged by the City.

For the Finance Department, the non-ad valorem assessment would be easier than having to count cans, send out monthly bills, track who has paid or not paid, and then have code enforcement action taken against those who are delinquent.

However, as transient rentals are commercial use of residential properties, you may want the owners to pay the same commercial fee that other types of businesses pay.

SUMMARY OF ACTIONS REQUESTED

That you decide whether:

- To pass Resolution 19-13.
- To increase the annual commercial solid waste fee.
- To decide whether transient rentals are to be treated as businesses and therefore subject to the per-can commercial fee or to the non-ad valorem assessment.

RESOLUTION 19-13

CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY

RE: EXPRESSING THE INTENT OF THE CITY OF ST. AUGUSTINE BEACH TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENT PROVIDED FOR IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3632, FOR THE PROVISION OF DISPOSAL OF SOLID WASTE; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE INCLUDED IN THE COMBINED NOTICE FOR AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS PROVIDED IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3635; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE COLLECTED IN THE SAME MANNER AS AD VALOREM TAXES; PRIVIDING THAT THIS NON-AD VALOREM ASSESSMENT IS NEEDED IN ORDER TO DISPOSE OF SOLID WASTE WITH THE CORPORATE LIMITS OF THE CITY OF ST. AUGUSTINE BEACH; PROVIDING FOR THE LEGAL DESCRIPTION OF THE CORPORATE LIMITS OF THE CITY OF ST. AUGUSTINE BEACH WHICH SHALL BE SUBJECT TO THE NON-AD VALOREM LEVY; PROVIDING THAT THE PUBLIC HEARING ON THIS RESOLUTION WAS DULY ADVERTISED; PROVIDING THAT THE CLERK OF THE CITY OF ST. AUGUSTINE BEACH SHALL MAIL CERTIFIED COPIES OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Commission of St. Augustine Beach, St. Johns County, Florida in regular meeting duly assembled on Monday, December 2, 2019, resolves as follows:

WHEREAS, by the authority created in Chapter 166, Florida Statutes, Section 166.021, and within Section 2 (b), Article VIII, of the Constitition of the State of Florida, municipalities have the governmental, corporate, and proprietary power to conduct municipal government, perform municipal functions, and render municipal services and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, such statutory and constitiutional authorization includes the ability to levy a special assessment for the provision of disposal of solid waste within the corporate limits of the City of St. Augustine Beach; and

WHEREAS, Chapter 197, Florida Statutes, Section 197.3632, sets forth the required procedure to be followed by a local government in order to elect the use of the uniform method of levying, collecting, and enforcing non-ad valorem assessments; and

WHEREAS, the City Commission held a public hearing on this Resolution on December 2, 2019, after advertising in *The St. Augustine Record* for four (4) consecutive weeks on November 1, 2019, November 8, 2019, November 15, 2019, and November 22, 2019, as required by Chapter 197, Florida Statutes, Section 197.3632(3)(a); and

WHEREAS, the City Commission has determined it servies the health, safety, and general welfare of the residents of the City of St. Augustine Beach to utilize the uniform method of collection for non-ad valorem assessments for the provision of disposal of solid waste within the corporate limits; and

WHEREAS, assessment for the provision of disposal of solid waste has been heretofore assessed and collected by St. Johns County, Florida through an interlocal agreement and the City of St. Augustine Beach intends to take over the assessment and no longer defer this power to St, Johns County.

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

Section 1. Intent to Use Uniform Method. The City Commission of the City of St. Augustine Beach intends to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for the provision of disposal of solid waste within the corporate limits of the City of St. Augustine Beach, pursuant to Chapter 197, Florida Statutes, Section 197.3632 and 197.3635.

Section 2. Need for Levy. The levy of non-ad valorem assessment for the provision of disposal of solid waste is necessary in order to fund a comprehensive, coordinated, economical, and efficient disposal of solid waste program within the corporate limits of the City of St. Augustine Beach.

Section 3. Legal Description of Area Subject to Levy. The incorporated area of the City of St. Augustine Beach shall be subject to the levy and collection of the non-ad valorem assessment and is legally described in Section 1-2 of Article 1 of the Charter of the City of St. Augustine Beach and in official documents in the possession of the Clerk of the City of St. Augustine Beach. Said legal description is attached hereto and incorporated herein as Exhibit "A."

Section 4. Combined Notice for Ad Valorem Taxes and Non-Ad Valorem Assessments. The non-ad valorem assessment that shall be levied using the uniform methord provided for in Chapter 197, Florida Statutes, Section 197.3632, shall be included in the combined notice for ad valorem taxses and non-ad valorem assessments proved for in Chapter 197, Florida Statutes, Section 197.3635.

Section 5. Non-Ad Valorem Assessment Subject to Collection Procedures for Ad Valorem Taxes. The non-ad valorem assessment collected pursuant to Chapter 197, Florida Statutes, Section 197.3632, shall be subject to the collection procedures provided for in Chapter 197, Florida Statutes, for ad valorem taxes and includes discount for early payment, prepayment by installment method, deferred payments, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

Section 6. Public Hearing on Non-Ad Valorem Assessment Roll. The City Commission shall adopt a non-ad valorem assessment roll of the property to be assessed within the corporate limits of the City of St. Augustine Beach at a public hearing held between January 6, 2020, and September 7, 2019.

Section 7. Copy of Resolution. The Clerk of the City of St. Augustine Beach is hereby directed to mail a certified copy of this Resolution by United States mail to the St. Johns County Property Appraiser, the St. Johns County Tax Collector, and the State of Florida Department of Revenue by January 1, 2020.

RESOLVED AND DONE, this 2nd day of December by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

_____

Undine C. George, Mayor

ATTEST:

_____

Max Royle, City Manager

City of St. Augustine Beach

ARTICLE I. IN GENERAL

Sec. 1-1. Created; name.
A municipality to be known and designated as the City of St. Augustine Beach, is hereby established, organized and constituted in the County of St. Johns and State of Florida.
(Laws of Fla., Ch. 59-1790, § 1; Laws of Fla., Ch. 78-607, § 1; Ord. No. 207, § 1, 12-4-89)

Sec. 1-2. Boundaries.
The territorial boundaries of the City of St. Augustine Beach shall be as follows:
(a) Beginning at the intersection of the north line of Section 34, Township 7 South, Range 30 East with the mean low water line of the Atlantic Ocean; thence westerly along the north line of said Section 34 to the northwest corner of said Section 34; thence continue westerly along the north line of Section 33, Township 7 South, Range 30 East to its intersection with the west right-of-way line of State Road S-3; thence southerly along the west right-of-way line of said State Road S-3 to its intersection with the west right-of-way line of State Road A-1-A; thence southerly along the west right-of-way line of State Road A-1-A to its intersection with the westerly projection of the northerly boundary of "St. Augustine By The Sea Subdivision" as recorded in Map Book 8 at Page 94 of the public records of St. Johns County, Florida; thence easterly along said northerly boundary of said "St. Augustine By The Sea Subdivision" to its intersection with the mean low water line of the Atlantic Ocean; thence northerly along the mean low water line of the Atlantic Ocean to the point of beginning, said territory so bounded being situate in St. Johns County, Florida;
(b) The right-of-way of Pope Road lying eastwardly of State Road 3 and that portion of Anastasia State Recreation Area lying southerly of the north right-of-way line of Pope Road as extended eastwardly to the waters of the Atlantic Ocean; and
(c) A parcel of land in the north half of Government Lot 5, Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, lying westerly of the westerly right-of-way of State Road A-1-A (a 100 foot right-of-way) more fully described as follows:
Commence at the intersection of the south line of the said north half of Government Lot 5 and the said westerly right-of-way line, said point also being the northeast corner of Marshview Estates, as recorded in Map Book 15, Page 30 of the Public Records of said County; thence north 13 degrees 06 minutes 00 seconds west, along said right-of-way 298.58 feet to the point of beginning; thence continue north 13 degrees 06 minutes 00 seconds west, along said right-of-way 82.55 feet to the southeast corner of that property described in Official Records Book 1173, Page 1133 of said Public Records; thence north 88 degrees 49 minutes 22 seconds west, along the south line of said property described in Official Records Book 1173, a distance of 300.08 feet; thence south 13 degrees 06 minutes 00 seconds east 82.55 feet; thence south 88 degrees 49 minutes 22 seconds east, 300.08 feet to the point of beginning.
and

A parcel of land in the north half of Government Lot 5 and the south 363.42 feet of Government Lot 4, all in Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, lying westerly of State Road A-1-A (a 100-foot right-of-way), more fully described as follows: Commence at the intersection of the south line of said north half of Government Lot 5 and the westerly right-of-way line of said A-1-A, said point also being the northeast corner of Marshview Estates, as recorded in Map Book 15, Page 30 of the Public Records of said County; thence north 88 degrees 53 minutes 00 seconds west, along said south line, 300.00 feet to the point of beginning; thence continue north 88 degrees 53 minutes 00 seconds west, along said south line 1396.39 feet; thence north 12 degrees 35 minutes 00 seconds west 992.21 feet to the north line of said south 363.42 feet; thence south 88 degrees 53 minutes 00 seconds east along last said north line, 1387.16 feet to the northwest corner of that property described in Official Records Book 725, Page 846 of said Public Records; thence south 13 degrees 06 minutes 00 seconds east, along the west line, and southerly extension thereof, of those properties described in Official Records Book 725, Page 846, Official Records Book 646, Page 1370, and Official Records Book 1173, Page 1133 of said Public Records, 994.44 feet to the point of beginning.
(d) Lots 1 and 2, Block 12, Sunset Park Subdivision, as per Map or Plat thereof recorded in Map Book 8, Page 72 of the Public Records of St. John's County.
(e) Commence at the intersection of the south line of the said north half of Government Lot 5 and the said westerly right-of-way line, said point also being the northeast corner of Marshview Estates as recorded in Map Book 15, Page 30 of the Public Records of said County; thence along said westerly right-of-way line North 13 Degrees 06 Minutes 00 Seconds West, 298.58 feet to the Point of Beginning; thence North 88 Degrees 49 Minutes 22 Seconds West, 300.08 feet to a point on the east boundary line of Ocean Trace Subdivision as recorded in Map Book 32, Pages 18 and 19 of the Public Records of said County; thence South 13 Degrees 06 Minutes 00 Seconds East along said east boundary line, 296.91 feet to the Southeast corner of said Ocean Trace Subdivision; thence South 88 Degrees 53 Minutes 00 Seconds East along the north boundary line of said Marshview Estates, 124.00 feet; thence North 13 Degrees 06 Minutes 00 Seconds West, 200.00 feet; thence South 88 Degrees 53 Minutes 00 Seconds East, 175.00 feet to a point on the said westerly right-of-way line; thence North 13 Degrees 06 Minutes 00 Seconds West along said westerly right-of-way line, 98.58 feet to the Point-of-Beginning. Containing 1.2 acres more or less and depicted on the map attached as Exhibit 'A.'"
(f) *Parcel 1 (Upland Area).* A part of Government Lots 3 and 4, Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows: Commence at the southeastern corner of Lot 2, Block 12, Sunset Park Subdivision as recorded in Map Book 8, Pages 71 and 72 of the public records of St. Johns County, said point being on the westerly right-of-way of State Road A-1-A and State Road 3; thence south 14 degrees 46 minutes 05 seconds east, along said westerly right-of-way line, a distance of 984.24 feet; thence south 89 degrees 30 minutes 13 seconds west, departing said right-of-way, a distance 299.94 feet to the point of beginning of the parcel of land to be described; thence continue south 89 degrees 30 minutes 13 seconds west 262.67 feet; thence north 12 degrees 46 minutes 38 seconds west a distance of 52.41 feet; thence north 01 degree 16 minutes 19 seconds west a distance of 40.83 feet; thence north 00 degrees 39 minutes 26 seconds west a distance of 52.00 feet; thence north 04 degrees 00 minutes 07 seconds west a distance of 38.60 feet; thence north 00 degrees 08 minutes 44 seconds west a distance of 67.40 feet; thence north 00 degrees 24 minutes 39 seconds west a distance of 27.40 feet; thence north 13 degrees 47 minutes 21 seconds west a distance of 12.97 feet; thence south 89 degrees 48 minutes 36 seconds west a distance of 30.76 feet; thence

south 89 degrees 09 minutes 10 seconds west a distance of 64.38 feet; thence north 82 degrees 41 minutes 06 seconds west a distance of 35.35 feet; thence north 84 degrees 45 minutes 03 seconds west a distance of 25.67 feet; thence south 89 degrees 02 minutes 06 seconds west a distance of 496.37 feet; thence south 85 degrees 54 minutes 23 seconds west 20.73 feet; thence south 01 degree 50 minutes 07 seconds east 51.96 feet; thence south 19 degrees 37 minutes 07 seconds east 53.63 feet; thence south 09 degrees 18 minutes 44 seconds east 76.83 feet; thence south 15 degrees 47 minutes 13 seconds east 117.19 feet; thence south 05 degrees 17 minutes 13 seconds east 59.37 feet to the north line of the south 363.42 feet of Government Lots 3 and 4; thence north 89 degrees 28 minutes 41 seconds east, along said north line 900.63 feet; thence north 14 degrees 44 minutes 19 seconds west 60.62 feet to the point of beginning. Containing 5.61 acres, more or less.

Parcel 2 (Conservation Land). A part of Government Lot 3, Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows: Commence at the southeast corner of Lot 2, Block 12, Sunset Park Subdivision as recorded in Map Book 8, Pages 71 and 72 of the public records of St. Johns County, said point being on the westerly right-of-way of State Road A-1-A and State Road 3; run thence south 14 degrees 46 minutes 05 seconds east along said westerly right-of-way line, a distance of 984.24 feet; thence south 89 degrees 30 minutes 13 seconds west, departing said right-of-way, a distance of 562.61 feet; thence north 12 degrees 46 minutes 38 seconds west 52.41 feet; thence north 01 degree 16 minutes 19 seconds west 40.83 feet; thence north 00 degrees 39 minutes 26 seconds west 52.00 feet; thence north 04 degrees 00 minutes 07 seconds west 38.60 feet; thence north 00 degrees 08 minutes 44 seconds west 67.40 feet; thence north 00 degrees 24 minutes 39 seconds west 27.40 feet; thence north 13 degrees 47 minutes 21 seconds west 12.97 feet; thence south 89 degrees 48 minutes 36 seconds west 30.76 feet; thence south 89 degrees 09 minutes 10 seconds west 64.38 feet; thence north 82 degrees 41 minutes 06 seconds west 35.35 feet; thence north 84 degrees 45 minutes 03 seconds west 25.67 feet; thence south 89 degrees 02 minutes 06 seconds west 496.37 feet; to the point of beginning of the parcel of land to be described; thence south 85 degrees 54 minutes 23 seconds west 20.73 feet; thence south 01 degree 50 minutes 07 seconds east 51.96 feet; thence south 19 degrees 37 minutes 07 seconds east 53.63 feet; thence south 09 degrees 18 minutes 44 seconds east 76.83 feet; thence south 15 degrees 47 minutes 13 seconds eat 117.19 feet; thence south 05 degrees 17 minutes 13 seconds east 59.37 feet to the north line of the south 363.42 feet of said Government Lot 3; thence south 89 degrees 28 minutes 41 seconds west, along said north line, 405.73 feet; thence north 00 degrees 31 minutes 19 seconds west 59.34 feet; thence north 12 degrees 27 minutes 02 seconds west 33.00 feet to the centerline of the meanderings of a creek; thence easterly and northerly, along said centerline of said creek, 420 feet, more or less, to a point on a line bearing south 89 degrees 02 minutes 06 seconds west from the point of beginning; thence 89 degrees 02 minutes 06 seconds east 141.63 feet to the point of beginning. Containing 1.85 acres, more or less.

(g) *Parcel "A".* A parcel of land lying in Government Lot 4, Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, lying west of State Road No. A-1-A and being more fully described as follows:

Commence at the intersection of the north boundary of the south 386.42 feet of said Government Lot 4 and the westerly right-of-way line of said State Road A-1-A; thence southeasterly along said right-of-way line 100 feet to the point of beginning; thence continue southeasterly along said right-of-way 200 feet; thence northwesterly along a line parallel with and 300 feet southerly from said north boundary, for a distance of 300 feet; thence northwesterly along a line parallel with

and 300 feet westerly from said westerly right-of-way line for a distance of 200 feet; thence southeasterly along a line parallel with and 100 feet southerly from said north boundary a distance of 300 feet to the point of beginning. Less and excepting the west 10 feet of said parcel.
Parcel "B". A parcel of land lying in Government Lot 4, Section 10, Township 8 South, Range 30 East, St. Johns County, Florida, lying west of State Road No. A-1-A and being more fully described as follows:
Commence at lands now or formerly described in O.R. Book 805, Page 573, public records of St. Johns County, Florida, said point being the point of beginning; thence south 89 degrees 56 minutes 22 seconds west, 300.00 feet; thence south 14 degrees 17 minutes 42 seconds east, 63.40 feet; thence north 89 degrees 56 minutes 22 seconds east, 300.00 feet; thence north 14 degrees 16 minutes 38 seconds west, 63.42 feet to the point of beginning. Less and excepting the west 10 feet of said parcel.
[(h) Reserved.]
(i) Commence at lands now or formerly described in O.R. Book 805, Page 573, public records of St. Johns County, Florida. Tbence south 14 degrees 16 minutes 38 seconds east 63.42 feet to the point of beginning of the herein described parcel of land; thence continue south 14 degrees 16 minutes 38 seconds east 249.89 feet; thence north 90 degrees 00 minutes 00 seconds east 300 feet; thence north 14 degrees 17 minutes 42 seconds west 249.58 feet; thence north 89 degrees 56 minutes 22 seconds east 300.00 feet to the point of beginning.
(Ord. No. 207, § 1, 4-12-89; Ord. No. 96-24, § 2, 10-7-96; Ord. No. 97-30, § 2, 10-6-97; Ord. No. 97-42, § 2, 12-1-97; Ord. No. 00-03, § 2, 4-3-00; Ord. No. 01-04, 1 2, 3-5-01; Ord. No. 03-30, § 2, 9-8-03)

Select Year: 2019 Go

The 2019 Florida Statutes

Title XIV TAXATION AND FINANCE | Chapter 197 TAX COLLECTIONS, SALES, AND LIENS | View Entire Chapter

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.

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From: Comm Kostka <commkostka@cityofsab.org>
Sent: Friday, November 8, 2019 8:17 AM
To: Patricia Douylliez <pdouylliez@cityofsab.org>
Subject: trash

Good morning Patty,

I am writing this morning as a citizen. I am not only dismayed but also upset to discover I am paying for both a dumpster on my property and residential a non-ad valorem tax for waste disposal when my property is actually zoned commercial. I purchased my property in 9/2011 and it has ALWAYS been zoned commercial. No one at the city ever disclosed options for trash pick up and I naturally assumed that all properties were assessed this tax. Quite frankly, I am appalled at the poor system/communication regarding this area. This is obviously no fault of yours and feel badly for all the issues you have inherited and been left with to correct. Why, as a new property owner was I not made aware of the options for trash collection?

I am asking for a refund of the $74 non-advelorem tax for Waste disposal from this tax year/billed amount. I will use my dumpster on my property for all of my trash needs. I do not use the recycling service, either, for what that is worth. This issue is of a great concern and I certainly hope the city can find a resolve that is fair or at the very least equitable for all of our community, businesses and residents.

Along with many residents within the city, I am feeling taxed to death. We are now paying taxes upon taxes and again, more taxes and now, discussion of adding yet another tax.... It seems every part of every budget is line itemed with a separate tax. It's out of control.

Thank you for all you do to help make our city the best it can be-
Maggie Kostka

Max Royle

From: Comm Kostka
Sent: Friday, November 8, 2019 2:22 PM
To: Patricia Douylliez; Max Royle
Subject: Re: trash

Max-
Will you please be sure to include these parts of code in materials for next meeting on waste disposal. It seems it should have been part of the original back up materials.

As a business owner and resident of this city, I am appalledand outraged I am being charged a rate that not all properties are charged. As a commercial property paying for a dumpster, I should not be charged additional taxes.
Commissioner Maggie Kostka

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From: Comm Kostka <commkostka@cityofsab.org>
Sent: Friday, November 8, 2019 2:05:11 PM
To: Patricia Douylliez <pdouylliez@cityofsab.org>
Subject: Re: trash

Just an after thought.... why then, according to the code are there properties not paying any waste disposal fees?

The system seems broken, or inefficient at best.

Maggie

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From: Comm Kostka <commkostka@cityofsab.org>
Sent: Friday, November 8, 2019 1:58:41 PM
To: Patricia Douylliez <pdouylliez@cityofsab.org>
Subject: Re: trash

Thank you, patty,
It is helpful information but extraordinarily unfair. Not all mixed use properties are being charged equally. It is definately something the commission should address.
Thank you for your prompt and thorough response.
Maggie

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From: Patricia Douylliez <pdouylliez@cityofsab.org>
Sent: Friday, November 8, 2019 12:15:51 PM
To: Comm Kostka <commkostka@cityofsab.org>
Cc: Max Royle <mroyle@cityofsab.org>
Subject: RE: trash

Good Afternoon,

In review of your request, I have looked at other locations where there is a mix of residential/commercial units within one building and the residences have been charged the assessment. I also went back into our on-line codes and the definition of a Residential Service Premise reads:

Residential *service premises* means a service premises used as a residence or dwelling unit by one (1) or more human beings; but shall not include apartment building or complexes having more than five (5) dwelling units, condominiums having more than five (5) dwelling units, motels and hotels.

And here is the section on the special assessment:

- **ARTICLE II. - SOLID WASTE NON-AD VALOREM SPECIAL ASSESSMENT**
  SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONSEMAIL SECTION
- **Sec. 10-100. - Need for special assessment.**
  SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONSEMAIL SECTION
  The special assessment shall provide for the disposal of solid waste and is necessary in order to fund a comprehensive, coordinated, economical and efficient program for the disposal of solid waste within the corporate limits of the City of St. Augustine Beach. In the event it may be deemed necessary due to changes in the interlocal agreement between St. Johns County and the City of St. Augustine Beach for solid waste disposal services, or other costs pertaining to city's solid waste operations including collection and recycling, are found to exceed the revenues generated by the special assessment, the city may expand the assessment and the application of the revenues for such purpose.

  (Ord. No. 15-09, § I, 12-7-15)

- **Sec. 10-101. - Properties subject to the special assessment.**
  SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONSEMAIL SECTION
  Within the City of St. Augustine Beach, the levy and collection of the annual special assessment shall apply to all properties within the incorporated area of the City of St. Augustine Beach as legally described in section 1-2 of article I of the Charter of the City of St. Augustine Beach and in official documents in the possession of the city clerk as amended from time to time.

  (Ord. No. 15-09, § I, 12-7-15)

I spoke with Max and I believe this is something that will need to be changed in our code before we can issue a refund. The change could be included with the adjustments to future Non Ad-Valorem Assessments as decided by the Commission. I hope this information is helpful.

Patty Douylliez
Finance Director
City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080
(904) 471-2122, ext. 103

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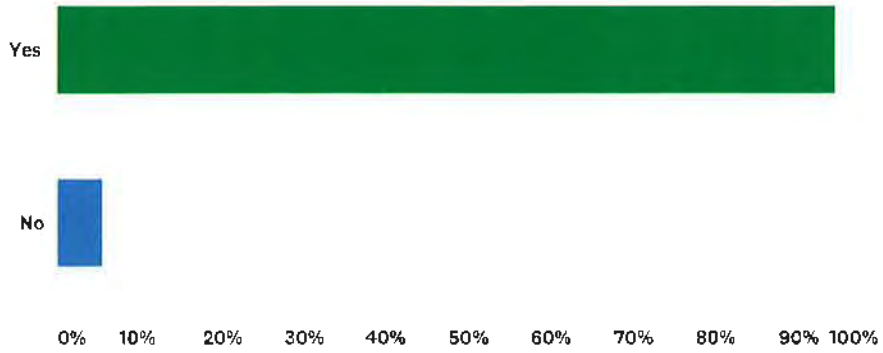
Q1 Are you a resident or property owner in the City of St. Augustine Beach?

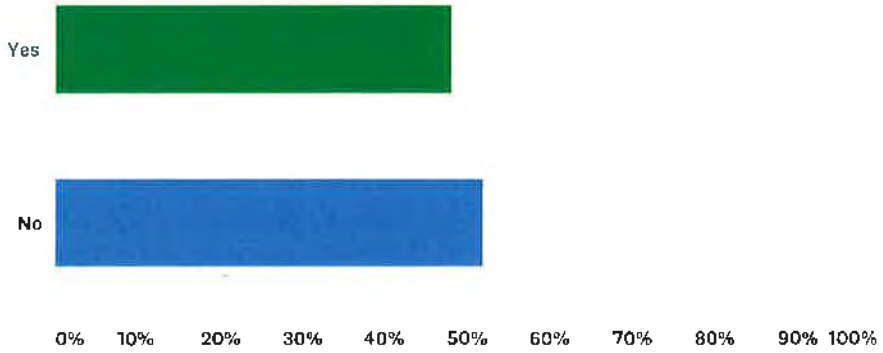
Answered: 275 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	94.55%	260
No	5.45%	15
TOTAL		275

Q2 To pay for the collection of residential solid waste, would you support a fee?

Answered: 247 Skipped: 28



ANSWER CHOICES	RESPONSES	
Yes	48.18%	119
No	51.82%	128
TOTAL		247

Q3 Additional Comments.

Residential Solid Waste

Answered: 113 Skipped: 162

#	RESPONSES	DATE
1	How will you access weekly rentals that generate much waste?	8/17/2019 6:24 PM
2	Frequency could be decreased to reduce cost.	8/16/2019 12:15 AM
3	The new fees should only be for vacation rentals because they create far more garbage than residents.	8/15/2019 5:19 PM
4	The fee should be levied on transient rentals who can easily absorb the cost by passing it on to their guests. I don"t think its fair to expect permanent residents to pay for the increase in garbage being generated by the vacation rentals.	8/15/2019 4:08 PM
5	The city has to figure a way for fairness in the fee structure equation. Why should a single occupant of a small house, who puts out a trash barrel every 2-3 weeks, have to pay the same fee as 2-4 or even 6 people living in a Sea Colony house or the typical 3 story McMansions who generate large quantities of trash every single week? This is the core issue that MUST be solved before going forward with restructuring of fees for trash collection in St. Augustine Beach.	8/14/2019 8:48 AM
6	not in favor of new fees	8/13/2019 6:49 AM
7	I believe trash should be collected at least 2x per week instead of 1x. I would support a fee for increased collection.	8/13/2019 6:24 AM
8	Properly tax increases each year are already excessive. Additional fees become unmanageable and unappealing to local residence.	8/12/2019 11:40 PM
9	Would expect the city to provide wheeled containers for trash and recycling	8/12/2019 7:42 PM
10	Cost devised between us with exception of business.	8/12/2019 3:59 PM
11	When I moved here, collection was twice a week. Now it's once. With all new developments being approved, there ought be plenty money to pay for this.	8/12/2019 11:29 AM
12	even "recycling" is being picked up with a garbage truck....	8/12/2019 10:48 AM
13	still believe in addition to a fee there should be a small millage increase to help add additional police officers, improve drainage and other infrastructure and to pay for part of the Solid Waste fees. Large vacation homes will gnerate more trash. Allowing the owners of large properties to pay a little more is fair	8/12/2019 10:45 AM
14	Would only support a fee if a compostable recycling program was put in place so residents could properly dispose of the compostable takeout containers and straws the the city is now forcing restaurants to use.	8/12/2019 10:15 AM
15	No new taxes...cease recycling if cost is high.	8/12/2019 7:49 AM
16	Our taxes are high enough! We pay more than others due to being a municipal! Drop that!!	8/12/2019 5:21 AM
17	Short term rentals should be considered a business and commercial rate should apply	8/11/2019 5:29 PM
18	We should promote composting in the reduction of trash/solid waste..Raising the fee does not promote conversation it is not fairly distributed in terms of who is producing the trash ie is it small households, large households or residential short term rentals or visitors.More information is needed to determine if this is a fair tax/assessment on small household	8/11/2019 7:04 AM
19	Why not adjust taxes	8/11/2019 5:29 AM
20	There has been zero inflation why is the cost of waste removal going up. I would suggest recycling only the items that will pay for themselves. If individuals want more recycles put a centralize bin on city property for those individuals to dispose of the items.	8/11/2019 4:09 AM
21	Don't we already pay a fee?	8/10/2019 7:41 PM
22	Prefer it be covered by my tax bill	8/10/2019 7:31 AM
23	We are being taxed to death. Stop increasing all the taxes.	8/8/2019 7:29 PM

24	Yes, but, rising cost of disposal fees shouldn't lead to such a dramatic increase for residents. What measures have you taken to blunt the increases? What safeguards are there to keep this from going up every year? This survey makes me feel like I'm being asked to sign a blank check.	8/8/2019 7:13 AM
25	Because my property taxes have increased so much, I can't afford my escrow shortage, and now my mortgage just went up $300/month. Please find an alternative solution. Negotiate a better waste management contract. Charge tourists to park. Manage budgets better. Increase commercial revenue base Please don't pass this on to us.	8/7/2019 1:08 PM
26	While supporting a fee, what other options are available to continue the frequency and quality of service?	8/7/2019 5:28 AM
27	Same schedule and special pick ups must remain along with recycling	8/7/2019 1:15 AM
28	Why don't you budget better? Get parking fees in place. Quit taxing residents for visitors	8/6/2019 11:12 AM
29	Would pay if reasonabla, not increase year after year and the frequency and quality of service not change	8/6/2019 10:42 AM
30	Increase taxes if required	8/6/2019 7:54 AM
31	Examine what owners would have to do in order to maintain the price of disposal at the same level. In other words, put the onus on the owners to put in Sweat Equity to keep the cost low.	8/6/2019 7:30 AM
32	Property taxes are already very high, should be sufficient to cover this and if not then reduce cost elsewhere. And what about people with just land, not fair to them to pay others waste disposal cost.	8/6/2019 6:23 AM
33	Vacant lots should be exempt.	8/5/2019 6:37 PM
34	Only if we stopped collecting recyclables .Much of those end up in the landfill	8/5/2019 4:50 PM
35	I think you should look at what Gainesville does, or used to do, for trash collection. We paid for the size trash bin we needed. Larger bins cost more than smaller ones. This encourages recycling or at least thinking more carefully about what goes on the trash.	8/5/2019 4:21 PM
36	I support a fee increase but but not one the is more than three times the current rate. Doubling the current rate is a more than fair compromise that will help both the city and the citizens considering the city is also proposing raising the current tax rate.	8/5/2019 2:22 PM
37	Want more info- would the fee be yearly?	8/5/2019 2:14 PM
38	I am not necessarily opposed to paying for trash and recycling, but this does not really explain what happens if no fee is implemented.	8/5/2019 12:30 PM
39	taxes are too high as it is, especially on a fixed income	8/5/2019 11:09 AM
40	Has there been any assessment on making solid waste an enterprise fund?	8/5/2019 10:40 AM
41	Not sure what the question is. I don't want to pay more for 1 collection a week. If you are having waste collection picked up twice a week I could understand an increase.	8/4/2019 4:32 PM
42	We need waste collection and recycling.	8/4/2019 1:58 PM
43	A reasonable fee. And I'd consider reducing (not eliminating) service to reduce the fee. The level of service now is very high; you could lower the level and cost, and teach us how to reduce and reuse!	8/4/2019 5:58 AM
44	i already pay to much in taxes	8/4/2019 5:29 AM
45	On fixed income.	8/4/2019 5:08 AM
46	air bnb and any short term rentals should have their garbage fees raised and with the country checking home ownership, this whould be easire to track. short term rentals product much more trash than residents or long term rentals	8/3/2019 6:35 AM
47	Should come out of property taxes.	8/3/2019 6:31 AM
48	your question is very poorly written, it sound like you want a blank check	8/3/2019 6:18 AM
49	I am fully supportive of recycling, but taxes just increased across the board. An alternative would be to charge a cost/container, which would encourage less waste from inception - the true objective. I would also rather take my newspaper/cardboard to a recycling site than be assessed additional taxes.	8/3/2019 6:09 AM

50	One would think that it could come from property taxes	8/3/2019 5:53 AM
51	Should be covered by taxes (millage rate)	8/3/2019 5:11 AM
52	The Special pick ups that are requested by phone or on line are easy and convenient. I do hope that the recycling program has continued and even grows	8/3/2019 4:00 AM
53	I am in support of efficient recycling and feel this is necessary for our town	8/2/2019 4:01 PM
54	The fee would have to be reasonable. I am close to retirement and live alone. I have very little trash. I do have monthly.yardwaste. I feel that as a resident of SAB I pay higher taxes than those who live a block away from the city, yet they get to take advantage of all the things the city offers. If you make the fee too high , it will hurt those who have lived here for years and are on a fixed income.	8/2/2019 2:54 PM
55	The taxes are already higher in St A Beach than in the county. Where is the money going?	8/2/2019 2:49 PM
56	what are my taxes for? No new fees!	8/2/2019 12:26 PM
57	Keep things status quo	8/2/2019 8:20 AM
58	Not sure for second question	8/2/2019 8:17 AM
59	Just gradually raise what we pay now.	8/2/2019 7:53 AM
60	Hopefully this fee would include new recycling bins also	8/2/2019 6:33 AM
61	Within reason. I am a single person living alone.	8/2/2019 4:47 AM
62	Fee must be used only for collection of solid waste.	8/2/2019 3:35 AM
63	that's it	8/1/2019 9:24 PM
64	Waste collection by a municipality is typically paid for through taxes. As I understand, tax revenues would continue to fund a portion of the cost and the city would triple the current non ad valorem fee. How can such a large, sudden jump be justified? Has the Commission been asleep? No other consumer prices are rising so fast, so the City leaders need to go back to the drawing board rather than raiding residents' wallets.	8/1/2019 7:41 PM
65	Real answer is maybe....hard to answer when it is so vague. How much and for what?	8/1/2019 4:29 PM
66	The current waste removal system in place is the principle reason why SAB is so clean. Start charging people and I guarantee you will see more roadside trash and more dumping in public containers. May have to hire more city workers to chase the unintended consequences. You can't force people to pay for trash service. As little trash as I generate weekly, I'll just dump it in a public container.	8/1/2019 3:18 PM
67	Your proposed "fee" is a tax in sheep's clothing! Call it what it is & take responsibility.	8/1/2019 2:38 PM
68	Increase the millage rate to cover it instead.	8/1/2019 11:55 AM
69	What happened to the profits from recycling?	8/1/2019 9:48 AM
70	Would our proposed costs be the $468 we pay now + the $264 fee, or just the $264 ??	8/1/2019 8:59 AM
71	But there should be a way for people generating less landfill trash to pay less. An incentive to recycle, donate and by things with less packaging.	8/1/2019 6:13 AM
72	Cut costs in the bureaucratic offices	8/1/2019 6:06 AM
73	Would love if you are charged for the amount of waste you produce.	8/1/2019 5:42 AM
74	I rent a house and would pay the fee so the landlord doesn't feel pressured to raise my rent	7/25/2019 1:22 PM
75	That should be handled by my taxes	7/25/2019 11:47 AM
76	I don't support anything which raises my cost	7/25/2019 11:10 AM
77	I feel the current fee is adequate for the one container of trash we generate per week.	7/25/2019 8:04 AM
78	None	7/22/2019 5:48 AM
79	I pay enough in my property tax to take care of waste disposal	7/21/2019 10:59 PM
80	Already taxed enough!	7/20/2019 10:34 AM
81	I spend approximately 1 month a year in a non rental unit	7/20/2019 8:24 AM

82	I own property but do not live in the city. I bring recycling and trash home when I leave the property.	7/20/2019 6:44 AM
83	none	7/19/2019 11:31 AM
84	Only here generating trash 1/2 -3/4 of year though	7/19/2019 9:17 AM
85	I own a condo unit so it seems this would be an excessive fee for this setting.	7/19/2019 7:23 AM
86	No fee trying to pay for breast cancer and no new fee please	7/19/2019 7:22 AM
87	We pay enough city tax.	7/19/2019 7:21 AM
88	This service should be covered under the broad umbrella of tax assessment. Man up and raise taxes to the point they cover essential services.	7/19/2019 7:16 AM
89	Property taxes are high enough	7/19/2019 7:02 AM
90	How will fee work	7/19/2019 6:57 AM
91	What would a mileage increase be as compared to a fee? Would vacant lots pay a fee or only residences?	7/19/2019 3:19 AM
92	Good waste service is a must.	7/18/2019 11:53 AM
93	Would like to know where the money for this is coming from now and feel it better to be a cost incurred by the hotels in the beach	7/18/2019 11:34 AM
94	Property taxes are already too high, squeezing the elderly on fixed incomes	7/18/2019 7:18 AM
95	Property taxes are already high. Are you collecting sufficient impact fees on all the new developments to offset expenses?	7/18/2019 5:54 AM
96	That is part of what property taxes are for!	7/18/2019 5:53 AM
97	A fee in a reasonable amount would be acceptable. But if the city needs income to support primary services, then revenue should come from ad valorem taxes.	7/18/2019 5:17 AM
98	isnt that what our taxes are for??	7/18/2019 4:25 AM
99	Tripling the cost is a bit ridiculous. Is it time to change companies? Have you considered changing the recycling containers to larger ones with lids in order for more recycling to take place? Most of it blows away	7/17/2019 3:53 PM
100	I might forego recycling if you are to add another charge/fee.	7/17/2019 1:02 PM
101	Fees for commercial properties like hotels, restaurants, etc., should be higher, since they have more frequent collections.	7/17/2019 11:28 AM
102	Would this be in our taxes or a monthly fee. Also, hope you improve the service or I would say not willing. I pay a hell of a lot of tax on my little 1200sqft home. Every where I have ever lived in SJC yard waste was picked up automatically. Mine sat there for 3 weeks before I decided they weren't just missing it they were passing it by. Have NEVER had to call for yard waste? ielimbs, trees etc. could not believe they would pick up neighbors and by pass mine and 3 or 4 others. I finally got to where I would call on everyone on the block.	7/17/2019 9:39 AM
103	I would like to see a large recycle can to be provided. I don't mind paying for good and consistent services. We have never been let down by our city workers.	7/17/2019 9:30 AM
104	If this plan passes would we get a tax reduction for a fee that the city no longer has to pay ??	7/17/2019 8:07 AM
105	Public works does an excellent job, we have hands down the best trash collection service in the state. I've lived in several locations in this state and country, I've never had more efficient service than I do in SAB. If there is a fee that must be assessed to continue this level of service support it.	7/17/2019 6:41 AM
106	I support a fee as long as it includes the continuation of a comprehensive recycling program	7/17/2019 6:20 AM
107	This fee will be defeating the purpose of our homestead law hurting all retirees and elderly persons	7/17/2019 4:12 AM
108	We already pay an additional fee. City taxes are higher than that of tha county itself. I have doubts whether the recyclables being collected are actually being recycled.	7/16/2019 6:39 PM

109	I'm not sure that I understand if I as the property owner would be taking over paying for the disposal of my residential waste and recycling, or if I would be paying an extra fee on top of what the city is already paying. If it's an extra fee, I'm ok with paying more, but not necessarily if it is for the exact same services. Is it a one time fee of $230? An annual fee?	7/16/2019 6:21 PM
110	rent is high enough, and it would go up to cover the cost.	7/16/2019 2:52 PM
111	I would gladly support paying a fee if we can be assured that the recycling is actually being recycled and that we be able to recycle a lot of different materials. I'd also like to see composting happen here. It's done in the Pacific Northwest and we were surprised at how little landfill waste we had at the end of a three week stay there.	7/16/2019 1:52 PM
112	Consider picking up waste and recycling on the same day if they are ultimately ending up in the same place (current data shows this happening with China refusing to buy our recycling). Provide more information on where the funds are currently coming from to pay for waste pickup that offsets the current fee imposed on residents.	7/16/2019 1:31 PM
113	I'd like to see you make the tourists in current at least a portion of this fee through additional taxes on hotels and short-term rentals.	7/16/2019 1:13 PM

Chapter 10

GARBAGE AND TRASH*

Article I. In General

Sec. 10-1. Definitions.
Sec. 10-2. Containers—Generally.
Sec. 10-3. Placement.
Sec. 10-4. Residential waste.
Sec. 10-5. Prohibited practices.
Sec. 10-6. Authority.
Sec. 10-7. Investigation—Hearings.
Sec. 10-8. Revocation of contracts.
Sec. 10-9. Appeals.
Sec. 10-10. Prohibition on garbage collection business.
Sec. 10-11. Penalty.
Sec. 10-12. Recycling coutainers and recyclable material.
Sec. 10-13. Commercial waste.
Sec. 10-14. Enforcement of payment of service charges.
Sec. 10-15. Owner to be responsible for compliance with Code.
Secs. 10-16—10-99. Reserved.

Article II. Solid Waste Non-Ad Valorem Special Assessment

Sec. 10-100. Need for special assessment.
Sec. 10-101. Properties subject to the special assessment.
Sec. 10-102. Annual certification.
Sec. 10-103. Interlocal agreement.

***Editor's note**—Ord. No. 15-09, § 1, adopted Dec. 7, 2015, repealed ch. 10, §§ 10-1—10-15, 10-100—10-104, and enacted a new ch. 10 as herein set out. Former ch. 10, pertained to similar subject matter. See the Code Comparative Table for a complete derivation.

State law reference—Municipal Home Rule Powers Act, F.S. § 166.011 et seq.

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.

Commercial trash area means any area used for accumulation of trash generated by any business, whether or not deposited in a container, which area is not enclosed within a building.

Commercial waste receptacle shall mean a receptacle larger than the standard waste receptacle, such as a waste cart, intended for use by a commercial or multifamily establishment or structure, designed to be emptied into a city-owned refuse truck using semi-automated equipment, and as approved by the public works director.

Construction debris means the debris generated by construction, remodeling, or demolition of buildings, structures and/or improvements to real property.

Contractor means any person who shall hold a franchise or contract with the city for the collection of any type of solid waste within the city.

Garbage means every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking, and dealing in or storage of meats, fish, fowl, fruits or vegetables, and any other matter of any nature whatsoever which is subject to decay and generates noxious or offensive gases or odors, or which, during or after decay, may serve as breeding or feeding material for flies or other germ-carrying insects, and any bottles, cans or other containers which, due to their ability to retain water, may serve as breeding places for mosquitoes or other water-breeding insects.

Garbage dumpster means and includes any factory-built, leakproof, steel or aluminum commercial bulk container designed or intended to be mechanically hoisted and dumped into a specially equipped truck. It shall include a roll-off container.

Garden trash means every refuse accumulation of grass or shrubbery cuttings, and other refuse attending the care of lawns, shrubbery, vines, trees and tree limbs.

Hazardous waste means that waste, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly accumulated, transported, disposed of, stored, treated, or otherwise managed. It shall also include "hazardous waste" as such term may be defined from time to time within the Florida Administrative Code in the rules pertaining to hazardous waste, or by federal law, rule or regulation. It shall also include "biohazardous waste", meaning that waste which may cause disease or reasonably may be suspected of harboring pathogenic organisms and shall include but not be limited to waste resulting from the operation of medical and veterinary offices and clinics, hospitals, and other facilities producing waste which may consist of, but are not limited to, diseased human and animal parts, contaminated bandages, pathological specimens, hypodermic needles, contaminated clothing and surgical gloves. It shall also include "biohazardous waste" as such term may be defined from time to time within the Florida Administrative Code in the rules pertaining to biohazardous waste, or by federal law, rule or regulation.

Improved real property means land within the city upon which there is a building for which a certificate of occupancy has been issued, or upon which there is a building which is or has previously been used or occupied, either for residential or commercial usage, or a combination usage, or

upon which any building is located for which application for a certificate of occupancy has been filed with the city.

Land clearing means the removal and disposition of trees, shrubs, or any other objects in order to make land suitable for another activity or improvements. Land clearing shall not mean maintenance removal of trees and shrubs from improved real property.

Owner means a person owning, occupying or leasing any premises coming under the terms of this chapter.

Recycling container means a plastic or other city approved receptacle used to separate paper, glass, plastic, cans, bottles, or other materials for the recycling system.

Recyclable material means solid waste such as paper, glass, plastic, cans, bottles, or other materials which are collected separately from other solid waste.

Recycling system means a city approved system of reusing, recovering or treating recyclable material. It shall include city or county sponsored resource recovery projects, solid waste composting projects, solid waste incinerator systems, treatment systems, and/or other such systems and projects as may exist from time to time.

Residential service premises means a service premises used as a residence or dwelling unit by one (1) or more human beings; but shall not include apartment building or complexes having more than five (5) dwelling units, condominiums having more than five (5) dwelling units, motels and hotels.

Rubbish means every accumulation of waste material of a relatively small or lightweight nature other than garbage and trash such as, but not necessarily limited to, paper, sweepings, dust, rags, bottles, cans, or other such wastes. Rubbish shall not include special waste, white goods, sludge, construction debris, hazardous waste, and debris from land clearing.

Service premises means improved real property that: (a) generates solid waste, (b) has a street address to which mail is deliverable by the United States Postal Service, and (c) is eligible to receive waste collection service by the city or its contractor according to such additional criteria, if any, as the city commission shall adopt from time to time by ordinance or resolution of the city commission. If a list of service premises is established and approved by resolution of the city commission at any time, then the city manager shall have authority to make additions or deletions to such list according to the requirements contained in chapter 10 of the city code and any resolutions of the city commission.

Sludge means any substance that contains any of the waste products or other discharges from a water treatment plant, sewage disposal system facility, septic tank, grease trap, portable toilets and related operations.

Solid waste means garbage, rubbish, sludge, special waste, trash, white goods, hazardous waste, debris from land clearing, construction debris, and other discarded or discharged solid or semisolid materials, including but not limited to any debris from any source. It shall also mean wrecked vehicles and boats, and junk of any kind resulting from domestic, residential, commercial, and governmental operations.

Special waste means that waste that requires special management, including lead-acid batteries, tires, waste oil, dead animals, and all other solid waste requiring special management, except the following: garbage, rubbish, trash, white goods, hazardous waste, sludge, debris from land clearing, construction debris, and wrecked vehicles and boats.

Trash means rugs, mattresses, furniture, small appliances, bicycles, tools, automobile parts of a commonly replaceable nature, including but not limited to, spark plugs, brake shoes, filters, hoses, belts, shock absorbers and mufflers, and comparable materials, and garden trash. Trash shall include scraps and other small amounts of building materials, including lumber and other wood products, plaster, wallboard, tile and shingles, and other similar small items wasted in the minor maintenance of the service premises. Trash does not include special waste.

Waste materials means sand, wood, stone, brick, cement, concrete, roofing and other refuse

building materials attending the construction, alteration, repair or demolition of buildings or other structures. Also, trees, tree limbs, tree trunks and tree stumps.

Waste receptacle means and includes any light gauge steel, plastic, or galvanized receptacle of a nonabsorbent material, closed at one (1) end and open at the other, furnished with a closely fitted top or lid and two (2) handles and of not more than thirty-two (32) gallons capacity. A waste receptacle may also include a heavy duty, securely tied, plastic bag, not exceeding thirty-two (32) gallons capacity, designed for use as a garbage, rubbish or trash receptacle. It shall not include a garbage dumpster.

Waste cart means a wheeled plastic container with a volume of sixty-five (65) or ninety-five (95) gallons with a hinged lid and integral metal lifting bar, designed and/or intended to be placed at the curb by the customer and capable of being manually aligned to the collection truck by the city collector and mechanically dumped using semi-automated equipment.

White goods means inoperative and discarded refrigerators, ranges, washers, water heaters, and other similar domestic and commercial appliances.

Yard; front, side and rear are defined in section 2.00.00 of appendix A to the St. Augustine Beach City Code.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-2. Containers—generally.

(a) It shall be the duty of all owners of residences, businesses, professional offices, stores, shops, restaurants, hotels, boarding houses, apartment houses or other establishments in the city, to supply each of such establishments with sufficient waste receptacles or waste carts.

(b) Waste receptacles or waste carts shall be kept in a place easily accessible to the city manager or the city's health inspector and shall be subject to inspection and approval of condition by the city manager or said inspector. The city manager or health inspector shall have the power and right to demand replacements, if, in his opinion, it be necessary in the interest of the health and safety of the people.

(c) All garbage, rubbish, and trash suitable for containerization shall be deposited in waste receptacles or waste carts marked and placed as from time to time required by the regulation of the city manager, provided that garbage and rubbish shall not be placed together with trash in the same waste receptacle or waste carts. The regulation to be adopted by the city manager will provide for the convenient identification by city garbage and trash drivers and collectors of the ownership of the receptacles or carts.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-3. Placement.

(a) No waste receptacle, waste cart, garbage dumpster, commercial trash area, or uncontainerized trash, excluding garden trash, shall be kept or maintained upon or adjacent to any public thoroughfare, public sidewalk, parkway, front yard, side yard, or in any place within the view of persons using any public thoroughfare or public sidewalk in the city, except that:

(1) Not earlier than 12:00 noon of the day preceding that upon which garbage, rubbish, and containerized trash collections are customarily made from such premises, waste receptacles or waste carts containing such garbage, rubbish or trash shall be placed within five (5) feet of the street or alley for the purpose of permitting the collection of garbage, rubbish, and trash therefrom; such waste receptacles or waste carts shall be permitted to remain in such places only for and during the period of the day upon which such collection was made.

(2) No more than twenty-four (24) hours before the day upon which uncontainerized trash collections are customarily made from such premises, trash not contained in a waste receptacle or waste cart, excluding garden trash, shall be deposited within five (5) feet of the street or alley upon the premises of the person by whom such accumulation is made, or

where such premises are located upon a used alley, at a point easily accessible to and readily noticeable from such alley for the collection of uncontainerized trash from the premises; such uncontainerized trash shall be permitted to remain in such places only for and during the period of the day upon which such collection was made.

(3) Waste receptacles or waste carts placed on commercial property solely for the convenience of customers, and not used for deposit or storage of garbage, rubbish or trash generated by the business, may be located within the view of persons using the public thoroughfares or public sidewalks.

(4) Not earlier than 12:00 noon of the day preceding that upon which white goods or special waste collections are customarily made from such premises, such white goods or special waste shall be placed within five (5) feet of the street or alley for the purpose of permitting the collection of the same; such white goods or special waste shall be permitted to remain in such place only for and during the period of the day upon which such collection was made.

(5) Any container that is allowed to remain at curbside or roadside at times other than those permitted by this section, and any container other than the assigned cart, that has become damaged or deteriorated, may be impounded by the city. The owner of any such container so impounded shall be notified immediately in writing by the city by mail to the address where picked up or by placing a notice thereof in a conspicuous place on such premises, or both. The owner may redeem such impounded containers within thirty (30) days after the same are impounded by the city by paying the charges in accordance with the schedule set out in appendix A. Any container not redeemed within the thirty-day period may be used by the city in any manner as the city may determine in furtherance of the waste control program or may be sold to the highest bidder at a noticed public sale for cash, which cash shall be deposited in the general fund of the city.

(b) A garbage dumpster or commercial trash area is permissible only if totally blocked from the view of persons using any public thoroughfare or public sidewalk by a building, landscaping or fence. Such fence shall not be less than six (6) feet or more than eight (8) feet in height, measured from ground level. The minimum setback distance for a fence shall be ten (10) feet in the front yard, five (5) feet in the side yard, and five (5) feet in the rear yard. Such fence and any gate must be so constructed as to prevent any trash or its container from being visible to persons using the public thoroughfare or public sidewalks. The maximum space allowable between slats or pickets of a wooden fence or gate is three-quarters (¾) of an inch. The fence may also be constructed of brick or masonry. All fencing shall require a building permit in accordance with the standard building code prior to construction. Other construction materials must be approved by the planning and zoning board. Landscaping must be of sufficient height, width, and density to totally block the view of the garbage dumpster or commercial trash area from the view of persons using any public thoroughfare, public sidewalk, or adjacent property and must be maintained by the owner of the property. The sufficiency of the fence or landscaping shall be determined by the city building official. The minimum distance from any garbage dumpster or commercial trash area shall be fifteen (15) feet from the boundary of any adjacent residential or multi-family zoned property.

(c) A fence constructed to enclose a garbage dumpster or commercial trash area, with such fence being no greater in circumference than the minimum size necessary to enclose the garbage dumpster or commercial trash area, shall not be subject to the height requirements of section 7.01.03C. of appendix A to the St. Augustine Beach Code.

(d) Garbage dumpsters or other trash containers located on property owned by the city or St. Johns County and placed thereon with consent of the city or St. Johns County, shall be exempt from the requirements of this section.

(e) The owner of the premises upon which, or adjacent to which, a violation of this section occurs shall be responsible for such violation. In the event of a violation of this section, for the first violation in a calendar year the property owner shall receive a written warning, as well as a copy of this ordinance [Ord. No. 01-03]. Subsequent violations shall result in a fifty-dollar ($50.00) charge for continued trash and garbage service. In all cases, there shall be an additional late charge if the fee is not paid within thirty (30) days of the notice date, or in the event an appeal is filed and denied, within thirty (30) days of the mailing of the denial notice. The late charge shall be ten (10) percent of the amount due. These fees and charges shall constitute a lien on the property. The official records of the city manager shall constitute notice of the pendency of such lien. Notice of the existence of and reason for such a lien shall be mailed to the property owner's last known address and the city manager shall be authorized to record a copy thereof with the clerk of the circuit court of St. Johns County, Florida, in the event that notice of protest shall not be received within thirty (30) days from the date of mailing. In the event of notice of protest is received within such thirty (30) days the city manager shall schedule the protest for hearing before the city commission for determination of the validity of such lien and furnish the owner with notice of the time and place of hearing. In addition to the fine provided in this section, the general penalty and additional remedies prescribed in section 1-9 of the St. Augustine Beach Code shall apply to any violation of this section.

(f) This section shall take effect upon its passage. Any garbage dumpster or commercial trash area which is not presently blocked from view in accordance with the requirements of this section shall be brought into compliance within ninety (90) days from passage of this section. (Ord. No. 15-09, § I, 12-7-15)

Sec. 10-4. Residential waste.

(a) The quantities of garbage, rubbish, trash, white goods, and recyclable material which a service premises consisting of a single family residence may place for collection by the city shall be subject to the following maximum limits:

(1) Five (5) thirty-two-gallon waste receptacles of garbage and rubbish with a maximum weight limit of forty (40) pounds for once a week pickup;

(2) Two (2) sixty-five-gallon or ninety-five-gallon waste carts of garbage and rubbish for once a week pickup.

(3) Two (2) cubic yards of uncontainerized garden trash with no item over forty (40) pounds or a length greater than four (4) feet, for each once a week pickup. Such waste shall be neatly stacked in an area accessible for collection with no overhead obstructions, not placed on top of storm drains, and/or adjacent to or on top of fire hydrants, mail boxes, electrical transformers or communication risers (pedestals);

(4) Any quantity of garden trash capable of being placed into a container shall be placed in containers with substantial strength enough to support and hold the weight of the waste, whether by use of cardboard boxes, plastic bags or thirty-two-gallon trash cans, with a maximum weight limit of forty (40) pounds;

(5) Privately employed tree trimmers, tree surgeons, landscape contractors, lawn maintenance service providers and operators of tree and shrubbery maintenance services and other like services who receive a fee shall remove all trash and debris from the premises on which they are working, including but not limited to, limbs, tree trunks, roots, shrubbery, grass clippings, bulky yard and vegetative wastes and other debris resulting from their work and dispose of it in the proper manner. No lawn trash or grass clippings shall be left on the paved street abutting the property or on adjacent property. Bulky yard or vegetative waste shall not be placed in carts or bulk refuse containers.

(6) Two (2) items of white goods for each once a week pickup, provided that no more than ten (10) such items shall be collected in a calendar year; and

(7) Two (2) recycling containers holding recyclable material for each once a week pickup.

(8) Two (2) cubic yards of residential construction debris, if generated by the home occupant with a valid building permit if such a permit is required, is to be collected from each residential unit once per week. (Construction debris generated by a contractor shall not be collected by the city and the contractor shall be responsible for disposal regardless of whether the waste is residential or commercial.)

(b) The owner or owners of a residential service premises consisting of two (2) to five (5) dwelling units shall be allowed to place for collection the maximum quantities provided in subsection (a) for each dwelling unit.

(c) The owner or owners of a service premises consisting of a condominium having six (6) or more dwelling units, or of an apartment building having six (6) or more dwelling units, shall be allowed to place for collection the maximum quantities provided in subsection (a) for each dwelling unit provided such condominium or apartment building is eligible to receive service under subsection (d). It shall be the responsibility of the owner or unit owners association of every such condominium or apartment building to give written notice to the city by June 1 of each year whether it does or does not desire the city to furnish waste collection and disposal service from October 1 to September 30 of the following year.

(d) A condominium having six (6) or more dwelling units, or an apartment building having six (6) or more dwelling units, shall be eligible to receive solid waste collection and disposal service by the city provided that:

(1) Such condominium or apartment building is assessed the annual special assessment imposed by the City of St. Augustine Beach in accordance with article II of this chapter and applicable city ordinances in respect to the time period service is to be provided by the city; or

(2) The owner or unit owners association of such condominium or apartment building pays quarterly in advance of collection to the city the waste disposal service charge as determined by the city manager based on the then current special assessment levied by the City of St. Augustine Beach on a dwelling unit multiplied by the number of dwelling units in such condominium or apartment building. The charge shall be prorated for the time from commencement of service until the disposal cost is paid by the special assessment; or

(3) The owner or unit owners association of such condominium or apartment building pays quarterly in advance of collection to the city and the waste disposal service charge as determined by the city manager based on treating such condominium or apartment building as a commercial service premises and paying a service charge in accordance with section 10-13.

(4) The options provided in paragraphs (2) and (3) of this subsection (d) shall terminate when disposal costs can be paid by the annual special assessment imposed by the City of St. Augustine Beach in accordance with article II of this chapter and applicable city ordinances.

(e) This section does not prohibit an owner from placing for collection garbage, rubbish, trash, white goods, and recyclable material in excess of the maximum quantities provided under subsection (a) when the city has previously agreed with the owner to collect such excess quantities.

(f) The city will not collect residential waste contained in a garbage dumpster from any service premises.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-5. Prohibited practices.

(a) It is unlawful for any person:

(1) To deposit on or bury in, or cause to be deposited on or buried in, any land, public square, street, alley, vacant lot or unoccupied lot, any lake, creek, watercourse, or ditch, within the city, any solid waste or noxious, malodorous, or offensive matter.

(2) To deposit or place in, or cause to be deposited or placed in, a waste receptacle or waste cart containing garbage or rubbish, any materials other than garbage and rubbish;

(3) To deposit or place in, or cause to be deposited or placed in, a waste receptacle or waste cart containing trash, any materials other than trash;

(4) To fail or neglect to keep, or cause to be kept, clean, sanitary, tightly covered, free from vile and noxious odors, and in good state of repair, all waste receptacles and waste carts;

(5) To use or supply waste receptacles or waste carts other than those defined and provided for in this chapter;

(6) To deposit any garden trash upon any adjoining lot or premises, whether vacant or improved, occupied or unoccupied, or upon any other lot or premises, storm drain or street, alley or park, or in any canal or waterway, lake or pool.

(7) To burn any solid waste within the city limits without first obtaining a permit to do so from the city manager.

(8) To deposit any hazardous waste as defined by this chapter and/or the Florida Statutes, or special wastes such as tires, lead-acid batteries, waste oil, paint, etc. in any waste receptacle, waste cart or bulk refuse container.

(9) To dispose of any solid waste not generated within the city limits.

(b) It is unlawful for any person to permit a violation of subsection (a) to be done.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-6. Authority.

The city commission shall have authority to enter into one (1) or more franchises or contracts with any person or persons for the exclusive or nonexclusive collection, transportation, and disposal of solid waste generated by any premises within the city, and upon such terms and conditions as the city commission may determine to be in the public interest.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-7. Investigation—Hearings.

The city commission shall have the power to investigate the quality of service of contractors, and their compliance with any franchise or contract, or with city, county, state and federal laws, rules, regulations and ordinances, and may hold hearings, and enter such orders pertaining to same as shall be in the public interest.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-8. Revocation of contracts.

(a) Any franchise or contract issued under this chapter may be revoked by the city commission if the contractor:

(1) Refuses to comply with any lawful order of the city commission entered after a public hearing that pertains to the franchise or contract, or this chapter or any resolution of the city commission passed pursuant thereto.

(2) Charges or collects any rate, fee or charge not provided for in the franchise or contract or in excess of an amount authorized by the city commission.

(3) Violates or fails to comply with any provision of the city code or any resolutions passed pursuant thereto, relating to the collection, transportation, or disposal of solid waste, or violates the provisions of the franchise or contract, or

any county, state, or federal law, rule, regulation or ordinance relating to the collection and disposal of solid waste.

(4) Fails to submit any report or information required under the franchise or contract.

(5) Abandons, fails or refuses to perform the services required under the franchise or contract.

(b) If the city commission or city manager deems a contractor to be in violation of its franchise or contract, or in violation of this chapter 10 or a resolution passed thereunder, the city manager shall notify the contractor by certified mail of the reasons why the contractor is considered to be in violation and shall provide ten (10) days or such other reasonable time for the contractor to comply with the terms of the franchise or contract. Failure by the contractor to comply in the specified time will result in a hearing before the city commission. The contractor shall be given at least ten (10) days' prior notice of the hearing. The city commission, at or subsequent to said hearing, may, at its option and for good cause, adopt a resolution terminating the franchise or contract or requiring the contractor within a time certain to perform the tasks necessary to comply with the terms of the franchise or contract. The city commission shall specify the grounds considered by the city commission for its action.

(c) Notwithstanding the above, if by reason of force majeure, acts of God, or other such catastrophic unavoidable circumstance, a contractor is unable to comply with its obligations under its franchise or contract, such failure shall not be grounds for revocation of the franchise or contract provided that the cause for such noncompliance is capable of being fixed, remedied and corrected within a reasonable time and provided further that the contractor timely commences and proceeds with all actions reasonably necessary to comply with its obligations.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-9. Appeals.

Appeals from final orders and decisions rendered by the city commission after hearings as provided in or pursuant to this chapter, shall be by timely certiorari to the circuit court in accordance with applicable Florida Rules of Appellate Procedure.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-10. Prohibition on garbage collection business.

It shall be unlawful for any person, not holding a valid franchise, contract, or other authority issued by the city commission, to engage in the business of, or to receive pay or consideration for, the collection of garbage and rubbish generated by residential or commercial service premises within the city.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-11. Penalty.

Any person violating any of the provisions of this Chapter 10 shall be subject to the general penalty provided under section 1-9 of the St. Augustine Beach City Code, in addition to being subject to any penalties provided for under the terms of this chapter 10. Additionally, and not in lieu of the general penalty, the provisions of sections 10-3, 10-5, and 10-14 of this chapter may be enforced by the building and zoning department before the municipal code enforcement board which is specifically authorized to hear violations of such sections.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-12. Recycling containers and recyclable material.

(a) Upon the placement of a recycling container holding recyclable material upon the city right-of-way, or at any other location from which collection is customarily made by the city, the recyclable material shall become the property of the city.

(b) The assignment of a recycling container to a person shall permit such person to use the recycling container only for the holding of recyclable material, and for no other purpose. Upon such assignment, the city shall remain the owner of the recycling container, and the person receiving the recycling container shall be responsible to use the same only in the recycling program, and to return the recycling container to

the city upon request. A recycling container shall not be removed by a person from the property to which it has been assigned.

(c) It is unlawful for any person:

(1) To remove material of any kind from any recycling container which is placed upon the city's right-of-way, or at any other location from which the city customarily collects recyclable material, unless such person is an authorized employee or agent of the city doing so as part of the recycling program; or

(2) To intentionally misuse, damage, or destroy a recycling container; or

(3) To obtain or use, or endeavor to obtain or to use, a recycling container with intent to, either temporarily or permanently:

a. Deprive the city thereof; or

b. Appropriate a recycling container to his own use or to the use of any person not entitled thereto.

(d) Nothing in this section shall limit the right of any person to donate, sell, or otherwise dispose of the recyclable material generated by such person.

(e) The city's police department shall have the authority to enforce the provisions of this section. This authority shall be in addition to the authority granted to police officers pursuant to the city charter and ordinances.

(f) Any person who violates any of the provisions of this section 10-12 shall be subject to the penalty provided under section 10-11 of the St. Augustine Beach City Code.

(g) Each commercial service premises shall be entitled to a single eighteen-gallon container collected once per week. Commercial service premises desiring to recycle beyond the base amount shall be charged the actual costs, including administrative costs, incurred by the city. The number and size of recycling containers in excess of the single eighteen-gallon container base shall be established by the commercial service premises prior to October 1 of each year and shall not be altered, except to permanently stop recycling, for the ensuring fiscal year. (Ord. No. 15-09, § I, 12-7-15)

Sec. 10-13. Commercial waste.

(a) Every commercial service premises, including but not limited to hotels and motels, shall pay to the city for the disposal of waste collected by the city, or the availability of such service, the service charges provided in this section. However, this section shall apply to condominiums and apartment buildings only if payment of the waste disposal service charge is made under subsection (d)(3) of section 10-4. In the instance of commercial service premises not utilizing a commercial garbage dumpster, which do not actually utilize city waste collection services in any month, the charge for the availability of such service shall be equal to the amount charged by the city for four (4) "equivalent containers" during such month.

(b) Equivalent containers; collection.

(1) For the disposal of garbage, rubbish, and trash contained in thirty-two-gallon waste receptacles holding no more than forty (40) pounds of waste ("equivalent containers") as designated pursuant to subsection (2) hereof, excluding garden trash, each commercial service premises shall pay a monthly charge for each equivalent container collected in the preceding month as determined pursuant to subsection (h) hereof.

(2) The owner of a commercial service premises may elect, as provided in subsection (g) hereof, on a form designated by the city manager to exempt the commercial service establishment from collection by the city provided that a commercial garbage dumpster is used. Should a commercial service premises regularly exceed six (6) equivalent containers on the city's regular collection schedule, the city manager may require the owner of such commercial service premises to provide for contracted dumpster service.

(c) The quantity of garbage, rubbish, trash, white goods and recyclable material which a commercial service premises may place for collection by the city is subject to the same maximum limits provided for a single-family residence under subsection 10-4(a). However, the only type of uncontainerized trash which will be collected from a commercial service premises is garden trash.

(d) This section does not prohibit an owner from placing for collection garbage, rubbish, trash, white goods, and recyclable material in excess of the maximum quantities provided under subsection (c) when the city has previously agreed with the owner to collect such excess quantities.

(e) The city will not collect commercial waste contained in a garbage dumpster from any service premises.

(f) The service charges provided in subsection (b) shall be due and by the end of the calendar month in which the invoice for such services is rendered and shall be regarded as delinquent thereafter.

(g) A commercial service premises may be exempted from payment of the service charges upon written notice delivered to the office of the city manager, stating that the owner elects not to receive any waste collection and disposal service from the city, provided the owner furnishes evidence of a contract for dumpster service. It shall be a violation of this Code punishable as provided in section 10-11 hereof to collect dumpster garbage and trash between the hours of 7:00 p.m. of any day and 7:00 a.m. of the ensuing day.

(h) The city manager is hereby authorized, from time to time, to determine the cost to the city for the utilization of landfills owned by St. Johns County and to promulgate waste disposal service charges for each equivalent container to be charged pursuant to subsection (b) hereof in accordance with such costs. Such charges shall become effective as of the beginning of the next ensuing fiscal quarter after a copy thereof has been furnished to the city commission, unless the city commission shall, by ordinance, provide some other fee or charge or direct that no charge be made.

(i) Commercial garden trash collection shall be provided to each commercial service premises once per week and be subject to the same rules governing the collection of uncontainerized and containerized residential garden trash waste. The amount charged by the city for such collection shall be set by resolution.

(j) Two (2) cubic yards of commercial construction debris, if generated by the business occupant with a valid building permit if such a permit is required, is to be collected from each commercial service premises once per week. (Construction debris generated by a contractor shall not be collected by the city and the contractor shall be responsible for disposal regardless of whether the waste is residential or commercial.)

(k) Collection of garbage and refuse for commercial service premises may be permitted in excess of one (1) day per week on a subscription basis. Commercial service premises shall pay an additional fee for each additional collection day plus the standard disposal costs as required with basic collection services. Commercial service premises may have up to three (3) additional collection days per week, provided an application for such service is made to the city and the city manager or his designee determines the public works department has capacity to provide the additional service. No garbage or refuse will be collected on Wednesdays or weekends. Fees for the additional collection services shall be set from time to time by resolution of the city commission. Fees for disposal of the additional collection services shall be as set by agreement between the city and the county.

(l) In lieu of receiving garbage collection service from the city, commercial service businesses may contract with a private hauler for garbage and refuse collection services provided the hauler is duly franchised and authorized to collect garbage within the city
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-14. Enforcement of payment of service charges.

(a) The owner of each service premises shall be liable to the city for the amount of service charges provided by sections 10-4 and 10-13. The city shall bill the owner of the service premises, unless the service premises is leased and the owner guarantees in writing payment of the service charges by the tenant. If the tenant shall fail to pay any service charges billed to him, the tenant and the owner shall be jointly and severally liable to the city for payment of the service charges.

(b) In the event an owner or tenant of any service premises fails to pay the amount due the city under section 10-4 or 10-13, by the end of the month in which the invoice for commercial waste service is rendered, there shall be added thereto a late charge of the greater of ten (10) percent of such invoice or five dollars ($5.00). If such invoice, shall not be paid within thirty (30) days thereafter the amount of such service charges including late fees shall double and if not paid within sixty (60) days the city may enforce the collection of the service charge by imposing a lien on the real property involved by filing a civil action against the owner and/or the tenant for the amount due the city, including the city's attorney's fees in bringing the action, or by ceasing further waste collection service, or by all of said remedies, including enforcement before the local code enforcement board with each day of non-payment constituting a separate violation.

(c) If the service charge for a service premises is not paid within ninety (90) days after the due date, the city may forthwith impose a lien upon the service premises. The city manager is authorized to file a notice of lien in the official records maintained by the Office of the Clerk of the Court of St. Johns County, Florida. Said notice shall identify the owner of the service premises, describe the property upon which the lien is claimed, and the amount of the lien. The amount of the lien shall be equal to the sum of the service charges past due, costs incident to recording the lien, and the city's attorney fees.

(d) Any lien described in this section may be enforced and collected as provided by the laws of Florida, or may be enforced in equity in the manner provided by the laws of Florida for the enforcement of mortgage liens. The owner shall be responsible for all attorney's fees and costs incurred by the city in any action to enforce the lien. Such attorney fees and costs shall be added to the amount of the lien.

(e) If any person pays the service charges after the filing of a notice of lien in the official records, the person shall also pay to the city the fees charged by the office of the clerk of the court for recording the notice of lien and a satisfaction of the lien.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-15. Owner to be responsible for compliance with Code.

Every owner remains liable for violations of responsibilities imposed upon an owner by this article even though an obligation is also imposed on the occupant of the premises and even though the owner has by agreement imposed on the occupant the duty of maintaining the premises or furnishing required refuse containers and collection.
(Ord. No. 15-09, § I, 12-7-15)

Secs. 10-16—10-99. Reserved.

ARTICLE II. SOLID WASTE NON-AD VALOREM SPECIAL ASSESSMENT

Sec. 10-100. Need for special assessment.

The special assessment shall provide for the disposal of solid waste and is necessary in order to fund a comprehensive, coordinated, economical and efficient program for the disposal of solid waste within the corporate limits of the City of St. Augustine Beach. In the event it may be deemed necessary due to changes in the interlocal agreement between St. Johns County and the City of St. Augustine Beach for solid waste disposal services, or other costs pertaining to city's solid waste operations including collection and recycling, are found to exceed the revenues

generated by the special assessment, the city may expand the assessment and the application of the revenues for such purpose.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-101. Properties subject to the special assessment.

Within the City of St. Augustine Beach, the levy and collection of the annual special assessment shall apply to all properties within the incorporated area of the City of St. Augustine Beach as legally described in section 1-2 of article I of the Charter of the City of St. Augustine Beach and in official documents in the possession of the city clerk as amended from time to time.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-102. Annual certification.

(a) By June 1, 1992, the office of the city manager shall certify to the county property appraiser and county administrator a list of all properties within the city subject to the special assessment at any time after the adoption of this section and prior to the date of certification.

(b) Annually by June 1 of each year thereafter, the office of the city manager shall certify to the county property appraiser and county administrator a list of all properties within the city subject to the special assessment at any time subsequent to the last annual certification and prior to the date of the then current certification.

(c) The office of the city manager shall not include in the list under subsections (a) or (b) above any properties subject to the special assessment based on any list prepared by the county property appraiser or the county in accordance with applicable county ordinances or state law.
(Ord. No. 15-09, § I, 12-7-15)

Sec. 10-103. Interlocal agreement.

The city commission is authorized to enter into an interlocal agreement with St. Johns County in connection herewith.
(Ord. No. 15-09, § I, 12-7-15)

[The next page is 567]

SOLID WASTE DISCLOSURE CALCULATION

FY18

Form 1

Personnel Services*		**75.00%**	**25.00%**
		Collection	Disposal
Wages	226,940.99	170,205.74	56,735.25
Overtime	7,470.59	5,602.94	1,867.65
Sick Pay Incentive	846.73	635.05	211.68
FICA	16,251.25	12,188.44	4,062.81
FRS	23,042.87	17,282.15	5,760.72
Life/Health Insurance	73,526.72	55,145.04	18,381.68
Workers Comp	26,960.19	20,220.14	6,740.05
	375,039.34	281,279.51	93,759.84

Form 2

			75% Collection	25% Disposal	
001-3400-534-3400	Garbage-Other Contractual Services	114,516.16	16,492.88	8,880.78	(Less costs of Advanced Disposal Recycling 89,142.50)
001-3400-534-4100	Garbage-Telephone	4,312.21	3,234.16	1,078.05	
001-3400-534-4310	Garbage-Electricity	1,282.06	961.55	320.52	
001-3400-534-4320	Garbage-Water	716.80	537.60	179.20	
001-3400-534-4430	Garbage-Equipment Leases	441.82	331.37	110.46	
001-3400-534-4510	Garbage-Liability Insurance	1,179.34	884.51	294.84	
001-3400-534-4520	Garbage-Building/Property Insurance	3,887.91	2,915.93	971.98	
001-3400-534-4620	Garbage-Equipment Maintenance & Repair	568.21	426.16	142.05	
001-3400-534-4630	Garbage-Vehicle Repair & Maintenance	46,983.66	35,237.75	11,745.92	
001-3400-534-4890	Garbage-Advertising	289.71	217.28	72.43	
001-3400-534-4940	Garbage-Solid Waste Disposal	192,696.28	-	192,696.28	
001-3400-534-5100	Garbage-Office Supplies	113.38	85.04	28.35	
001-3400-534-5210	Garbage-Uniforms	708.61	531.46	177.15	
001-3400-534-5220	Garbage-Fuel, Oil & Lubes	27,406.54	20,554.91	6,851.64	
001-3400-534-5230	Garbage-Small Tools & Equipment	1,628.94	1,221.71	407.24	
001-3400-534-5290	Garbage-Other Operating Supplies	6,065.24	4,548.93	1,516.31	
001-3400-534-5410	Garbage-Publications & Subscriptions	18.18	13.64	4.55	
001-3400-534-5430	Garbage-Training & Education	-	-	-	
		402,815.05	88,194.84	225,477.71	

Form 3 **Decpreciation**

			Collection	Disposal
		0.29	**0.75**	**0.25**
General Government		0.00	-	-
Public Safety		0.00	-	-
Physical Environment	420,354.00	121,902.66	91,427.00	30,475.67
Transportation		0.00	-	-
Culture & Recreation		0.00	-	-
	420,354.00	121,902.66	91,427.00	30,475.67

Form 4

Amorization of Future Outlays				Collection	Disposal
		Year Needed		75%	25%
Garbage Truck	250,000.00	1.00	250,000.00	187,500.00	62,500.00
Garbage Truck	300,000.00	5.00	60,000.00	45,000.00	15,000.00
Pickup Truck	40,000.00	4	10,000.00	7,500.00	2,500.00
			320,000.00	240,000.00	80,000.00

Form 5

Ratio of MSW Employees to Total Local Government Employees

Employees charged to Solid waste	5.51
Total Number of Employees	58
Ratio	0.095

				Collection	Disposal	Recycling
Legislative	87,666.69	0.095	8,328.34	4,580.58	2,748.35	999.40
Executive	168,558.98	0.095	16,013.10	8,807.21	5,284.32	1,921.57
Finance/Administration*	686,249.38	0.095	65,193.69	35,856.53	21,513.92	7,823.24
			89,535.13	49,244.32	29,546.59	10,744.22

Collection Employees	4.13
Disposal Employees	1.38

Summary Form A

		Collection	Disposal	Recycling	
Wages and Benefits	375,039.34	281,279.51	93,759.84	-	
General O & M	402,815.05	88,194.84	225,477.71	145,373.66	
Depreciation	121,902.66	91,427.00	30,475.67	-	
Amortization	320,000.00	240,000.00	80,000.00	-	
Indirect Costs	89,535.13	49,244.32	29,546.59	10,744.22	
		750,145.66	459,259.81	156,117.88	1,365,523.34

	Solid Waste FY 18 Full Cost Acctg
FY18 Total	$ 777,854.39
Less: Capital	0.00
Collection, Recycle, Disp Direct	777,854.39
Collection	
Solid Waste Collection Wages & Benefits	281,279.51
Solid Waste Collection General Operating	88,194.84
Solid Waste Depreciation	91,427.00
Future Outlays Amorization	240,000.00
Indirect Costs	49,244.32
	750,145.66
Recycling	
Solid Waste Recycling Direct	145,373.66
Admin chrgs Indirect	10,744.22
	156,117.88
Disposal	
Solid Waste Disposal Wages & Benefits	93,759.84
Solid Waste Disposal General Operating	225,477.71
Depreciation	30,475.67
Future Outlays Amortization	80,000.00
Indirect Costs	29,546.59
	459,259.81
Grand Total	$ 1,365,523.34

Schedule 1 **Solid Waste Disposal**

Month	Indianhead Biomass	St Johns County	Hicks	Total
October	1,188.46	12,444.61	-	13,633.07
November	2,120.26	11,485.05	-	13,605.31
December		10,889.50	390.00	11,279.50
January	378.28	13,406.47	660.00	14,444.75
February	377.12	11,743.42	1,950.00	14,070.54
March	271.72	12,188.65	1,110.00	13,570.37
April	320.40	12,495.03	2,010.00	14,825.43
May	123.36	13,280.65	930.00	14,334.01
June	601.29	12,173.53	870.00	13,644.82
July		13,316.70	900.00	14,216.70
August	341.89	11,949.46	1,530.00	13,821.35
September	127.85	10,442.69	990.00	11,560.54
				-
	5,850.63	145,815.76	11,340.00	163,006.39

Schedule 2 **Recycling**

Date	Residential	Commercial	Total
31-Oct	9,376.60	2,625.14	12,001.74
30-Nov	9,383.52	2,651.18	12,034.70
31-Dec	9,404.28	2,647.72	12,052.00
31-Jan	9,421.58	3,385.22	12,806.80
28-Feb	9,425.04	3,197.84	12,622.88
31-Mar	9,456.18	3,197.84	12,654.02
30-Apr	9,480.40	3,227.34	12,707.74
31-May	9,504.62	2,526.26	12,030.88
30-Jun	9,532.30	2,529.72	12,062.02
31-Jul	8,909.50	2,526.26	11,435.76
31-Aug	8,926.80	2,552.30	11,479.10
30-Sep	8,933.72	2,552.30	11,486.02
	111,754.54	33,619.12	145,373.66

Customers		
Oct	2710	44
Nov	2712	44
Dec	2718	44
Jan	2723	44
Feb	2724	38
Mar	2723	44
Apr	2733	38
May	2740	38
Jun	2747	39
Jul	2575	38
Aug	2580	38
Sep	2582	37
	2,688.92	40.50

Schedule 3	Customers
Residential units	2796
Commercial Customers	184
	2980
Residential	0.9383
Commercial	0.0617

Schedule 7 **Residential Vs Commercial**

		0.9383
Residential Solid Waste Collection	750,145.66	703,861.67
Residential Solid Waste Disposal	459,259.81	430,923.48
Residential Solid Waste Recycling	156,117.88	146,485.40
		1,281,270.55

		0.0617
Commercial Solid Waste Collection	750,145.66	46,283.99
Commercial Solid Waste Disposal	459,259.81	28,336.33
Commercial Solid Waste Recycling	34,110.13	2,104.60
		76,724.91

Current Solid Waste Charges

Residential Non-Ad Valorem Assessment-Disposal (Services provided are Trash, Yard Waste, Recycle, Bulk items)	$74.00/Year	$6.17/Month
Commercial SW Minimum Service (4 Container Equivalents per month)	$84.48/Year	$7.04/Month
Commercial Hand Pickup-Outside Vendor	$480.00/Year	$40.00/Month Est.
2 yd Commercial Dumpster Service 1xw (Container will hold approx. 12-32 gal bags)	$1,140.00/Year	$95.00/Month Est.

Monthly Per Unit/Commercial User

RESIDENTIAL UNITS:	**Monthly**	**Annually**
MONTHLY COST OF SOLID WASTE COLLECTION	**$20.98**	**$251.74**
MONTHLY COST OF SOLID WASTE DISPOSAL	**$12.84**	**$154.12**
MONTHLY COST OF SOLID WASTE RECYCLING	**$4.54**	**$54.48**
TOTAL	**$38.36**	**$460.34**

COMMERCIAL USERS:		
MONTHLY COST OF SOLID WASTE COLLECTION	**$20.96**	**$251.54**
MONTHLY COST OF SOLID WASTE DISPOSAL	**$12.83**	**$154.00**
MONTHLY COST OF SOLID WASTE RECYCLING	**$4.33**	**$51.97**
TOTAL	**$38.13**	**$457.51**

SOLID WASTE DISCLOSURE CALCULATION

WITH NO LEGISLATIVE, EXECUTIVE, FINANCE/ADMIN ALLOCATION

FY18

Form 1

Personnel Services*		**75.00%**	**25.00%**
		Collection	Disposal
Wages	226,940.99	170,205.74	56,735.25
Overtime	7,470.59	5,602.94	1,867.65
Sick Pay Incentive	846.73	635.05	211.68
FICA	16,251.25	12,188.44	4,062.81
FRS	23,042.87	17,282.15	5,760.72
Life/Health Insurance	73,526.72	55,145.04	18,381.68
Workers Comp	26,960.19	20,220.14	6,740.05
	375,039.34	281,279.51	93,759.84

Form 2

			75% Collection	25% Disposal	
001-3400-534-3400	Garbage-Other Contractual Services	114,516.16	16,492.88	8,880.78	(Less costs of Advanced Disposal Recycling 89,142.50)
001-3400-534-4100	Garbage-Telephone	4,312.21	3,234.16	1,078.05	
001-3400-534-4310	Garbage-Electricity	1,282.06	961.55	320.52	
001-3400-534-4320	Garbage-Water	716.80	537.60	179.20	
001-3400-534-4430	Garbage-Equipment Leases	441.82	331.37	110.46	
001-3400-534-4510	Garbage-Liability Insurance	1,179.34	884.51	294.84	
001-3400-534-4520	Garbage-Building/Property Insurance	3,887.91	2,915.93	971.98	
001-3400-534-4620	Garbage-Equipment Maintenance & Repair	568.21	426.16	142.05	
001-3400-534-4630	Garbage-Vehicle Repair & Maintenance	46,983.66	35,237.75	11,745.92	
001-3400-534-4890	Garbage-Advertising	289.71	217.28	72.43	
001-3400-534-4940	Garbage-Solid Waste Disposal	192,696.28	-	192,696.28	
001-3400-534-5100	Garbage-Office Supplies	113.38	85.04	28.35	
001-3400-534-5210	Garbage-Uniforms	708.61	531.46	177.15	
001-3400-534-5220	Garbage-Fuel, Oil & Lubes	27,406.54	20,554.91	6,851.64	
001-3400-534-5230	Garbage-Small Tools & Equipment	1,628.94	1,221.71	407.24	
001-3400-534-5290	Garbage-Other Operating Supplies	6,065.24	4,548.93	1,516.31	
001-3400-534-5410	Garbage-Publications & Subscriptions	18.18	13.64	4.55	
001-3400-534-5430	Garbage-Training & Education	-	-	-	
		402,815.05	88,194.84	225,477.71	

Form 3 **Decpreciation**

			Collection	Disposal
		0.29	**0.75**	**0.25**
General Government		0.00	-	-
Public Safety		0.00	-	-
Physical Environment	420,354.00	121,902.66	91,427.00	30,475.67
Transportation		0.00	-	-
Culture & Recreation		0.00	-	-
	420,354.00	121,902.66	91,427.00	30,475.67

Form 4

Amorization of Future Outlays				Collection	Disposal
		Year Needed		75%	25%
Garbage Truck	250,000.00	1.00	250,000.00	187,500.00	62,500.00
Garbage Truck	300,000.00	5.00	60,000.00	45,000.00	15,000.00
Pickup Truck	40,000.00	4	10,000.00	7,500.00	2,500.00
			320,000.00	240,000.00	80,000.00

Form 5

Ratio of MSW Employees to Total Local Government Employees

Employees charged to Solid waste	5.51
Total Number of Employees	58
Ratio	0.095

				Collection	Disposal	Recycling
Legislative	87,666.69	0	-	-	-	-
Executive	168,558.98	0	-	-	-	-
Finance/Administration*	686,249.38	0	-	-	-	-
			-	-	-	-

Collection Employees	4.13
Disposal Employees	1.38

Summary Form A

		Collection	Disposal	Recycling	
Wages and Benefits	375,039.34	281,279.51	93,759.84	-	
General O & M	402,815.05	88,194.84	225,477.71	145,373.66	
Depreciation	121,902.66	91,427.00	30,475.67	-	
Amortization	320,000.00	240,000.00	80,000.00	-	
Indirect Costs	-	-	-	-	
		700,901.34	429,713.21	145,373.66	1,275,988.21

	Solid Waste FY 18 Full Cost Acctg
FY18 Total	$ 777,854.39
Less: Capital	0.00
Collection, Recycle, Disp Direct	777,854.39
Collection	
Solid Waste Collection Wages & Benefits	281,279.51
Solid Waste Collection General Operating	88,194.84
Solid Waste Depreciation	91,427.00
Future Outlays Amorization	240,000.00
Indirect Costs	0.00
	700,901.34
Recycling	
Solid Waste Recycling Direct	145,373.66
Admin chrgs Indirect	0.00
	145,373.66
Disposal	
Solid Waste Disposal Wages & Benefits	93,759.84
Solid Waste Disposal General Operating	225,477.71
Depreciation	30,475.67
Future Outlays Amortization	80,000.00
Indirect Costs	0.00
	429,713.21
Grand Total	$ 1,275,988.21

Schedule 1 **Solid Waste Disposal**

Month	Indianhead Biomass	St Johns County	Hicks	Total
October	1,188.46	12,444.61	-	13,633.07
November	2,120.26	11,485.05	-	13,605.31
December		10,889.50	390.00	11,279.50
January	378.28	13,406.47	660.00	14,444.75
February	377.12	11,743.42	1,950.00	14,070.54
March	271.72	12,188.65	1,110.00	13,570.37
April	320.40	12,495.03	2,010.00	14,825.43
May	123.36	13,280.65	930.00	14,334.01
June	601.29	12,173.53	870.00	13,644.82
July		13,316.70	900.00	14,216.70
August	341.89	11,949.46	1,530.00	13,821.35
September	127.85	10,442.69	990.00	11,560.54
				-
	5,850.63	145,815.76	11,340.00	163,006.39

Schedule 2 **Recycling**

Date	Residential	Commercial	Total
31-Oct	9,376.60	2,625.14	12,001.74
30-Nov	9,383.52	2,651.18	12,034.70
31-Dec	9,404.28	2,647.72	12,052.00
31-Jan	9,421.58	3,385.22	12,806.80
28-Feb	9,425.04	3,197.84	12,622.88
31-Mar	9,456.18	3,197.84	12,654.02
30-Apr	9,480.40	3,227.34	12,707.74
31-May	9,504.62	2,526.26	12,030.88
30-Jun	9,532.30	2,529.72	12,062.02
31-Jul	8,909.50	2,526.26	11,435.76
31-Aug	8,926.80	2,552.30	11,479.10
30-Sep	8,933.72	2,552.30	11,486.02
	111,754.54	33,619.12	145,373.66

Customers		
Oct	2710	44
Nov	2712	44
Dec	2718	44
Jan	2723	44
Feb	2724	38
Mar	2723	44
Apr	2733	38
May	2740	38
Jun	2747	39
Jul	2575	38
Aug	2580	38
Sep	2582	37
	2,688.92	40.50

Schedule 3	**Customers**
Residential units	2796
Commercial Customers	184
	2980
Residential	0.9383
Commercial	0.0617

Schedule 7 **Residential Vs Commercial**

		0.9383
Residential Solid Waste Collection	700,901.34	657,655.72
Residential Solid Waste Disposal	429,713.21	403,199.91
Residential Solid Waste Recycling	145,373.66	136,404.11
		1,197,259.74

		0.0617
Commercial Solid Waste Collection	700,901.34	43,245.61
Commercial Solid Waste Disposal	429,713.21	26,513.31
Commercial Solid Waste Recycling	33,619.12	2,074.30
		71,833.22

Monthly Per Unit/Commercial User

RESIDENTIAL UNITS:	Monthly	Annually
MONTHLY COST OF SOLID WASTE COLLECTION	$19.60	$235.21
MONTHLY COST OF SOLID WASTE DISPOSAL	$12.02	$144.21
MONTHLY COST OF SOLID WASTE RECYCLING	$4.23	$50.73
TOTAL	$35.85	$430.15

COMMERCIAL USERS:		
MONTHLY COST OF SOLID WASTE COLLECTION	$19.59	$235.03
MONTHLY COST OF SOLID WASTE DISPOSAL	$12.01	$144.09
MONTHLY COST OF SOLID WASTE RECYCLING	$4.27	$51.22
TOTAL	$35.86	$430.34

Agenda Item # 6

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 14, 2019

SUBJECT: Re-Appointment of Two Members of the Sustainability and Environmental Planning Advisory Committee, Dr. Lonnie Kaczmarsky, and Ms. Sandra Krempasky, to Another Three-Year Term

Each of these three SEPAC members have said they want to be re-appointed.

Please note that the Committee currently has three vacancies: two regular members and an alternate. We have not received any applications from citizens interested in being appointed.

Agenda Item #__7__

Meeting Date__12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 12, 2019

SUBJECT: Legal Services: Discussion of Proposals Received from Law Firms and Scheduling Special Meeting in January for Interviews

NOTE: This is the memo that's been prepared for your December 2nd meeting. We are providing it in advance so that you can use it as you review the proposals during the weeks before the meeting.

INTRODUCTION

At your November 6th continuation meeting, you discussed our suggestion that the proposals from law firms for the position of City Attorney be scored and ranked. You decided not to do that and to interview all the firms that applied.

At the meeting, we informed you that the City had received proposals from five law firms. During the two days before the deadline for proposals, which was 2:00 p.m., Friday, November 8th, the City received proposals from five more firms.

After Friday's deadline and the sealed proposals had been opened, Ms. Raddatz, the City Clerk, forwarded to you a list of the names and addresses of the firms, and a brief notation of their proposed fees. That list is attached as page 1.

In addition, she informed you that the following week a paper copy of each proposal would be in your mailbox at city hall. This memo will be in your mailbox with the proposals.

SUGGESTED CRITERIA FOR REVIEWING THE PROPOSALS

They are:

1. Given the City's small size and budget, the basic services it provides, its history of litigation and current legal challenges, which firm do you individually and collectively think is the best match for the City?

You may want to consider as a best match a law firm that is more middle-of-the-road in size: not small, not large but one with the level of legal expertise and support personnel that best meets the City's legal needs and at a cost that the City can afford.

2. Whether the firm has provided all the information that the City asked for in its Request for Proposals.

The RFP is attached as pages 2-18.

3. Thoroughness of the proposal.

Has the firm provided enough information about itself and its proposed fees for you to determine whether the firm has the qualifications each of you think the City Attorney should have.

4. How many years of municipal law experience in Florida does the firm have?

While the City has had few major lawsuits, you may want to rate higher a firm that you believe from its experience has the capability of defending the City in the event a major suit occurs.

PLEASE NOTE: The City's liability insurer, the Florida Municipal Insurance Trust, defends the City in suits regarding such matters as the alleged wrongful termination of an employee, injuries to members of the public from slips and falls on City property, and claims that a City regulation has deprived a property owner of reasonable use or of his/her property or diminished the value of that property. In another types of zoning/land use disputes, such as the Embassy Suites waterslide issue, the City Attorney has defended the City. In the past, the City Attorney has been the City's legal representative in mediations.

5. Number of experienced attorneys in the firm.

While a one-attorney firm might provide excellent service at a reasonable cost, the firm needs to have another experienced attorney who can step in should the regular City Attorney not be able to attend your meetings and do other City work because of illness, accident, or vacation.

We also suggest that larger firms may have attorneys with a wider range of expertise that may be beneficial to the City, as well the necessary clerical personnel to put ordinances, conditional use permits, variance orders, etc. in final draft. For example, a one-secretary firm might not be able to do the City's work by the City's deadlines.

6. Firm's current work load.

Does it appear from the proposal that the firm has a workload and client obligations that might demand more of the firm's time and attention from the work it must do for the City?

7. Location of the firm.

You'll see from the proposals that half of the firms are not located in the northeast Florida area. For firms located out of the area, travel time and other costs, if charged, would add expense to the City.

8. Proposed Costs

At this time, the City is paying the Coquina Law Group a monthly retainer of $6,000 and $175 an hour for extra legal work, which includes preparations a lawsuit, attending court on the City's behalf, representing the City at mediations, etc. The firm doesn't charge the City for copying, long-distance phone calls, travel, paralegal services, etc. The $6,000 monthly retainer pays for such expenses.

In the FY 2020 budget, you have appropriated $83,000 for legal services, with $2,000 of that amount for any specialized legal services needs of the Police Department.

We have asked Mr. Wilson for his estimate of the number of hours each month he spends attending City meetings and doing other legal work on the City's behalf. When he provides it, we will forward that

information to you so that you can use it as a guide to estimate the costs that each of the ten firms will charge the City.

Though page 1 (attached) summarizes the fees each firm will charge, we provide here a further breakdown.

a. **Marks Gray, Jacksonville** (page 7 of its proposal lists its fees)

Retainer: $6,000 a month for a maximum of 30 hours

Beyond 30 hours a month: $250 an hour in increments of 0.10 hours for person assigned as the City Attorney or another shareholder; $130 per hour for associates; $100 per hour for paralegals.

Extra-legal/litigation work: $250 an hour for the City Attorney, $170 an hour for associates, and $100 per hour for paralegals.

Travel: mileage to be reimbursed at IRS rate, which currently is $0.58 per mile.

Computerized legal research: reimbursable at actual cost based on Marks Gray standard plan. Use of Federal Express, exhibits, binding services, etc., reimbursed at actual cost.

No charge for photocopies, faxes, scans, long-distance telephone calls.

PLEASE NOTE: Hours for monthly meetings that the City Attorney needs to attend could be: City Commission, two meetings, up to 8 hours; Planning Board one meeting, up to 3 hours; Code Enforcement Board, up to 2 hours a month or every other month, depending on case load.

b. **Ralf Brookes, Cape Coral** (pages 6-8 of his proposal)

Mr. Brookes applied for the City Attorney position earlier this year.

Retainer: $7,000 a month

Hourly rate for work not listed under Scope of Work, Items 1-10, pages 7-8: $200 an hour

Extra-legal/litigation work: $200 an hour

Paralegal services: $50 an hour

Copying machine: 12 cents per page

Postage: at cost

No charge for secretarial work, library resources, computer research, general office supplies, office space, overhead, other overhead, travel, and per diem.

PLEASE NOTE: Cape Coral is located south-southwest of Ft. Myers, which is 312 miles from Jacksonville, or approximately 262 miles from St. Augustine.

c. **Jimerson & Cobb, Jacksonville** (under Tab 1 of proposal)

Monthly retainer: $7,000

Extra-legal/litigation work: $350 an hour

Review bonds/note issue: $350 an hour

Travel: $0 unless otherwise agreed to

Per diem: $0

As no costs are listed in the proposal for paralegal services, associate services, postage, etc., we must assume that these costs are covered by the monthly retainer.

d. **Shepard, Smith, Kohlmyer and Hand, Maitland** (fees listed on second page)

Retainer: Not stated. Firm proposes that for first three months, the monthly retainer be $225 an hour for Board Certified Specialists and $190 an hour for associates. At the end of the three months, when the firm knows the number of hours a month it must work on non-litigation services for the City, then the monthly retainer for a minimum of one year would be determined by the number hours times $225 and/or $190.

Extra-legal/litigation: $225 an hour for Board Certified Specialists and $190 an hour for associates.

Review bonds/notes: $.0075% of the amount of the issue.

Travel, hourly rate: 50% of normal hourly rate plus mileage, plus $35 a day for meals, plus the IRS mileage reimbursement rate, which is $0.58 per mile.

Postage, copying, computer research services, other general overhead expenses: no charge.

PLEASE NOTE: Maitland is located northeast of Orlando, which is approximately 110 miles from St. Augustine.

e. **William Reischmann of Garganese, Weiss, D'Agresta & Salzman, Orlando** (pages 20-21)

Retainer: Not stated. Firm provided two options:

1) $250 an hour for attorney services, $95 an hour for paralegal services.
2) Firm would consider a monthly retainer for all legal services except for extra-legal/litigation work, which it describes in the proposal.

Other costs: On page 21, firm will bill the City "for all costs and expenses incurred and advanced by the firm on behalf..." of the City. These may include court reporters, process servers, courier/delivery services, postage, out-of-area travel, expert witnesses, etc.

f. **Darren Elkind and Lonnie Groot, DeLand** (pages 3-4)

Retainer: Not stated. Firm will bill City $175 an hour for attorneys, $0 for associates, secretarial expenses, paralegal services, library resources, general office supplies, office space, other overhead.

Extra-legal/litigation: No hourly fee stated. It appears it will be $175 an hour.

Copying: $0.10 per copy.

Computer research time: Only time of the attorney doing research.

Travel and per diem: For three meetings a month, no time charged for travel. For other trips to city hall and/or courthouse, $175 an hour, capped at one hour each way. Any other travel based on the actual time spent travelling.

DeLand is southwest of Daytona Beach, north of I-4, approximately 60-70 miles from St. Augustine Beach.

g. **Stephanie Marchman of Gray Robinson, Gainesville** (page 37)

Ms. Marchman applied earlier this year for the position of City Attorney.

Retainer: Not stated. Hourly fees are broken down as follows:

- $295 for attorneys with seven-plus years of experience
- $225 for attorneys with less than seven years of experience
- $175 for associates
- $125 for paralegals

No separate fees for extra-legal/litigation work, review of bonds/notes, travel/ per diem, etc.

h. **Lewis Longman and Walker, Jacksonville** (page 16)

Retainer: $4,500 for first 20 hours a month, $250 an hour thereafter

Extra-legal/litigation: $250 an hour

Review of bonds/notes: $325 an hour

Travel: $100 an hour

In addition, in Exhibit 3 close to the end of its proposal, the firm lists other charges.

- $275 an hour for an attorney if Mr. Walker is unable to attend a City meeting
- $200 an hour for junior associates
- $150 an hour for paralegals
- $125 an hour for law clerk services

No charge for secretarial services, copying, printing, or library expenses.

i. **Charles Douglass, St. Augustine** (page 9)

Retainer: $4,750 per month minimum*

Extra-legal/litigation: $200 an hour

Paralegal: $100 an hour

Administration: No charge

Copying: $0.05 per page

Travel: IRS rate: $0.58 per mile

Library resources: $100 per month

*We're not certain what "minimum" means in this context. That the monthly retainer can be increased. If so, based on what?

j. **Craig Sherar, East Palatka** (page 19)

Retainer: Not stated. Mr. Sherar proposes that "if the work load was consistently over 20 hours per week, I would consider one [a retainer] at a rate lower than the hourly rate quoted."

Hourly fee: $200 for attorney, $40 for assistant

Extra-legal/litigation: $300 an hour in court, $200 out of court, $40 an hour for assistant

Review bonds/notes: $150 an hour

Travel, hourly rate: $75.

ACTIONS REQUESTED

For your December 2nd meeting, we suggest there are three decisions to make:

1. Whether because of the number of proposals received you want to rank the firms and reduce the number of firms to interview, or not to change the decision you made at your November 6th meeting, which was to interview all the firms.
2. To set a date in January for a special meeting to interview the firms.

January's schedule at this time is the following:

- Monday, January 6th, City Commission meeting
- Thursday, January 9th, SEPAC meeting
- Monday, January 20th, Dr. Martin Luther King, Jr. holiday
- Tuesday, January 21st, Planning Board meeting

We suggest you do the interviews earlier rather than later in January, so that possibly by your February 3rd meeting you can have a contract, prepared by Mr. Wilson, for formal acceptance with the firm that you've selected.

As you want to leave Tuesday, January 7th open for a possible continuation of your January 6th meeting, we suggest that you do the interviews on either Wednesday or Thursday, January 8th or 9th, or during the second week in January (13-17).

Whether you want to decide at your December meeting the questions you want to ask during the interviews, or to leave the questions undetermined in advance, meaning the Mayor and each Commissioner will ask the questions he or she thinks need to be answered.

RFP 19-07: Legal Services

Bidders	Bidder #1	Bidder #2	Bidder #3	Bidder #4	Bidder# 5
Bidder's Name & Address	Marks Gray 1200 Riverplace Blvd, Ste 800 Jacksonville, FL 32207	Ralf Brooks 1217 Cape Coral Pkwy, # 107 Cape Coral, FL 33904	Stephanie Stubbs Jimerson & Cobb, PA 1 Independent Dr, Ste 1400 Jacksonville, FL 32202 904-389-0050	Shepard, Smith, Kohlmyer & Hand PA 2300 Maitland Center Pkwy, Ste 100 Maitland, FL 32751	William Reischmann, ESQ 111 N Orange Ave, # 2000 Orlando, FL 32801 407-425-9566
Total Price	**$6,000 for 30 hrs** **$250 per hr**	**$7,000** **$200**	**$7,000** **$350**	**$225**	**$250**
Bidders	**Bidder #6**	**Bidder #7**	**Bidder #8**	**Bidder #9**	**Bidder# 10**
Bidder's Name & Address	Darren Elkind, Esq Paul & Elkind, Branz & Kelton PA 142 E. New York Ave Deland, FL 32724	Stephanie Marchman Gray Robinson PA 720 SW 2nd Ave, Ste 106 Gainesville, FL 32601	Lewis Longman Walker 245 Riverside Ave, Ste 150 Jacksonville, FL 32202	Charles T. Douglas, Jr. Douglas Law Firm 1 News Pl St. Augustine, FL 32086	Craig Z. Sherar 147 Pine St East Palatka, FL 32131
Total Price	**$175**	**$295**	**$275**	**$4,750** **$200**	**$200 non-litigation** **$300 non-litigation**

Bid opening was conducted on Friday, November 8, 2019, at 2:02 p.m. at City Hall by City Clerk Beverly Raddatz. Bids were opened, and amounts noted were read aloud. Bid opening adjourned at approximately 2:20 p.m. Opening was also attended by: City Manager Max Royle, Deputy City Clerk Dariana Fitzgerald, and Clerk Peggy Cadwallader.

CITY OF ST. AUGUSTINE
BEACH SPECIFICATIONS AND
APPLICATION

FOR

LEGAL SERVICES

REQUEST FOR PROPOSAL

BID # 19-07

OCTOBER 4, 2019

Equal Opportunity Employer

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PART 1 - REQUESTS FOR PROPOSALS GUIDELINES FOR APPLICATION TO BE CONSIDERED FOR CITY ATTORNEY

I. INTRODUCTION

The St. Augustine Beach, Florida, is requesting proposals from attorneys licensed by the Florida Bar for the position of City Attorney. The Attorney selected will be appointed to serve as City Attorney for a term of five (5) years commencing upon appointment.

II. MINIMUM REQUIREMENTS

All applicants must be a member of The Florida Bar in good standing and have at least five (5) years of Florida Municipal Government legal experience, including litigation. Florida Bar Certification in City, County and Local Government Law is desirable, but most importantly the City seeks applicants from a broad range of experience in governmental law, including but not limited to, the organization and regulation of municipal government, intergovernmental relationships, contractual law, land use and zoning, law enforcement, Provisions Supplemental to Criminal Procedure Law (FSS 932), forfeiture and emergency medical services and environmental regulation and compliance. Applicants experienced in all of these fields of governmental law are encouraged to apply. Additionally, applicants must be fully informed in all matters related to compliance with all laws relating to government in the sunshine and public records.

All applicants must have experience in litigation and administrative procedures and the ability to oversee, coordinate and work with outside specialty law firms.

At the time of application, the successful applicant must be a full-time resident in the Northeast Florida area.

Successful bidder must provide and maintain a Professional Liability Policy with a minimum coverage of $1,000,000 per claim and $100,000,000 aggregate for the entire term of the contract.

The successful bidder must provide and maintain Worker's Compensation insurance as required by State of Florida for the entire term of the contract.

The City Attorney, whether an individual or a law firm, will not be permitted to represent any client before the City Commission or any committee, department or agency of the City, and will agree not to undertake any other private representation, which might create a conflict of interest with the City. The City Attorney may not represent any City Commission member, individually, or, any member of their family or any business in which the City Commission member or their family has an interest.

III. DUTIES AND RESPONSIBILITIES

By reason of the organization of the City of St. Augustine Beach, the broad authority and responsibility of the City of St. Augustine Beach and the general oversight authority of the City Commission, the duties and responsibility of the City Attorney include advice and counsel to the City Commission and to staff. However, in the rare event that a potential conflict of interest was to occur, the City Attorney's fiduciary obligation is to the City of St. Augustine Beach. Attached hereto as Exhibit "A" is a general statement of professional services to be rendered by the City Attorney. However, only the most frequently utilized facets of representation have been specific and Exhibit "A" is not intended to be exclusive. Rather, the successful applicant shall be prepared to undertake all tasks necessary in order to provide comprehensive and professional representation.

IV. APPLICATION

All proposals shall be in writing and submitted on the application form available through the City of St. Augustine Beach as more particularly set forth hereinafter. If additional space is required, continuation sheets may be attached to the application form. At a minimum, the following must be included in all proposals:

1. A summary of the representing Attorney's education, background and experience.

2. A chronological summary of employment history from law school graduation to and including the applicant's current position.

3. A statement as to whether or not the applicant has ever been disciplined by the Florida Bar or any similar body regulating the practice of law in any other jurisdiction.

4. A description of the applicant's current principal areas of practice.

5. A representative client list for the applicant or the applicant's firm.

6. A statement as to the approach, methodology and work plan the applicant expects to use in providing legal representation for the City Commission. If the applicant intends to utilize the assistance of other attorneys, either in his or her own law firm or otherwise, this statement should include:

a. The names and positions of the proposed assistants;
b. The areas of practice where the assistants are expected to be utilized;
c. The applicant's plan for supervising the assistants; and
d. The percentage of the total representation the applicant expects to provide personally.

7. An explanation of the applicant's plan and ability to provide priority attention in accomplishing legal representation for the City Commission.

8. A specific explanation of the financial arrangements under which the applicant would be willing to accept appointment to the position of City Attorney. At a minimum, this shall include:

a. The hourly rate to be charged by the applicant and any assistants.
b. If a lump sum charge or annual retainer is proposed,
   i) The amount of lump sum charge and,
   ii) The service to be included within that charge.

c. Whether any charge is to be made and, if so, how much, for the following:
   i) Secretarial expense
   ii) Paralegal services
   iii) Library resources

iv) Computer research time
v) Copying machine
vi) Postage
vii) General office supplies
viii) Office space
ix) Other overhead
x) Travel and per diem

V. SELECTION CRITERIA

City Commission members will each review the proposals submitted and will short list the applicants to not less than three (3). Based upon the number and quality of proposals received the City Commission may increase the short list to more than three (3). Thereafter the applicants placed on the short list will be interviewed by the City Commission. The final selection will be made during an open meeting of the City Commission.

In determining the successful applicant, the City Commission will consider the general ability of each applicant, the demonstrated commitment of each applicant to the City, experience in municipal law, special expertise the applicant may possess, courtroom experience, experience in practicing before administrative agencies, experience in representing public boards or agencies, academic background, office location of the applicant, size and competence of applicant's office staff, past litigation and conflict with the City, impact of additional work load on applicant's practice, the applicant's proposal for financial arrangements and the applicant's overall demeanor.

VI. GENERAL INFORMATION

Forms for proposals may be obtained from the City of St. Augustine Beach located at 2200 A1A S., St. Augustine Beach, Florida, 32080 between 8:00 a.m. and 5:00 p.m. One (1) master and seven (7) copies of the completed proposals along with one electronic copy must be returned to the City Clerk no later than 2:00 p.m. on November 8, 2019, in a sealed envelope clearly marked "Request for Proposal #19-07, Legal Services." No proposal will be considered which does not contain all the information specified herein. City Commission will complete the short list of applicants no later than December 2, 2019. On January 6, 2019 the City Commission members will interview each short-listed applicant. Unless the deadline is extended by majority vote of the City Council, final selections will be made during the City Commission meeting on February 3, 2019. Requests for additional information or clarification regarding this Request for Proposals should be presented in writing to Beverly Raddatz, City Clerk, City of St. Augustine Beach, 2200 A1A S., St. Augustine Beach, FL 32080 or e-mail at braddatz@cityofsab.org.

All Proposals will be screened to ensure that all qualifications and requirements of the RFP are met. If selected, a formal contract will be negotiated with the selected firm.

PART 2 - "Exhibit A"

GENERAL STATEMENT OF PROFESSIONAL SERVICES

The following constitutes a summary of the legal services requested by the City of St. Augustine Beach.

I. CITY COMMISSION: Provide advice and counsel to the City collectively and to individual Commission members concerning compliance with and application of state and federal laws, and City policies relative to operations of the City. By reason of the City Commission's broad duties and responsibilities, general counsel will provide consultation and legal advice to the City Commission with regard to all those issues set forth herein for particular departments and administrative levels. In addition, the general counsel will advise the City Commission in additional areas including, but not limited to the following:

a) advise as to the scope and extent of authority, duties and powers conferred upon the City Commission under state law,

b) advise the City Commission with regard to the state laws and the standards,

c) advise the City Commission as to state laws pertaining to the organization of the City Commission,

d) advise the City Commission as to the application and interpretation of City's present policies, rules and consultation concerning proposals for new policies and rules to be considered for adoption by the City,

e) advise the City Commission as to the procedural and legal requirements applicable to the scheduling and conduct of regular and special meetings,

f) advise the City Commission as to the utilization and scope of emergency powers under exigent conditions,

g) advise the City Commission with regard to use of its eminent domain authority and with regard to the acquisition and disposal of real property,

h) advise the City Commission with regard to the scope and exercise of its authority to contract and to sue,

i) advise the City Commission as to procedural requirements for adopting rules and policies and assist staff in preparation of proposed rules and policies,

j) provide legal counsel and advice to members of the City Commission concerning potential conflicts of interest, and the preparation and filing of requests with the Attorney General for legal opinions relative to district interests and rulings as to conflicts of interest,

k) provide monthly status reports to the City Commission itemizing and briefly describing all pending civil litigation involving the City,

l) advise the City Commission upon matters involving suspension and dismissal of personnel, preparation of final orders, and defense of final orders in appellate proceedings,

m) representation of the City with regard to disputes involving competitive procurement of goods and services and the application of Chapter 120, Florida Statutes to such matters,

n) provide advice and counsel to the City Commission concerning application of Section 286.011, Florida Statutes ("The Sunshine Law"),

o) advise staff and members of special committees appointed by the City Commission relating to application of state and federal laws, and City policy to the subjects being examined by such committees,

p) consult with the City Manager as to specific items scheduled to appear on the City Commission agenda and attend regular and special meetings of the City Commission when requested by the City Commission or City Manager. Regular City Commission meetings are currently held the first Monday of the month at 6:00 p.m. and if not completed will continue to the first Tuesday of the month at 6:00 p.m. unless scheduled to another date and time. If requested in advance by the City Manager, the attorney shall also attend workshops and special commission meetings at the desire time and date of the Commission,

q) The City Attorney shall represent the City Commission and each of the City Boards, provide appropriate legal advice and/or written opinions, as necessary, and provide parliamentary guidance concerning the conduct of each of the meetings of the City Boards as requested by the City Commission or the City Manager when items under consideration warrant legal input. The following is a list of the City Boards and when they currently meet. Regular attendance at each of the advisory boards may not be required. The current City Attorney has been instructed to attend on an as needed basis or as instructed by the City Manager:

- Comprehensive Planning and Zoning Board meets on the third Tuesday of every month at 6:00 p.m. if there are agenda items.
- Code Enforcement Board as needed and scheduled.

r) provide draft ordinances, resolutions and contracts when requested to do so by City Commission, the City Manager, the Police Chief or the Building Official,

s) consultation with the City Commission concerning items upon agendas for the regular and special meetings of the City Commission, and

t) assist and advise the City Commission with regard to negotiations with other governmental entities concerning matters of interest to the City.

II. FACILITIES: Provide advice and counsel to administrative staff concerning compliance of state and federal laws, City policies relating to operational functions including, but not limited to, the following:

a) consultation with staff as to the legal requirements relating to payment and performance bonds and bid bonds,

b) advise administrative staff concerning the due process and state procedural requirements applicable to competitive procurement of services,

c) consultation with staff with regard to matters of rights-of-way, public easements, conflicts and agreements with other governmental agencies relating to land use and utilities,

d) review and/or preparation of all land contracts with individuals and other governmental agencies,

e) attendance of counsel at real estate closings in land transfers,

f) review and/or drafting of instruments of real property,

g) negotiation of intergovernmental agreements relating to land use or land transfer and preparation and/or analysis of intergovernmental agreements,

h) representation of the City Commission in eminent domain proceedings including pre-suit preparation and negotiations, recommendation of experts inclusive of real estate appraisers, and coordination of staff and outside consultants,

i) representation of the City in all administrative and judicial proceedings challenging adoption and implementation of City boundaries, and

j) consultation and participation in negotiations and conferences relating to intergovernmental contact in areas of annexation, zoning, land use, platting, water management, concurrency, and land use plans of the municipal and county levels,

k) advise staff on general questions concerning labor, municipal finance litigation, enforcement, building codes, and other matters, and

l) liaison with outside counsel, when required.

III. BUSINESS/SUPPORT SERVICES: Provide advice and counsel to administrative staff concerning compliance with and application of state and federal laws relating to operational functions including, but not limited to, the following:

a) consultation with regard to TRIM timelines and TRIM advertisements for preparation of annual budgets,

b) attendance of counsel at all public hearings and meetings relating to adoption of City budget,

c) consultation with regard to proposed resolutions and ordinance as to form and content, and advise when they are in conflict with state or federal law,

d) consultation and legal advice relative to procedures and issuance of Invitations for Bids (IFB) and Requests for Proposals (RFP) for competitive procurement of services and goods,

e) review and analysis of all contracts for procurement of goods and services,

f) representation of the City of St. Augustine Beach in all civil litigation not otherwise specified in which the City Commission is a party,

g) representation of the City with regard to all bid protests and litigation relative to competitive procurement of goods and services,

h) review of all negligence claims asserted against the City of St. Augustine Beach,

i) review all proposed settlements of litigation for approval, and

j) consultation and advice with regard to all matters of City financing including loans, state funding mechanisms, notes, bond issues, bond validation and certificates of participation.

k) assists with legal issues, parameters and structure involved in the City Comprehensive Plan, Land Development Regulations, personnel regulations, etc.

IV. HUMAN RESOURCES: Provide advice and counsel to administrative staff concerning compliance and application of state and federal laws relating to operational functions including, but not limited to, the following:

a) procedural requirements and implementation of procedures for the discipline, suspension, and dismissal of personnel,

b) consultation relative to the creation and modification of job descriptions,

c) representation of the district in state and federal courts to claims of discrimination of personnel in areas of age, gender, race, disability and religious orientation,

d) consultation and advice to staff in areas of fringe benefits, community and employee relations,

e) review and analysis of grievance proceedings and decisions,

f) consultation and review of recommendations regarding City of St. Augustine Beach policy, and

V. COMPREHENSIVE PLANNING FOR EQUAL OPPORTUNITIES: Provide advice and counsel to administrative staff concerning compliance with and application of state and federal laws relating to operational functions including, but not limited to, the following:

a) representation of the City with regard to claims and disputes raised internally; claims filed with county, state and federal agencies; and claims filed with state and federal courts,

b) attendance of counsel at administrative hearings and fact-finding sessions relating to charges of discriminatory conduct, and

c) negotiation and review of conciliation agreements within administrative proceedings.

VI. OFFICIAL RECORDS: Provide advice and counsel with regard to all matters of the official records and minutes of all City Council meetings and application of Chapter 119, Florida Statutes (Florida Public Records Law).

VII. SPECIAL COUNSEL SERVICES: On occasion the City Commission and Board meetings, upon its own volition, may retain special counsel to provide representation in areas requiring particular expertise. Except as otherwise instructed by the City Commission, the City Attorney is expected to remain generally informed regarding the special counsel's actions and provide such assistance as may be reasonably requested by the special counsel. The

following, while not exclusive, suggests those areas of practice where special counsel might be retained:

General Liability
Auto Claims
Bond Counsel
Construction Litigation
Eminent Domain

VIII: BILLING: Each bill for services and costs should be submitted to the City in a form that includes, at a minimum, the following information:

Date of Service	Description of Service Specifying City Department, Board, Case or Issue	Name of Person Requesting Work	Person Who Performed Service	Time Spent x Hourly Rate = Cost

Different services performed on the same day (e.g., research, drafting, meetings, etc.), shall be listed separately. The description of service should permit the City to perform a meaningful analysis of the services provided. For example, "legal research" or "telephone conference" is not an acceptable description of services. The subject matter of a telephone call or the research performed, and the purpose thereof shall be specified. The monthly invoice shall categorize the charges by the department in which they represent. For example, all charges for the month relative to the police department shall be totaled separately. All charges relative to communications, police department, administrative, Commission meeting attendance, etc. shall all be individually totaled on one invoice, along with a summary statement indicating total amount due for the month.

PART 3 -
NOTICE OF REQUEST FOR PROPOSALS
CITY ATTORNEY

The City of St. Augustine Beach is seeking applications for the position of City Attorney. Applicants must be in good standing of the Florida Bar continuously for the previous five years with established practice in Northeast Florida. The City Attorney will be appointed by the St. Augustine Beach City Commission. Request for Proposals and Guidelines for Application can be obtained at http:// www.staugbch.com, Demand Star, or call the City Clerk at 904-471-2122. One master and seven (7) copies of the application along with one electronic copy must be in a sealed envelope marked "Request for Proposal, Legal Services" and submitted to the City Clerk at 2200 A1A S., St. Augustine Beach, FL 32080, no later than 2:00 P.M. on Friday, November 8, 2019. The City of reserves the right to accept or reject any or all proposals. EOE.

PART 4 -
APPLICATION
CITY ATTORNEY

NAME:_____ PHONE:_____

FIRM:_____

ADDRESS:_____

CITY:_____ STATE:_____ ZIP:_____

FAX:_____E-MAIL _____

If additional information is required continuation sheets may be attached to the application form.

1. Summary of education, background and experience:

2. Chronological summary of employment history from law school graduation to and including current position.

3. Have you ever been disciplined by the Florida Bar or any similar body regulating the practice of law in any other jurisdiction? If so, please explain.

4. Describe your current principal areas of practice.

5. Please provide a representative client list for you or your firm and, where applicable, a firm resume.

6. Provide a statement as to the approach, methodology and work plan you expect to use in providing legal representation for the City including the assistance, if any, you plan to receive from other attorneys.

7. Give an explanation of your plan and ability to provide priority attention in accomplishing legal representation for the City.

8. Give a specific explanation of the financial arrangements under which you would be willing to accept appointment to the position of City Attorney. (i.e., hourly rate to be charged by you and any assistance, lump sum charge, or annual retainer proposed. Please use E – G to list any other fees not included in A – D.

A. (1) Monthly lump sum retainer fee, or $ _____

(2) Hourly fee for services not covered below $_____

B. Litigation – Hourly Rate $_____

C. Review Bonds/Note issue – Hourly Rate $ _____

D. Travel – Hourly Rate $_____

Per Diem $ _____

E. $ _____

F. $_____

G. $_____

Certification

The undersigned hereby confirms as follows:

1. I am a duly authorized agent of the law firm submitting the proposal.
2. I have read the Proposal in its entirety and fully understand and accept these terms unless specific variations have been expressly listed below or attached.
3. My firm,_____, agrees to hold all prices, terms and conditions firm for acceptance for ninety (90) calendar days following the date and time of the bid opening.

By: _____ _____

Manual Signature of Agent Date

_____ _____

Typed/Printed Name of Agent Title of Agent

Agenda Item # 8

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 6, 2019

SUBJECT: Rules of Civility for Public Participation: Continuation of Discussion

INTRODUCTION

At your November 4th meeting, Mayor George discussed with you Sanibel, Florida's, Rules of Civility for Public Participation The minutes of that discussion are attached as page 1.

Also attached (page 2) are Sanibel's rules. Mayor George suggested that the City staff write a draft that is similar to what Sanibel's City Council has adopted.

She also mentioned our City's Resolution 89-5, which establishes rules for civility and the conduct of City Commission meetings. The Resolution is attached as pages 3-6.

The Deputy City Clerk, Ms. Dariana Fitzgerald, did some online checking and found Tallahassee's Pledge of Civility. It is attached as page 7.

TWO OPTIONS

Mayor George suggested that Sanibel's Rules 1,2,3,5, 6, 8, 9 and 10 be used as rules for your meetings.

Option One

Using Sanibel's Rules as a guide, a draft of the new rules for public participation at your meetings could be this:

Rules of Civility for Public Participation

The City Commission recognizes the following:

a. It has limited time at its regular and special meetings to accomplish the City's business.

b. As civil discourse creates a calming, positive atmosphere that is conducive to the Commission accomplishing the City's business within that limited time, the Commission adopts the following Rules of Civility for Public Participation:

    1. The goal of Commission meetings is to accomplish the public's business in an environment that encourages a fair discussion and exchange of ideas without fear of personal attacks.

    2. Persons are encouraged to participate in the governmental process in ways that foster a positive, calming atmosphere in the Commission meeting room.

3. The Commission asks that while there may be disagreements, the presentation of differing points of view be respected.
4. Anger, rudeness, ridicule, impatience and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing or hissing, or the use of intimidating body language are not permitted.
5. Speakers at Commission meetings are permitted to make their comments without interruption.
6. Speakers and debates should be focused on issues, not persons or personalities.
7. Sidebar discussions while others are speaking are not permitted at Commission meetings. Persons desiring to have such discussions should leave the meeting room.
8. Only the speaker recognized by the Mayor has the floor. Persons desiring to speak should fill out a Request to Speak form. Speakers when recognized are to provide their name and address for the public record and must utilized the microphone at the podium so that their remarks can be heard and put on the public record.
9. When persons refuse to abide by reasonable rules of civility and decorum, or ignore repeated requests by the Mayor to finish their remarks within the time limit adopted by the City Commission, and/or who make threats of physical violence shall be removed from the meeting room by law enforcement officers, either at the Mayor's request or by an affirmative vote of a majority of the sitting Commissioners.

Option Two

Put Tallahassee's Pledge of Civility (page 7) on the agendas that are distributed to the public and have the City Attorney revise Resolution 89-5. Over 30 years old, there are provisions in the Resolution that may be obsolete or illegal. The Attorney can put in the new resolution up-to-date rules that will enforce the Pledge of Civility and could include some of the rewritten provisions that we have taken from Sanibel's Rules of Civility for Public Participation.

We have attached (pages 8-9) a copy of Chapter 286.0114, Florida Statutes. It has the state's regulations governing public comment at public meetings. An update of Resolution 89-5 should be in accordance with this Chapter and any relevant court decisions that have been made since 1989.

PLEASE NOTE: Subsection (2) of Chapter 286.0114 "does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to rules or policies adopted by the board or commission, as provided in subsection (4)."

SUGGESTIONS TO HELP THE TIMELY PROCESS OF COMMISSION MEETINGS

They are:

1. Not to allow public comment on approval of minutes and proclamations. Subsection (3) (b) of Section 286.0114 authorizes this exception.
2. Not to allow public comment on Commissioner Comments and Staff Comments.

ACTIONS REQUESTED

There are two: First, that you decide which option to select, or whether you want to select another method for encouraging and enforcing rules of civility for public participation at your meetings.

Second, whether you approve the two exceptions to public comments stated above.

Depending on your decision, the City Attorney can prepare language for a resolution to amend your Policies and Procedures Manual and language for an Exhibit A, which will be attached to the resolution. The resolution can be considered at your January 6th meeting.

FROM MINUTES OF CITY COMMISSION MEETING, NOVEMBER 4, 2019

Rules of Civility for Public Participation: Request by Mayor George to Discuss

Mayor George introduced Item 12 and advised she was looking up bag ban and when looking at other cities agenda they have rules of civility at the end, which informs the public. She asked the Commission to consider written rules of civility at the bottom of the agenda rather than having to be stated at the opening of every meeting. The Mayor needs to give notice to anyone disturbing the meeting. She explained that if the agenda has it in writing, then the public is already on notice. She thought it would be a good tool in writing. She suggested using the language on the example 1,2,3,5,8,9 and 10 in her example could apply.

Vice Mayor England suggested to include what is already written in the Policies and Procedures Manual or by resolution.

Mayor George advised that she knows there is Resolution 89-04 talks about civility. She requested to have staff write a draft and include it on December 2, 2019 as an item.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that the City of Sanibel's policy is unconstitutional. He felt that President Trump causes incivility.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, supports putting verbiage on the agenda and include Public Comment Law.

Mayor George closed the Public Comments section and then moved on to Item 13.

"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 persoual attacks.

RESOLUTION 89-5

RESOLUTION SETTING RULES FOR CITY COMMISSION MEETINGS

WHEREAS, This is a Resolution relating to the Proposed Rules and Regulations of The City Commission of St. Augustine Beach.

NOW THEREFORE, BE IT RESOLVED by The City Commission of the City of St. Augustine Beach that:

1. Meetings of The City Commission are to be conducted in a manner as agreed upon by a majority of The Commission and by these rules and regulations. In cases where no agreement can be reached, resort shall be had with "Robert's Rules of Order".

2. PRESIDING OFFICER: Shall preserve strict order and decorum at all regular and special meetings of The Commission. He shall state every question coming before The Commission, announce the decision of The Commission on all subjects and decide all questions of order, subject, however, to an appeal by a member to The Commission, in which event a majority vote of The Commission shall govern and conclusively determine such question of order.

3. RULES OF DEBATE:
   a. Getting the Floor - Improper References to be Avoided. Every member of The City Commission desiring to speak shall address The Chair, and upon recognition by The Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
   b. Interruptions - A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question or order can be determined, and, if in order, he shall be permitted to proceed.
   c. Privilege of Closing Debate - The Commissioner moving the adoption of an ordinance or resolution shall have the privilege of making final comments on the motion.

4. ADDRESSING THE COMMISSION AFTER A MOTION IS MADE: After a motion is made by The Commission, and seconded, no person shall address The Commission without first securing the permission of The Presiding Officer to do so. Discussion by The Commission. NO MEMBER OF THE PUBLIC CAN INTERRUPT THE COMMISSION'S DELIBERATIONS. Commission directs questions to the staff. Public invited to comment. Vote called for by the Mayor.

5. MANNER OF ADDRESSING COMMISSION - TIME LIMIT:
Each person addressing The Commission shall step up to the microphone, shall give his name and address in audible tone of voice for the records, and unless further time is granted by The Presiding Officer, shall limit his/her address to three (3) minutes. All remarks shall be addressed to The Commission as a body and not to any member thereof. Only The Commission and the person having the floor, shall be permitted to enter into any discussion, except with the permission of The Presiding Officer. A question shall be asked a Commissioner only through The Presiding Officer.

6. DECORUM:
   a. By the Commissioners and the Public - While The Commission is in session, order and decorum must be preserved and any person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of The Commission nor disturb any person while speaking or refuse to obey the orders of The Commission or its Presiding Officer, except as otherwise herein provided. Boisterous, impertinent or irrelevant, personal or general remarks directed to or against any individual shall not be considered orderly or decorous. Any person who shall become disorderly or who shall fail to confine remarks to the identified subject or business shall be forthwith, by The Presiding Officer, cautioned and given the opportunity to complete remarks on the subject in a decorous manner. Any person failing to comply as cautioned shall not be allowed to continue the remarks unless permission to continue be granted by a majority vote of The Commission.
   b. Upon failure of The Presiding Officer to maintain decorum within the context of this section, a call for "Point of Order" by a member of The Commission shall cause all proceedings to cease until a decision is made by the majority of members.
   c. Enforcement of Decorum - The Chief of Police or a member of the Police Department whom he may designate shall carry out all orders and instructions given by The Presiding Officer for the purpose of maintaining order and decorum at the Commission Meeting. Upon instructions of The Presiding Officer, it shall be the duty of the Chief of Police or his designee, to either escort back to his/her seat, or remove from the meeting, any individual who violates the order and decorum of the meeting.

7. MOTIONS: Any member of The City Commission, including the Mayor, shall be entitled to make a motion and shall likewise be entitled to second a motion.

8. AGENDA:
   a. The Agenda which is sent to all Commissioners and posted at City Hall for the public, shall be the normal operating procedure, but The Presiding Officer shall have the authority, during any meeting, and after approval by The City Commission, to change the order of business and the Agenda if the circumstances so warrant.
   b. That any item to go on the Agenda must be submitted by Wednesday 12:00 noon, preceding the next monthly meeting. This is to be directed to the City Manager in writing. Inclusion of any item for the Agenda will depend upon the completeness of information and on the time element for the meeting.

9. ADJOURNMENT: The City Commission shall adjourn its regular meetings promptly at 10:30 p.m. Should The Commission so elect, it may go to 11:00 p.m., but then must adjourn.

10. COMMUNICATIONS:
   a. All communications to The Commission, when read into the record, shall be considered, received and filed without the necessity of a motion.
   b. No member of The Commission shall speak more than twice on one question without first obtaining permission of the Mayor, or Presiding Officer, nor more than once until the other members have spoken, if they desire to speak, nor shall any member be permitted to speak longer than ten minutes on one occasion, but the Mayor or Presiding Officer may extend member's time for five minutes longer.
   c. The Mayor may extend the courtesies of the floor to any person he may see fit, at any time during the deliberations of this Commission, unless there be an objection. It shall not be necessary for a member of The Commission to move that the courtesies of the floor be extended. It shall be sufficient if The Commissioner makes the request and the Mayor shall grant such request unless there be objections. Any person addressing the Commission shall do so from the podium and name and address must be presented.

11. TEMPORARY SUSPENSION OF RULES:
   a. Any provision of this division may be temporarily suspended for special reasons by a vote of the majority of the members of The Commission present, but no permanent alteration shall be made without

notice specifying the purpose of the change given at the previous meeting.

b. In all cases involving points of parliamentary law, "Robert's Rules of Order" shall be the book of reference, and its rules, so far as they are applicable and not in conflict with the provisions of the Charter, ordinances, or of the rules in this division, shall be the rules of The Commission.

c. While The Commission is in session, The Presiding Officer shall preserve order and decorum, and a Commissioner shall neither by conversation nor otherwise delay or interrupt the proceedings or the peace of The Commission, nor disturb any Commissioner while speaking, or refuse to obey the orders of The Commission or its Presiding Officer.

d. No Commissioner shall speak on any question or discuss any matter, nor interrupt another, nor make a motion without first addressing The Presiding Officer and obtaining his/her recognition. When two or more Commissioners desire to speak at once, The Presiding Officer shall name the Commissioner who is first to speak. No Commissioner shall be interrupted by another without the consent of the Commissioner who has the floor, except by rising to a question of order. Every Commissioner, in speaking on any matter, shall confine himself to the question, shall not use unbecoming, abusive or unparliamentary language, and shall avoid personalities.

e. Any person, not a Commissioner, making personal, impertinent or slanderous remarks or who shall become boisterous while The Commission is in session, shall forthwith be barred from further audience before The Commission by The Presiding Officer at his/her discretion. No demonstrations of approval or disapproval from the audience shall be permitted. The Presiding Officer shall call upon the Chief of Police to enforce directions given by The Presiding Officer for any violation of this Rule.

PASSED this 11th day of September, 1989.

CITY COMMISSION OF THE CITY
OF ST. AUGUSTINE BEACH

BY: W. H. "Pete" Jordan
Mayor-Commissioner

ATTEST:

BY: [illegible]
City Manager

CITY OF TALLAHASSEE

PLEDGE OF CIVILITY

WE WILL BE RESPECTFUL OF

ONE ANOTHER

EVEN WHEN WE DISAGREE.

WE WILL DIRECT ALL

COMMENTS

TO THE ISSUES.

WE WILL AVOID PERSONAL

ATTACKS.

"*Politeness costs so little*." – ABRAHAM LINCOLN

Select Year: 2019 Go

The 2019 Florida Statutes

Title XIX
PUBLIC BUSINESS

Chapter 286
PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

View Entire Chapter

286.0114 Public meetings; reasonable opportunity to be heard; attorney fees.—

(1) For purposes of this section, "board or commission" means a board or commission of any state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision.

(2) Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decisionmaking process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action. This section does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to rules or policies adopted by the board or commission, as provided in subsection (4).

(3) The requirements in subsection (2) do not apply to:

(a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(c) A meeting that is exempt from s. 286.011; or

(d) A meeting during which the board or commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(4) Rules or policies of a board or commission which govern the opportunity to be heard are limited to those that:

(a) Provide guidelines regarding the amount of time an individual has to address the board or commission;

(b) Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;

(c) Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or

(d) Designate a specified period of time for public comment.

(5) If a board or commission adopts rules or policies in compliance with this section and follows such rules or policies when providing an opportunity for members of the public to be heard, the board or commission is deemed to be acting in compliance with this section.

(6) A circuit court has jurisdiction to issue an injunction for the purpose of enforcing this section upon the filing of an application for such injunction by a citizen of this state.

(7)(a) Whenever an action is filed against a board or commission to enforce this section, the court shall assess reasonable attorney fees against such board or commission if the court determines that the defendant to such action acted in violation of this section. The court may assess reasonable attorney fees against the individual filing such an action if the court finds that the action was filed in bad faith or was frivolous. This paragraph does not apply to a state attorney or his or her duly authorized assistants or an officer charged with enforcing this section.

(b) Whenever a board or commission appeals a court order that has found the board or commission to have violated this section, and such order is affirmed, the court shall assess reasonable attorney fees for the appeal against such board or commission.

(8) An action taken by a board or commission which is found to be in violation of this section is not void as a result of that violation.

History.—s. 1, ch. 2013-227.

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Agenda Item # 9

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 19, 2019

SUBJECT: Changes to the Land Development Regulations: Continuation of Discussion

BACKGROUND

At your November 4th meeting, the Building Official, Mr. Brian Law, presented recommendations from the Comprehensive Planning and Zoning Board for changes to the Land Development Regulations. Much of your discussion as well as public comment centered on setback changes. The outcome was that the setbacks wouldn't be changed at this time.

Mr. Law told you that he'd bring to you at your December meeting some "housekeeping issues" concerning the LDRs, as well as changes to the impervious surface ratio for swimming pools that the Planning Board had recommended at an earlier meeting.

In addition, attached (pages 6-8) is a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she describes an additional change to the LDRs, the removal of Section 4.00.06, because it no longer serves any purpose.

ATTACHMENTS

Attached for your review is the following information:

a. Pages 1-3, a memo from Mr. Law with the proposed changes to the LDRs.

b. Pages 4-5, a memo from Mr. Law with the proposed change for the impervious surface ratio for pools in low density residential land use districts.

c. Pages 6-8, the memo from Mr. Bonnie Miller and Section 4.00.06 of the LDRs.

ACTION REQUESTED

It is that you discuss with Mr. Law the proposed changes. If you agree with all or some of them, the City Attorney can prepare an ordinance for first reading at your January 6th meeting.

City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM
BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

To: Max Royle
From: Brian Law
CC:
Date: 11-15-19
Re: Updated proposed changes to the LDR

Max

Based upon the direction the Commission I am presenting the updated proposed changes to the Land Development Regulations, they are summarized as follows:

1) Sec 3.02.02.01 Mixed Used Districts
   - Section D—the removal of the minimum lot square footage of 8500 square feet unless approved by a variance.
   - Section K—the removal of the sign regulations in mixed use as the sign code- article VIII of the Land Development Regulations shall be the governing section regarding signs.

2) Section 3.09.00 Transient lodging establishments within medium density land use districts
   - Section F—The removal of a code section that addresses fees as they are now located in the city fee schedule and this information is conflicting with that fee schedule.

3) Section 5.01.03 Replacement and mitigation
   - Section B--The addition of subsection (4) for the construction and maintenance of structures and landscaping in city owned parks. This proposed change will add flexibility to the Public Works Director and the City Commission in the usage of the City Tree and Landscape Fund.

4) Section 6.01.03 Building setback requirements
   - Section B—Minimum setbacks for non-structural components of a structure.—
     Subsection (a)—adds a provision that the 8' in height is measured to the bottom of the structural beam and clarification of the setback from the rear and side lot lines for open air structures.
     Subsection (b)—added a provision that height for a screen room and patio cover does not exceed (9) feet in height to the bottom of the structural beam.

Sincerely

Brian Law

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

Sec. 3.02.02.01. - Mixed use districts.

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 3.02102.01 recommended by the PZB to be approved by the City Commission 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.

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.~~ as per the city fee schedule.

Proposed revisions to Section 3.09.00 recommended by the PZB to be approved by the City Commission per unanimous 7-0 vote.

Sec. 5.01.03. – Replacement and mitigation

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. 6.01.03. - 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.

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

City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM
BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

To: Max Royle
From: Brian Law
CC:
Date: 11-15-2019
Re: Pool ISR allowance in Low density residential land use district

Max

This is the proposed pool ISR allowance for pool and pool decking in Low density residential land use district. The 465 square feet allowance was based upon the 10% increased ISR that the Medium land use district (50%) maintains while Low density residential is limited to 40% as allowed as per section 6.01.02 of the City of St. Augustine Beach Land Development Regulations. The current Low density residential ISR limit has proven to bring an additional expensive cost for any Low density resident wishing to have a pool in the rear yard. This is based upon the need to remove the existing concrete driveway or any existing pavers not being able to demonstrate the 10% permeability. Please see the calculations below.

Calculations
(53')(90')=4650 square feet medium density lot size
(4650)(.10)=465 square feet allowance for pool and pool decking in Low density residential

On the September 17, 2019 Comprehensive Planning and Zoning Board meeting the board recommended 6-1 for a 50% ISR for low density residential land use district.

Sincerely

Brian Law

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

Sec. 6.01.02. - Impervious surface coverage.

A. *Generally* . Impervious surface on a development site shall not exceed the ratios provided in the table in paragraph D. of this section.

B. *Ratio calculation* . The impervious surface ratio is calculated by dividing the total impervious surface area by the gross site area.

C. *Alternative paving materials* . If porous paving materials are used, then the area covered with porous paving materials shall not be counted as impervious surface for high density residential and commercial only. Low and Medium density residential shall be allowed a 15% increase in impervious surface ratio if the materials used have a 10% or greater permeability.

D. *Table of impervious surface ratios* .

Land Use District	Maximum Impervious Surface Ratio [1]
Low density residential	0.40 *
Medium density residential	0.50
High density residential	0.70
Commercial	0.70

* In Low density residential land use district a 465 square feet allowance shall be provided for the construction and installation of a pool and pool decking only.

MEMO

To: Max Royle, City Manager

From: Bonnie Miller, Executive Assistant, Building and Zoning Department

Subject: Deletion of Section 4.00.06 of City's Land Development Regulations

Date: Tuesday, November 19, 2019

Please be advised staff recommends Section 4.00.06 of the City's Land Development Regulations (LDRs), which pertains to the preparation of an annual report by the City, be removed in its entirety. This section of the LDRs was adopted in 1991 per Ordinance No. 91-7, and requires an annual report that no longer serves a purpose, as all development and development orders are currently required to go through the development review and permitting process performed by the City's Building and Zoning Department and other applicable agencies that may include the St. Johns County Fire Marshal's Office, St. Johns County Utility Department, St. Johns County Transportation Department, the City of St. Augustine Beach Police Department, City of St. Augustine Beach Public Works Department, City of St. Augustine Beach Comprehensive Planning and Zoning Board, and the St. Augustine Beach City Commission.

Sec. 4.00.06. - ~~Annual report.~~Reserved

~~A. Contents. The city shall prepare an annual report that includes:~~

~~1. A summary of actual development activity, including a summary of certificates of occupancy, indicating quantity of development represented by type and square footage.~~

~~2. A summary of building permit activity, indicating:~~

~~a. Those that expired without commencing construction;~~

~~b. Those that are active at the time of the report;~~

~~c. The quantity of development represented by the outstanding building permits;~~

~~d. Those that result from final development orders issued prior to the adoption of this Code; and~~

~~e. Those that result from final development orders issued pursuant to the requirements of this Code.~~

~~3. A summary of preliminary development orders issued, indicating:~~

~~a. Those that expired without subsequent final development orders;~~

~~b. Those that are valid at the time of the report; and~~

~~c. The phases and quantity of development represented by the outstanding preliminary development orders.~~

~~4. A summary of final development orders issued, indicating:~~

~~a. Those that expired without subsequent building permits;~~

~~b. Those that were completed during the reporting period;~~

~~c. Those that are valid at the time of the report but do have associated building permits or construction activity; and~~

~~d. The phases and quantity of development represented by the outstanding final development orders.~~

~~5. An evaluation of each facility and service indicating:~~

~~a. The capacity available for each at the beginning of the reporting period and the end of the reporting period;~~

~~b. The portion of the available capacity held for valid preliminary and final development orders;~~

~~c. A comparison of the actual capacity to calculated capacity resulting from approved preliminary development orders and final development orders;~~

~~d. The status of all interlocal agreements with St. Johns County concerning provision of public facilities and services.~~

~~e. A comparison of actual capacity and levels of service to adopted levels of service from the St. Augustine Beach Comprehensive Plan.~~

~~f. A forecast of the capacity for each based upon the most recently updated schedule of proposed improvements.~~

~~B. Use of the annual report. The annual report shall propose capacity and levels of service of public facilities for the purpose of issuing development orders during the twelve (12) months following completion of the annual report.~~

~~(Ord. No. 91-7, § 2)~~

Agenda Item # 10

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 20, 2019

SUBJECT: Ordinance 19-18, First Reading: to Ban Rental of E-Scooters in City

The outcome of your discussion at the November 4th meeting of whether to permit e-scooters in the City was for Mr. Wilson, the City Attorney, to draft an ordinance to ban the rental of e-scooters and e-bicycles within the City's limits. However, Mr. Wilson informed us shortly before he left for vacation about the middle of November that he was having computer problems and might not have the ordinance in time for your meeting. As we don't have the ordinance by the date of this memo, we ask that you postpone the topic to your January meeting.

Agenda Item # 11

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 20, 2019

SUBJECT: Police Chief and City Manager: Review of Annual Performance Evaluations by Mayor and Commissioners

We have attached the evaluations with the following numbering system: "PC" pages identify the evaluations of Chief Hardwick; "CM" pages identify the evaluations of the City Manager.

As of the date of this memo to you, we have received evaluations from the following: Mayor George, Commissioner Kostka, and Commissioner Rumrell.

Their evaluations are attached as follows:

a. Police Chief
   - Mayor George: PC 1-3
   - Commissioner Kostka: PC 4-8
   - Commissioner Rumrell: PC 9-12

b. City Manager
   - Mayor George: CM 1-10
   - Commissioner Kostka: CM 11-15
   - Commissioner Rumrell: CM 16-20

PLEASE NOTE: During the week before your December meeting, Vice Mayor England will meet with the Police Chief and City Manager to discuss her evaluation of each.

SUPPLEMENTAL INFORMATION

It concerns the City Manager and both the written evaluations as well as some comments that were made to me by Commissioners during their one-on-one discussions with me.

1. Insurance for the retention pond weir

There was no insurance available for it because the Florida Municipal Insurance Trust didn't insure dams, dikes, etc., and still doesn't. Also, the company that provided a competitive quote for the City's insurance business, PRIA (Preferred Risk Insurance Advisors) that you reviewed at your September 23rd special

meeting stated in its proposal that it didn't insure dams, dikes, and levees. (A weir is defined as a low dam to raise the level of water upstream or regulate its flow.)

Attached is a memo from Mrs. Raddatz, the City Clerk, in which she describes what she has found concerning insurance for a weir. When the concrete weir is under construction, she will check the cost for a special policy to insure it. If the cost is reasonable, then she'll ask whether you want to appropriate money for a policy to insure the concrete structure.

2. Personal goals

Some of you asked me about personal goals. I may not have given you a satisfactory answer because I don't consider personal goals as ones directly related to the City but rather goals for myself, such as I will increase my walking pace from 2.5 to 3 miles per hour; or I will strive for a better work/life balance.

In terms of goals for the City, I don't think of "I goals," meaning goals that I alone need to accomplish, but of "we goals", meaning goals that the City as a team has. The accomplishment of them will be the result of a collaborative team effort, not the result of just one individual's efforts.

The City's goals are in the strategic plan. At your January 6th meeting, I'll provide a proposed strategic plan that will have a several goals and related tasks for the Commission and the staff together to accomplish over the next five years.

3. City finances

Some of you are concerned about the City's finances and my role in reducing taxes. If my performance is to be evaluated on the basis of how much I can control the budget, I need to point out that two major parts of the budget are out of my control. They are the Police Department's budget and what the City must budget each year for its long-term debt obligations.

The total FY 2020 budget is $10,732,644. Of that amount, $2,481,316 has been appropriated for the Police Department and $1,040,696 for the Debt Service Fund. The total that's not under the City Manager's control is $3,882,012, which is more than a third of the budget.

I suggest that later in FY 2020, the Commission do a thorough review of the budget and the programs/services it funds, to determine which programs/services are essential and which are "nice to have" but not essential and therefore can be eliminated to save money.

Integral to the determination of what's essential and what isn't will be for the Commission to decide what is the City's basic purpose, i.e., why does it exist, and what programs/services are needed to carry out that purpose. The purpose can be made a part of the strategic plan.

4. Succession planning

Some of you spoke to me about the need for succession planning for the City Manager's position. My response to individual Commissioners was that an Assistant City Manager isn't needed because of the small number of direct reports to me, plus the position's cost to the City's budget and that a future Commission may not agree with who I select as my Assistant and thus may not want to promote him or her to the Manager's position in the event of my absence, be that temporary or permanent. I will present at your January 6th meeting a proposal that should address your concerns about succession planning in

the event long-term illness, catastrophic accident, or death renders me unable to perform the work the position requires.

CITY OF ST. AUGUSTINE BEACH

Date: November 14, 2019

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

Through: Max Royle, City Manager

From: Beverly Raddatz, MMC, City Clerk BR

Subject: Weir Insurance Coverage

Background:

September 9, 2019, Regular Commission meeting, the weir insurance was discussed. Florida Municipal Insurance Trust (FMIT) as with most insurance companies explained that they do not cover dams, dikes, levees, retaining walls or devices that hold back water.

After identifying the need for this insurance, staff notified FMIT to do an audit of all the City's insurance needs, which will be done the first of the year by a Synergy representative. The last audit was done April 2014. The standard time for an audit is every five years.

Melissa Solis, Trust Services Supervisor for FMIT, advised that if the City wants to insure the weir, FMIT could find special rider or policy, which FMIT would quote from another insurance company. It is my understanding that a weir is not usually covered under most policies, but a specialty rider could be quoted. FMIT is working on a quote for the City currently.

Staff explained to FMIT that the repair of the weir has been completed and FMIT is researching quotes for a special rider and staff also explained that the City will need an updated special rider policy once the weir's permanent structure is completed. While the permanent weir is being built the Request for Proposal will specify that the contractor must carry Builders Risk insurance in case there is any damage while under construction.

CITY OF ST. AUGUSTINE BEACH
2200 A1A South, St. Augustine Beach, FL 32080
904-471-2122

PERFORMANCE REVIEW FOR POLICE CHIEF

Review for:	
Name: Robert Hardwick	**Job Title: Chief of Police**
Review Period: 2018 - 2019	**Reviewed By: Commissioner George**

Performance Goals

Enter annual performance goals. Consider the City operational, financial, leadership, staffing and personal goals based on your role and responsibilities. Briefly describe how results were achieved, support our strategy, and demonstrate the City's strategic goals. You may assign a percentage for each goal with the total adding up to 100 percent.

Law Enforcement/Emergency Services

Description: Provide law enforcement and emergency services for the safety and well-being of residents and citizens. Establish a functional and efficient operational structure which achieves the City's goals. Protect the quality of life desired by St. Augustine Beach residents. Establish emergency preparedness goals and procedures. Coordinate both law enforcement and emergency services with other state and local agencies as needed.

Results/Comments:
Chief Hardwick continues to deliver exceptional performance in this area.

Financial Goals

Description: Manage City operations within budget, except as authorized by Commission. Advise Commission, as needed, regarding unusual expenses. Prepare and advise commission on annual budget, work with Commission early to establish goals on salary increases, capital expenses, etc. Manage financial needs of the City within established guidelines for similar positioned peer agencies. Advise Commission regarding available grants.

Results/Comments:
Chief continues to deliver fiscally responsible management and is a ready source for creative solutions when budget adjustments need to be made. He is a reliable team player and leader when it comes to ensuring the financial needs of the city.

City Operational/ Administration Goals

Description: Ensure the City adheres to all federal, state and local laws, rules, and regulations. Establish written policies and procedures for all aspects of City operations and administration. Provide adequate staff training in all departments to achieve these goals and serve the public in a professional manner. Promote an open-door policy to staff concerns and needs. Establish fair and adequate HR policies and procedures. Explore and provide up-to-date technology and equipment to achieve maximum operational efficiency. Maintain the highest standards of professionalism, which may be indicated by maintaining state certifications and satisfactory audit results.

Results/Comments:
Chief continues to deliver unparalleled excellence with legal compliance; the city's police department continues to elevate the standards for municipal law enforcement agencies throughout the Northeast Florida region and around the entire state.

Communication Goals

Description: Establish a solid and reliable communication system between City Management, Commissioners and St. Augustine Beach residents, using latest technology and non-technical methods. Ensure communications are available and back-ups in place in emergency situations (e.g. hurricane). Provide frequent information and updates to Commission on City operations. Establish on-going communications and cooperation with St. Johns County Sherriff's department and nearby peer agencies.

Results/Comments:
Through the evaluation period there have been no problems with communication between this Mayor/Commissioner and the Chief and the entire Police Department. Response time is regularly immediate, follow up is offered and made and there are no recommendations for improvement suggested by this reviewer.

Leadership Goals

Description: As the Chief Executive Officer of the Police Department, provide overall direction, mentorship and evaluation of managing supervisors. Ensure all supervisors are aware of and comply with all federal, state, and local laws, ordinances and regulations in carrying out their respective duties and responsibilities. Promote community services, encourage satisfactory communications with residents and recommend programs which address the changing needs of the City.

Results/Comments:

The feedback from managing supervisors in the police department department, and all other agency staff, is that the Chief is an exemplary role model, that there is an outstanding level of mentorship, opportunity for growth, training and career experience provided equally to all members of the department. Satisfaction for service level provided to community appears to be extremely high due to the community outreach programs and events offered by the agency.

Personal Goals

Description: Setting and achieving personal goals to continually increase knowledge, productivity, and efficiency. Personal goals should be specific, measurable, and reasonable attainable.

Results/Comments:

Chief has again achieved an unblemished re-accreditation for the department. All personal and department goals are being met and challenges accepted with enthusiasm.

Overall Performance Summary

Description: Summarize annual performance relative to annual goals. Describe whether and how effectively results were achieved.

Results/Comments:

Chief Hardwick truly has earned the highest level of evaluation achievable. He is constantly expanding his expertise and experience in the field, striving to expose himself to new ideas and resources and in doing so improving the resources for our department.

Employee Comments:

Overall Chief Hardwick has again out performed as an outstanding leader, professional, mentor and Chief!

/s/ Undine C. George
INTERVIEWER'S SIGNATURE

CHIEF OF POLICE'S SIGNATURE
11-4-19

DATE: **October 21, 2019**

CITY OF ST. AUGUSTINE BEACH
2200 A1A South, St. Augustine Beach, FL 32080
904-471-2122

PERFORMANCE REVIEW FOR POLICE CHIEF

Review for:	
Name: Chief Robert Hardwick	**Job Title: Police Chief**
Review Period: 2018-2019	**Reviewed By: Commissioner Kostka**

Performance Goals

Enter annual performance goals. Consider the City operational, financial, leadership, staffing and personal goals based on your role and responsibilities. Briefly describe how results were achieved, support our strategy, and demonstrate the City's strategic goals. You may assign a percentage for each goal with the total adding up to 100 percent.

Law Enforcement/Emergency Services

Description: Provide law enforcement and emergency services for the safety and well-being of residents and citizens. Establish a functional and efficient operational structure which achieves the City's goals. Protect the quality of life desired by St. Augustine Beach residents. Establish emergency preparedness goals and procedures. Coordinate both law enforcement and emergency services with other state and local agencies as needed.

Results/Comments:

Our city continues to be very well served by our Nationally Accredited Police Department; our police department had its initial accreditation assessment in 2015, which was unblemished, a re-accreditation in 2018 which again was unblemished and are now preparing for re-accreditation in 2020/2021. This is a great accomplishment not given by the accreditation team lightly. It is a tremendous honor.

Additionally, our police department was given a letter and certificate signifying our second Storm Ready renewal by Ben Nelson from the National Weather Service.

The Police Department of St. Augustine Beach goes above and beyond in implementing and continued monitoring of well-established emergency practices. Through the efforts of Chief Hardwick and the officers, the safety and well-being of our residents is superior.

Financial Goals

Description: Manage City operations within budget, except as authorized by Commission. Advise Commission, as needed, regarding unusual expenses. Prepare and advise commission on annual budget, work with Commission early to establish goals on salary increases, capital expenses, etc. Manage financial needs of the City within established guidelines for similar positioned peer agencies. Advise Commission regarding available grants.

Results/Comments:
Communication to the Commission concerning budgetary needs is always given in a pragmatic and efficient manner. The budget of this department is flawless every quarter with usually a budget surplus. Your constant review of expenditures and desire to minimize costs is greatly appreciated. Never are requests made for items that are not necessary and the entire department seems well educated on being frugal with our resources. I am encouraged by the desire to look into supplementing costs our police department incurs by helping the county in patrolling the beach and pier areas as this is a financial burden on our own city resources.

City Operational/ Administration Goals

Description: Ensure the City adheres to all federal, state and local laws, rules, and regulations. Establish written policies and procedures for all aspects of City operations and administration. Provide adequate staff training in all departments to achieve these goals and serve the public in a professional manner. Promote an open-door policy to staff concerns and needs. Establish fair and adequate HR policies and procedures. Explore and provide up-to-date technology and equipment to achieve maximum operational efficiency. Maintain the highest standards of professionalism, which may be indicated by maintaining state certifications and satisfactory audit results.

Results/Comments:
Your department continues to receive accolades from across the nation. You have established and continually expect the highest level of standards and conduct yourself in the highest level of professionalism, no matter the circumstance. I appreciate you implementing and keeping the same expectations and standards for your entire department.

Communication Goals

Description: Establish a solid and reliable communication system between City Management, Commissioners and St. Augustine Beach residents, using latest technology and non-technical methods. Ensure communications are available and back-ups in place in emergency situations (e.g. hurricane). Provide frequent information and updates to Commission on City operations. Establish on-going communications and cooperation with St. Johns County Sherriff's department and nearby peer agencies.

Results/Comments:

The communication efforts between your department and the community, commission continues to be excellent. Your department's facebook page is extremely popular and it is updated frequently. Personal contact within the community continues to be strong and National Night Out has become a popular event many in our community look forward to each year. Kilo has also helped engage members of our community who may have been otherwise less inclined.

I am pleased there seems to be more communication within city management. Good communication within our own departments is critical to the success of our community.

Leadership Goals

Description: As the Chief Executive Officer of the Police Department, provide overall direction, mentorship and evaluation of managing supervisors. Ensure all supervisors are aware of and comply with all federal, state, and local laws, ordinances and regulations in carrying out their respective duties and responsibilities. Promote community services, encourage satisfactory communications with residents and recommend programs which address the changing needs of the City.

Results/Comments:

As previously stated, as Chief of Police, you go above and beyond in adhering to any and all established governing policies and procedures. You ensure all your officers and supporting staff are aware and ensure their compliance with any and all federal, state and local laws, regulations, ordinances and policies. I have seen you often go out of your way to mentor your fellow officers and staff who have a high level of respect and support for you. I have also witnessed first-hand the level of compassion and respect you have for members in our community and young people. Several of the officers that work in our city's police department share the same sentiments; there is a high level of respect, admiration and support for their department leadership. You are well liked and respected by your department. This is a true testament of your character.

Personal Goals

Description: Setting and achieving personal goals to continually increase knowledge, productivity, and efficiency. Personal goals should be specific, measurable, and reasonable attainable.

Results/Comments:
You continue to challenge yourself to learn more that will help improve the overall department, your team, the community and individual officers' aptitude. Your initiative to continually take actions to improve yourself and your officers is commendable. It is comforting to know there is a solid succession plan in place and that you continue to train and prepare your officers for any situation we may face in the future.

Overall Performance Summary

Description: Summarize annual performance relative to annual goals. Describe whether and how effectively results were achieved.

Results/Comments:
Chief Hardwick, you have indeed met and exceeded your established goals from the past evaluation. Continued exceptional operation of the Police Department is clear. You have successfully groomed Commander Ashlock, monitor growth of your officers and maintained a fiscally responsible budget for the department. It is both an honor and a pleasure to work with an individual of such high integrity.

Employee Comments:

INTERVIEWER'S SIGNATURE

DATE: 9/18/19

CITY OF ST. AUGUSTINE BEACH
2200 A1A South, St. Augustine Beach, FL 32080
904-471-2122

PERFORMANCE REVIEW FOR POLICE CHIEF

Review for:	
Name: Hardwick	**Job Title:** Chief Police
Review Period: 6 months	**Reviewed By:** Dylan Rumnello

Performance Goals

Enter annual performance goals. Consider the City operational, financial, leadership, staffing and personal goals based on your role and responsibilities. Briefly describe how results were achieved, support our strategy, and demonstrate the City's strategic goals. You may assign a percentage for each goal with the total adding up to 100 percent.

Law Enforcement/Emergency Services

Description: Provide law enforcement and emergency services for the safety and well-being of residents and citizens. Establish a functional and efficient operational structure which achieves the City's goals. Protect the quality of life desired by St. Augustine Beach residents. Establish emergency preparedness goals and procedures. Coordinate both law enforcement and emergency services with other state and local agencies as needed.

Results/Comments:

Chief Hardwick in my 6 months has done an outstanding job. working with all. He and his staff were in the front lines during Hurricane Dorian. The communication to us (commission) and residents was on point. I feel we as residents we are truly lucky to have Chief and his highly trained STAFF. The thousand of tourists should know they are in good hands.

Financial Goals

Description: Manage City operations within budget, except as authorized by Commission. Advise Commission, as needed, regarding unusual expenses. Prepare and advise commission on annual budget, work with Commission early to establish goals on salary increases, capital expenses, etc. Manage financial needs of the City within established guidelines for similar positioned peer agencies. Advise Commission regarding available grants.

Results/Comments:

Chief does a outstanding job working within the budget. This year was tough on all of us and he pushed things off to help the city. Chief finds a way to minimize costs.

City Operational/ Administration Goals

Description: Ensure the City adheres to all federal, state and local laws, rules, and regulations. Establish written policies and procedures for all aspects of City operations and administration. Provide adequate staff training in all departments to achieve these goals and serve the public in a professional manner. Promote an open-door policy to staff concerns and needs. Establish fair and adequate HR policies and procedures. Explore and provide up-to-date technology and equipment to achieve maximum operational efficiency. Maintain the highest standards of professionalism, which may be indicated by maintaining state certifications and satisfactory audit results.

Results/Comments:

By achieving the highest level of accreditation scores shows that he and his staff work endlessly making sure the dept runs effectively and efficiently. The demands the Chief puts on himself rubs off on his staff is the highest compliment.

Communication Goals

Description: Establish a solid and reliable communication system between City Management, Commissioners and St. Augustine Beach residents, using latest technology and non-technical methods. Ensure communications are available and back-ups in place in emergency situations (e.g. hurricane). Provide frequent information and updates to Commission on City operations. Establish on-going communications and cooperation with St. Johns County Sherriff's department and nearby peer agencies.

Results/Comments:

Communication between the commissioners and public is excellent. Chief and his staff promote great community envolvement. (I attend all Coffee w/ a cop). He's constantly reaching out to the community.

Leadership Goals

Description: As the Chief Executive Officer of the Police Department, provide overall direction, mentorship and evaluation of managing supervisors. Ensure all supervisors are aware of and comply with all federal, state, and local laws, ordinances and regulations in carrying out their respective duties and responsibilities. Promote community services, encourage satisfactory communications with residents and recommend programs which address the changing needs of the City.

Results/Comments:

As I mentioned before, having the highest honor of accreditation explains the hard work the entire staff goes through!

Personal Goals

Description: Setting and achieving personal goals to continually increase knowledge, productivity, and efficiency. Personal goals should be specific, measurable, and reasonable attainable.

Results/Comments:

Chief is constantly challenging himself and strives to make the department even better.

Overall Performance Summary

Description: Summarize annual performance relative to annual goals. Describe whether and how effectively results were achieved.

Results/Comments:

In 6 months that I have been a commissioner, Chief has taken it upon himself to continue to better the dept. He continues to work with MAX and other City dept heads to have emergency plans in place due to any emergency that may arise.

CITY OF ST. AUGUSTINE BEACH

PERFORMANCE APPRAISAL

PERFORMANCE FACTORS -Please mark the box next to the statement that most accurately describes the employee's level of performance during the review period on each of the performance factors. Please provide a brief description for each rating in the space provided.

A rating of *"fully competent"* signifies that performance meets the expectations for the job. A *"superior"* rating is for performance that achieves the *"fully competent"* level and clearly goes beyond expectations as described in the ratings' definitions. The rating explanation section is completed with relevant examples of work behavior. A *"performance needs Improvement"* rating indicates a performance level below expectations.

1. **MANAGING WORK/ORGANIZATION AND PLANNING:** Ability to generate results through the effective allocation of resources, to identify tasks, determine methods/practices and administer assigned operations. Ability to plan, organize and set priorities for work, including ability to make work assignments, establish deadlines and communicate standards and expectations.

The *superior performer* effectively allocates and utilizes appropriate resources to achieve the expected results. He/she consistently engages in short- and long-range planning for self and the city/department, uses scheduling and staff assignments to achieve city/departmental and Commission goals, as well as staff development needs, while allowing flexibility to deal with unexpected results.

The *fully competent performer* participates in short- and long-range planning, develops plans for task accomplishment, schedules resources to meet deadlines, and clearly communicates standards and expectations. He/she leads the assigned unit through most tasks in an efficient manner, demonstrates good coordination of resources, develops efficient systems and practices for record keeping, cost control and improved work flow, and directs the efforts of the assigned unit to accomplish city, departmental and Commission goals.

Performance needs improvement if deadlines are missed due to lack of planning, organization or improper priorities; operations are marked by inefficient work flow or assigned unit achieves less than productive results from the resources used.

RATING:

X Superior

___ Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

Business operations are much improved compared to the prior evaluation period. Our City Manager has overseen many significant staffing changes in the past two years. The City suffered the tragic loss of our Public Works Director and the City Manager effectively oversaw the implementation of an interim director during the time when our ailing director was unable to work and then during the search for a new director. A similar process was utilized when our Finance Director gave short notice of her accepting a job at a different city, the former director's assistant served as interim director while a search for candidates was conducted. Through both losses of key personnel, Max managed the transitions without incident. Through re-evaluating the needs of the finance department, and recruiting from within, the Finance Department is performing exceptionally well. Overall the feedback from the staff and community is that day-to-day issues and services are doing well!

2. **LEADERSHIP AND PROBLEM SOLVING:** Ability to generate productive results by influencing employees toward positive performance and the use of the skills that create positive work behaviors and attitudes. Ability to correct problems before they become serious, identify areas for potential problems, and take action to prevent them.

A *superior performer* displays exemplary work habits and reflects positive work behaviors, presents ideas positively and enthusiastically, encourages and rewards outstand performance and positive attitudes, and carries out human resources policies in an impartial, unbiased manner. He/she develops preventive and productive systems for recognizing potential problem areas, analyzes the scope and causes of the problem and allocates resources toward creative, cost-effective solutions, and encourages such practices throughout the assigned area of responsibilities.

The *fully competent performer* encourages employees toward achievement and provides positive leadership through attitude and action. He/she anticipates potential problems, provides valuable feedback to employees about the cause and effect of actions, and develops plans to maintain sufficient resources.

Performance needs improvement if the department head/city manager does not direct or influence the activities or attitudes toward achieving results, or displays ineffective work habits. He/she only reacts to problems, or allows minor problems to become major ones before attempting to solve them.

RATING:

____ Superior

X Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

3. **PROFESSIONAL DEVELOPMENT:** Commitment to developments in the area of responsibilities, the development of effective management techniques, and the pursuit of increased knowledge and awareness of the fundamentals and new developments in the field.

The *superior performer* enthusiastically seeks new ways to increase managerial skills and is committed to remaining up-to-date on trends in his/her area of responsibilities. Active involvement or leadership in professional organizations at the local, state or national level.

The *fully competent performer* applies new developments pertaining to his/her area of responsibilities that clearly benefit the city, and participates in in-service and professional training as part of a professional growth program that benefits the city. Maintains membership in professional organizations.

Performance needs improvement if the department head/city manager seems uninterested or unaware of developments in the field, or does not accept new methods for becoming more effective in his/her area of responsibilities.

RATING:

___ Superior

X Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

4. **ORGANIZATION COMMITMENT:** Ability to achieve compliance with, and commitment to, the organizational policies, procedures, practices and principles of the profession, and encourages subordinates to work on achieving departmental/organizational goals.

The *superior performer* enthusiastically endorses the organization's goals and objectives, and makes an extra effort to carry out decisions and policies in a manner that promotes organizational values. Encourages management style built on teamwork, and seeks additional responsibility in the interest of meeting organization goals.

The *fully competent performer* demonstrates strong support for organizational values and policies; encourages similar support from staff, and willingly implements decisions and policies; and keeps others in the organization appropriately informed.

Performance needs improvement if the department head/city manager does not fully implement the organization's and policies as determined by the Commission, and/or shows a lack of commitment to the achieving of them.

RATING:

____ Superior

X Fully Competent

____ Performance Needs Improvement

EXPLANATION/COMMENTS:

5. **COMMUNICATION SKILLS AND POSITIVE INTERPERSONAL RELATIONSHIPS:** Ability to express ideas clearly both orally and in writing; to establish and maintain positive interpersonal relationships with employees as well as with other managers, citizens, and elected and appointed officials.

The *superior performer* organizes ideas well and is influential and highly effective in conveying the message and its tone. May be required to create reports or make presentations to the Commission, colleagues and citizens. He/she promotes open channels of communication that build mutual trust betweeri employees, peers and managers. Management style is marked by commitment to team building and fairness within the department and the City organization.

The *fully competent performer* expresses ideas and information in a clear and organized manner, and achieves effective two-way exchanges of information. The employee is a good listener and encourages open communications and questions from others. He/she establishes and maintains harmonious and cooperative work relations, and emphasizes team work and good communications that are honest and forthright.

Performer needs improvement if verbal communications create conflict or misunderstanding, or written material is unclear and poorly organized. He/she makes promises beyond his/her scope of authority, or has difficulty remaining unbiased in decision making.

RATING:

X Superior

___ Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

6. **DECISION MAKING:** Ability to develop strategies and implement decisions that account for individual needs as well as broad organizational perspectives; make quality and fiscally sound decisions; and invite employee involvement in the decision-making process.

The *superior performer* envisions innovative solutions to complex problems, maintains a broad point of view regarding the organization and community, and appropriately involves employees in the decision-making process and works with others to identify policy issues for consideration.

The *fully competent performer* exhibits decision making that balances narrow and broad *range* issues, exhibits financial awareness, considers the long-range implications when determining solutions, regularly provides for employee participation in decision making as needed, and seeks input from others when appropriate.

Performer needs improvement if he/she doesn't consider the effects of his/her decisions on individuals and/or the organization, or allows little or no employee participation in the making of decisions.

RATING:

___ Superior

X Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

In some occasions, there could have been more foresight considered prior to implementing certain decisions. By way of limited example: 1) failing to include the weir in the asset list for insured assets in the city, thereby precluding an insurance claim for its failure, not realizing the mistake immediately after the failure occurred and not taking steps after the failure occurred to immediately insure it; 2) delay in flying of the pride flag due to objection comments made by one citizen - although Mr. Royle's motivations may have been good hearted and not discriminatory, the delay in flying the flag and the limited research cited, resulted in unnecessary negative publicity; 3) not

acting upon the opportunity to re-design the sidewalk at Mickler Blvd when the vendor had demolished the sidewalk. In this case, not only had I mentioned this at a commission meeting but later when I realized my comments at the meeting had been "forgotten" and I pointed out that the excavation work had begun but the sidewalk had not yet been poured (this conversation took place at our regular check-signing meeting on September 26, 2019) still nothing was done. Had action been taken on September 26, 2019, the sidewalk could likely have been designed a few feet to the East to accommodate a vegetative buffer being installed between the pedestrian path and the vehicle path.

7. **DELEGATION/EMPLOYEE RESPONSIBILITY**: Knowledge of the delegation process and ability to delegate responsibility and authority, and to identify suitable delegation opportunities that increase effectiveness and employee growth. Ability to encourage staff to assume responsibility and accountability for their jobs, while promoting employees' self-direction according to established goals and standards.

The *superior performer* has systematic plans for delegation, makes regular use of delegation as a staff development tool, and achieves employee involvement in the decisions making process by sharing appropriate responsibility and authority. He/she encourages employees towards self-direction, creativity and self-initiated review of their own work, and relies on management principles that hold subordinates accountable for work product.

The *fully competent performer* allows employees input into the decision making process, recognize opportunities for suitable delegation, uses good follow up techniques, and treats employees with respect. He/she encourages employees to review and correct their own work prior to completion, assumes employee accountability when evaluating work results, and makes certain that supervisors appropriately oversee the hiring, training, disciplining and evaluating of employees.

Performer needs improvement if divisional effectiveness is diminished by poor use of delegation, or by extreme over control to the detriment of staff development, and/or if employees are unwilling or unable to accept responsibility for work products.

RATING:

X Superior

___ Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

Max is great at delegating and choosing staff who are capable of handling the tasks being delegated. He fully supports and encourages staff to pursue educational and personal growth opportunities within the City and beyond.

8. **ADMINISTRATION:** Ability to manage resources effectively while striving for organizational goals, and accepting responsibility and accountability for the actions of the assigned area.

The *superior performer* audits and evaluates the completion of projects in terms of quality, cost and time frame, and accepts responsibility for the actions and results of subordinates. Practices reflect full knowledge of established policies. Recommends better approaches to provide City services at reduced costs.

The *fully competent performer* maintains effective function of assigned operations and property, is accountable for his/her own actions as well as the smooth functioning of the assigned area within the provision *of* established policies. Identifies ways to provide services at less cost, prepares budget and administers expenditures according to City guidelines.

Performer needs improvement if he/she makes excuses for poor performance, if administration is inefficient, or if the provisions of established policies and procedures are not applied.

RATING:

___ Superior

X Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

I rate this as "fully competent" as opposed to "superior" because the Commission is not always provided with the information requested in advance of meetings and also is often tasked with coming up with requests for information or to audit the costs and methodology for providing city services or other procedural reviews. When such is requested, the results may require some tweaking, some basic questions may not yet be answered, or material not fully provided. This might be something that will change with the staffing modifications that have been made. An example would be the rumors related to the ADA compliance with televised broadcasts and website materials. It seems we were only provided half the information and made a quick decision to limit the city's liability by taking down the televised broadcasts and website materials. As we went thru the process to get pricing for the relay service it was like pulling teeth to find out a) what was and wasn't actually required; b) what competitors were available to provide the service. After many meetings asking staff for creative solutions Commissioners brought their own solutions (I for one merely conducted a quick google search and located the lowest price service). This is frustrating because we need to instill confidence in the people that all staff are being creative to keep costs low.

9. **ETHICS.** Impartiality in the performance of the job, including honesty and objectivity in decision making and communications, capacity to make decisions based on the best interests of the community, and to make realistic commitments within his/her scope of authority.

The *superior performer* functions as an exemplary public employee and inspires and rewards similar behavior in peers, supervisors and other employees.

The *fully competent performer* functions as a responsible public servant by presenting unbiased information and promises to the public, and making realistic commitments to follow through to citizens, Mayor, Commission, peers, fellow employees and others in the private/public sectors with whom the performer interacts. Manages in a professional manner in conformance with federal, state and local laws.

Performer needs improvement if he/she doesn't function as a responsible public servant by making decisions based on the best interests of the community, or by making commitments outside his/her scope of authority.

RATING:

____ Superior

X Fully Competent

____ Performance Needs Improvement

EXPLANATION/COMMENTS:

See # 6 and 8, above. Unfortunately, working in the public sector, everything done or not done by a City Manager are scrutinized through the lens of suspicion of bias. Although actions taken, or not taken, may have been motivated by all the right reasons, their sequence, timing, and deviation from prior behavior will readily give the appearance of bias. Additional precautions should be taken to ensure all actions and decisions are motivated by and are evidenced to be motivated by neutral and legitimate concerns for the city.

10. **CITIZEN RESPONSIVENESS.** Responsiveness to citizens' actions and attitudes, and to citizen complaints or requests for information and/or action on problems.

The *superior performer* effectively institutes a policy establishing service to the citizens as a priority, and maintains an efficient policy for handling citizen requests/complaints that promote a favorable image of the City.

The *fully competent performer* works with staff to improve courtesy, timeliness and helpfulness to citizens, and stresses a positive problem-solving attitude in response to citizen requests/complaints.

Performer needs improvement if he/she ignores or neglect citizen requests/complaints, or allows staff to respond to requests/complaints with less than a courteous, problem-solving attitude.

RATING:

X Superior

____ Fully Competent

____ Performance Needs Improvement

EXPLANATION/COMMENTS:

Most citizens have wonderful things to say about city staff but you can't please everyone and there are the occasional complaints that trickle into city hall as well as those who disagree with the way the city affairs are conducted. Mr. Royle always responds to the complaints and compliments that are received and is sensitive to staff's concerns regarding them. He is an excellent and artful writer and seems to genuinely enjoy the community interaction when conducted through the written word.

MAJOR ACCOMPLISHMENTS: List/describe the major accomplishments of the review period, including unexpected developments that were addressed, as well as any objectives that were not accomplished and cite the reasons.

It was apparent to me during this evaluation period that Mr. Royle genuinely reflected on the suggestions made in the last performance evaluation and has taken steps to implement many of them. During the Dorian hurricane event he was engaged and participated in numerous meetings with the EOC. I think such efforts are critical to ensuring coordination and efficient use of intergovernmental resources, and to assuring the public of the reasoning behind the strategic life-saving decisions that are made during these potentially catastrophic weather events. As with all things, I encourage continued networking and continuing education opportunities to ensure a fresh pro-active perspective to be considered with the challenges that lie ahead in the next year.

Mr. Royle is celebrating his 30th anniversary as City Manager this year. That is noteworthy and speaks highly of him and the City!

OVERALL PERFORMANCE RATING;

The *superior performer* will not need improvement in any of the performance factor areas. In most areas, a superior rating was achieved. The superior rating should be reserved for only those employees whose performance clearly exceeds expectations.

The fully competent performer may be superior in some areas, but fully competent in most. The fully competent rating should be given to employees whose performance exceeds the minimum standards, but does not clearly exceed all expectations.

The *performer needs improvement* if he/she has not met the performance expectations for the job in the majority of the factors. The needs improvement rating should be given to employees who demonstrate the potential and willingness to improve, but whose current performance is below expectations.

OVERALL RATING FOR THE PERIOD:

___ Superior

X Fully Competent

___ Performance Needs Improvement

EXPLANATION/COMMENTS:

Mr. Royle is doing a great job implementing the suggestions from the last performance period and is a valued member of the city!

EMPLOYEE COMMENTS:

Signatures:

/s/ Undine C. George	**10/21/2019**		
Employee	Date	Commission/City Manager	Date

CITY OF ST. AUGUSTINE BEACH
2200 A1A South, St. Augustine Beach, FL 32080
904-471-2122

PERFORMANCE REVIEW FOR CITY MANAGER

Review for:	
Name: Max Royal	**Job Title:** City Manager
Review Period: 2018-2019	**Reviewed By:** Commissioner Kostka

Performance Goals

Enter annual performance goals. Consider business, financial, risk, leadership, and personal goals based on your role and responsibilities. Briefly describe how results were achieved, support our strategy, and demonstrate the City's strategic goals. You may assign a percentage for each goal with the total adding up to 100 percent.

Strategic goals adopted by the City Commission, April 13, 2015:

- To establish a plan for evaluating the pros and cons of various events and their impact on the City's quality of life.
- To review additional revenue sources, including fees, grants, taxes, public/private, bonds, etc.
- To review and update City codes and their enforcement:
  a. *Parking*
  b. Traffic, speed limits
  c. Solid waste
  d. Land Development Regulations
- Advocate for continued funding for beach re-nourishment (state and federal).
- Develop a City-wide traffic management plan.

Business/Operations Goals

Description: Ensure departments are operating in an efficient manner, leadership and employees are engaged and well informed of strategic goals and day-to-day issues. Promote an open-door policy to staff concerns and needs. Provide adequate training and communication so that all employees are able to assist residents in a professional manner. Establish fair and adequate HR procedures. Explore and provide up-to-date technology and software to achieve maximum operational efficiency.

Results/Comments:

A few of my Concerns as related to this area include:

1. Efficient operations are necessary in each department. What plan as City Manager do you have in place to monitor changes and effectiveness in each department? How often is each department's plan/effectiveness evaluated for meeting/exceeding/missing goals? How are the departments being held accountable for the results? Where are these records being kept? I believe they should become part of record either for the City Manager or department head personnel file.
2. Open door policies are only as good as the follow-up action to the concern. Last year the suggestion was made to establish a system that outlines specific action required for follow up, discipline and concerns by employees and citizens. How has this been achieved? What were the results? Are new systems working?

3. Fair and adequate HR policies include how the bottom line impacts the residents and community. I think we are over due to evaluate all policies/procedures to ensure we have the adequate policies/procedures in place that protect our city staff/employees, citizens and community.
4. It is also time we look at our job descriptions and ensure they are up to date. With many changes within our city and changes to technology, job descriptions and responsibilities should be updated to encompass actual performance expectations.
5. It appears we are lagging in keeping up to date with the technology/software that can be used to help our city/staff to be as efficient as possible. This comes at a considerable cost, but efforts must be made for our city to continue to make advances in this area. It is often this area that is compromised in budgetary needs. Broadcasts of meetings should be effortless and meet all compliance requirements.
6. You have stated that each department head is responsible for the strategic goals of their department. How often are these goals evaluated? What is being used as a measure of success? What are the annual goals for each department? How is the completion of goals being used for annual evaluation and raises? Why not share the goals and quarterly evaluations with the commission? I would like to see a brief quarterly report/update from each department explaining progress on the department goals of: Administration, Building, Finance, Communications, Technology, Public Works, Code Enforcement.

Financial Goals

Description: Manage City operations within budget, except as authorized by Commission. Advise Commission, as needed, regarding unusual expenses. Prepare and advise commission on annual budget, work with Commission early to establish goals on millage, salary increases, capital expenses, etc. Manage financial position of City within established Florida League of Cities guidelines for similar positioned peer cities. Advise Commission regarding adequate reserves relative to last three years of expenses and known future expenses.

Results/Comments:

1. The very fact that the cost of our city's salaries and benefits exceeds the property tax revenue is **ALARMING**. I am very concerned that this does not seem to be a priority for the city manager. It is obvious that this area needs modification. The building department is financially self-sufficient. The Police department for the past several years has been under their budget. The other departments within city hall must do the same. It should be a priority for each department to maintain/decrease their budget. Where is the excess spending in each department? How can we minimize the weight of salaries and benefits on the overall budget?
2. Again, our city cannot sustain the cost of salaries and benefits exceeding property tax revenue. The answer should NOT be to continue to raise taxes and put the burden on the citizens. The answer is to control spending/expenses. Our citizens should not bear the burden of past fiscal irresponsibility.
3. It seems that "work with the commission early" has been a missed opportunity for the past several years. During this year's budget meetings Health Insurance and the overall city liability insurance was put on the agenda just weeks before the final budget was due. This is very poor planning. It does not provide the commission with adequate time to digest, evaluate and make a good decision concerning these topics which are a cost to our community. I am pleased that you as city manager have made a commitment to the commission in an effort to allow us an opportunity to evaluate and discuss insurance options well before September so we can make

better fiscal decisions for our city. I would encourage you to do the same regarding all large capital out lay projects and large expenditures.

4. It is part of your job, as City Manager, to manage the financial position of the city. It is quite appalling to discover that a valuable asset such as our weir could have been insured and was not. This was an enormous financial cost to our city and could have been avoided. This issue directly falls on you and a lack of either understanding of the policy or negligence in ensuring our city assets are covered.
5. When making financial comparisons to other cities, it is IMPERATIVE to look at the minutia. IE: When submitting cities mileage rates to compare with our city, please submit the budget of those cities so the similarities and differences can be easily recognized. **Numbers without the information obtained to determine the numbers are useless.** Mileage rates cannot be accurately compared without an understanding of the budget requirements of the comparative cities.
6. I am concerned that the recent departing employees (event coordinator, building director, financial administrator) were given high commendations of performance when there were several issues that were problematic in the work/performance history while employed by our city. This reflects poorly on our city, making us look like we have substandard expectations.

City Administration Goals

Description: Ensure City adheres to all state rules, polices, and guidelines regarding public meetings and requests for information. Establish adequate policies and procedures for all aspects of City administration, including, but not limited to, conducting public meetings, establishing agenda items, providing staff research and presentations, requests for bids, and vendor management, etc. Follow up on agenda items, public comments, and complaints. Provide adequate staff training in administration department to achieve these goals.

Results/Comments:

1. I am pleased to see in-house staff training taking place and expect that it will continue moving forward. I would like to suggest a "sensitivity training" type module offered. This would help train our staff to better serve our citizens in a productive and professional way.
2. I would like to state my appreciation for your flexibility in making changes to the format of our meeting agenda as we work through systems to find the best "flow".
3. An area requiring attention is the support/background information/materials provided for the meetings. Every item on the agenda should have the research and supportive information included. IE: when waste collection was on the agenda, the topic should have included all pertinent data; a breakdown of collection costs (cost for employees/cost of trucks/equipment / insurance, previous RFP bids, cost of a referendum). With this information, the commission is better able to make a good decision.
4. As to the agenda item of insurance policy comparisons: as previously stated, not enough time or background material was given to the commission for us to make a sound decision.

Communication Goals

Description: Establish a solid and reliable communication system between City Hall and St. Augustine Beach residents, using latest technology and non-technical methods. Ensure communications are available and back-ups in place in emergency situations (e.g. hurricane). Provide frequent information and updates to Commission on City operations (directly or through department heads). Establish on-going communications with St. Johns County and nearby peer cities.

Results/Comments:

1. There have been commendable intra-departmental efforts made in creating and implementing a successful emergency plan. Working together with all city departments has proven to be a prosperous effort. I look forward to continued work with all city departments and the county during emergency preparation.
2. Thanks to our new position of Communications/Event planning and Miss Cindy Walker, I believe we have improved the communication efforts with our residents through our web page, facebook page, radio broadcasts and press releases. These methods appear to provide a solid and reliable communication system between City Hall and its residents.
3. I continue to be concerned about the communication with St Johns County and the City of St Augustine. Perhaps a planned weekly or monthly phone conference could be utilized to ensure up to date communication is established and continues. It has been proven that it is more helpful to work together, especially on shared projects. The county appears to let our city absorb maintenance/repair costs to entities/areas that they are actually responsible for. This puts an unfair financial burden on our city. They should either take responsibility for the entities or turn over the entities to our city. (Roads, beach walkovers, Pier parking lot, police presence on beach, etc.) What is your plan to drastically improve this area? The county had a $18 million surplus last fiscal year, why can't they take proper care of their entities?

Leadership Goals

Description: Provide leadership and project management for major strategic goals established by the Commission. Utilize special meetings, workshops, and professional advisors to advance these goals. At a *minimum set the following special meetings each year: 1) update to strategic goals, and 2) special* workshop with the Planning and Zoning Board.

Results/Comments:

How will you accomplish this? With the growth rate of our city in the past 10 years, I think it would be important to review strategic goals on at least an annual basis so a constant evaluation of accomplishment can be discerned, and adjustments can be made if needed. Working with the P/Z board through regularly scheduled meetings quarterly or bi-annually should be occurring. The sharing of information, concerns and ideas is important for our city in community.

Personal Goals

Description: Setting and achieving personal goals to continually increase knowledge, productivity, and efficiency. Personal goals should be specific, measurable, and reasonable attainable.

Results/Comments:

What are your personal goals and how will you meet them? This is the same question I asked on your last evaluation. There does not seem to be any personal goals set. If no goals are set, how is your direction determined? Why are you not setting any personal goals? if you have goals, why are they not clearly stated? How are we as commissioners able to determine if your goals were met if they are not stated? No stated/written goals=no ability to determine if met.....

*Please provide a list of your personal goals to the commission before the end of December, 2019.

Overall Performance Summary

Description: Summarize annual performance relative to annual goals. Describe whether and how effectively results were achieved.

Results/Comments:

It is difficult to discern if there were any goals set and therefore impossible to describe if they were effective or if/how they were achieved.

Compared to the previous evaluation timeframe (2018-2019), it appears that within City Hall better practices are being complied with. This could be due to some change in personnel as we lost our previous Public Works director and that position was filled with a new Public Works director, as well as the new Communications/Event coordinator, Financial Administrator and our new Building Department director who have all made significant and helpful changes to our city procedures.

Good management requires constant, consistent direction and follow-up. The leadership and direction from the City Manager position continues to need improvement. Adequate insurance coverage for all city assets, like the weir are necessary. A thorough review of our insurance/asset coverage should be a priority. I am also concerned that we no longer have a succession plan in place. With the departure of our financial administrator, who was designated as the lead interim, we have an important plan to adjust. Best practices dictate we have a solid plan in place and currently, we do not. The issue of our budget with salaries and benefit costs exceeding our property tax revenues should also be a priority. This needs to be addressed WITHOUT raising taxes.

Employee Comments:

INTERVIEWER'S SIGNATURE

CITY MANAGER'S SIGNATURE

DATE: 10/29/19

CITY OF ST. AUGUSTINE BEACH
2200 A1A South, St. Augustine Beach, FL 32080
904-471-2122

PERFORMANCE REVIEW FOR CITY MANAGER

Review for:	
Name: MAX Royle	**Job Title:** city Mgr
Review Period: 6 months	**Reviewed By:** Dylan Rumrell

Performance Goals

Enter annual performance goals. Consider business, financial, risk, leadership, and personal goals based on your role and responsibilities. Briefly describe how results were achieved, support our strategy, and demonstrate the City's strategic goals. You may assign a percentage for each goal with the total adding up to 100 percent.

Strategic goals adopted by the City Commission, April 13, 2015:

- To establish a plan for evaluating the pros and cons of various events and their impact on the City's quality of life.
- To review additional revenue sources, including fees, grants, taxes, public/private, bonds, etc.
- To review and update City codes and their enforcement:
  a. Parking
  b. Traffic, speed limits
  c. Solid waste
  d. Land Development Regulations
- Advocate for continued funding for beach re-nourishment (state and federal).
- Develop a City-wide traffic management plan.

Business/Operations Goals

Description: Ensure departments are operating in an efficient manner, leadership and employees are engaged and well informed of strategic goals and day-to-day issues. Promote an open-door policy to staff concerns and needs. Provide adequate training and communication so that all employees are able to assist residents in a professional manner. Establish fair and adequate HR procedures. Explore and provide op-to-date technology and software to achieve maximum operational efficiency.

Results/Comments:

MAX and I have discussed a plan on day to day operations we have a new Finance Dir. who is working on a new style of Financial plans moving forward. I expect this to help MAX. I know MAX meets with his staff monthly and his door is always open. Being a new commissioner (6 months) I'm still evaluating MAX's follow up and action plans.

Financial Goals

Description: Manage City operations within budget, except as authorized by Commission. Advise Commission, as needed, regarding unusual expenses. Prepare and advise commission on annual budget, work with Commission early to establish goals on millage, salary increases, capital expenses, etc. Manage financial position of City within established Florida League of Cities guidelines for similar positioned peer cities. Advise Commission regarding adequate reserves relative to last three years of expenses and known future expenses.

Results/Comments:

FY 20 Budget was very difficult for me. The city lost its Financial officer (CFO) unexpectedly a few months before budget hearings. The city was dealing with some high expenses due to hurricane damage a few years prior. I felt like Max did a great job working with Dept. Heads to trim the budget. I also feel like he hired a innovative Finance director that should help the city moving forward.

City Administration Goals

Description: Ensure City adheres to all state rules, polices, and guidelines regarding public meetings and requests for information. Establish adequate policies and procedures for all aspects of City administration, including, but not limited to, conducting public meetings, establishing agenda items, providing staff research and presentations, requests for bids, and vendor management, etc. Follow up on agenda items, public comments, and complaints. Provide adequate staff training in administration department to achieve these goals.

Results/Comments:

We adjusted the order of agenda Items which I believe has helped the city to complete city Business. Max and city staff has improved on the transparency and bidding process. Max hired a wonderful PR director that has been very helpful getting the word out to city residents about city meetings or other city happenings, since I've been here I've seen Improvements on receiving agenda Items in a timely Fashion.

Communication Goals

Description: Establish a solid and reliable communication system between City Hall and St. Augustine Beach residents, using latest technology and non-technical methods. Ensure communications are available and back-ups in place in emergency situations (e.g. hurricane). Provide frequent information and updates to Commission on City operations (directly or through department heads). Establish on-going communications with St. Johns County and nearby peer cities.

Results/Comments:

MAK's hiring of Ms. Walker has dramatically Improved the communication the city has had with the residents. I Feel that with out Ms. Walker, the City would not be so out Front reaching out to the residents. I would like to see a plan moving forward working with the county and city.

Leadership Goals

Description: Provide leadership and project management for major strategic goals established by the Commission. Utilize special meetings, workshops, and professional advisors to advance these goals. At a minimum set the following special meetings each year: 1) update to strategic goals, and 2) special workshop with the Planning and Zoning Board.

Results/Comments:

MAK has been receptive to work with state officials or other groups that would help the city. we still need to work with the county and city St. Aug on Future Strategic planning & goals.

Personal Goals

Description: Setting and achieving personal goals to continually increase knowledge, productivity, and efficiency. Personal goals should be specific, measurable, and reasonable attainable.

Results/Comments:

In the short time I've been a commissioner MAX has worked hard on my requests. I've asked MAX to meet with State officials and we have. MAX is working on other goals we have set. (meeting w/ county and city of SA) MAX is up to date on FLC and other laws that are being sent down from Tallahassee - MAX encourages staff to continue further training to make the dept stronger.

Overall Performance Summary

Description: Summarize annual performance relative to annual goals. Describe whether and how effectively results were achieved.

Results/Comments:

In 6 months I see the value in MAX. I feel as a city we need to have a plan in place for the day MAX retires. His institutional knowledge is very valuable, however as a commissioner I would feel better about the city if a plan was in place.

Employee Comments:

_____ _____

INTERVIEWER'S SIGNATURE **CITY MANAGER'S SIGNATURE**

DATE: _____

Agenda Item # 12

Meeting Date 12-2-19

CITY OF ST. AUGUSTINE BEACH

Date: November 20, 2019

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

From: Beverly Raddatz, MMC, City Clerk BR

Subject: Employee Compensation During a Declared Emergency

Background:

After Hurricanes Michael, Irma, and Dorian, certain exempt employees who were at the St. Johns Emergency Management Center or out in the field collecting data after city hall closed, did not have a clear policy to follow about how they would be compensated. These exempt professional personnel worked numerous hours and there was no clear policy on whether they should be paid straight time or overtime for a declaration of an emergency.

Resolution 19-14 clarifies what procedure should be followed during a declared emergency and what compensation should be allowed during the period of hours specified. Resolution 19-14 clearly shows that the City Manager and Police Chief should monitor the staff and delegate whether personnel should continue overtime compensation and give information to the Commission on details pre-emergency and post-emergency.

Budget Analysis:

At the present time there are few exempt professional employees whom this resolution applies to: Communications / Events Coordinator Walker, Assistant Public Works Director, Lt. Harrell, and Sgt. Daniel Carswell. At the last declared emergency, declared the total amount of overtime paid out for these individuals was $3,529.17.

Exhibit A of Resolution 19-14 allows the Commission to give additional compensation to the City Manager, the City Attorney, Chief of Police, and Department Heads if they so elect. This would not be a requirement, but only if the Commission agrees with the extra compensation.

Recommendation:

It is the recommendation of staff to adopt the proposed Resolution 19-14 for clear direction and procedures during a declared emergency.

RESOLUTION 19-14

CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY

RE: TO ADD SECTION XII.14 EMPLOYEE COMPENSATION DURING A DECLARED EMERGENCY OPERATION IN THE PERSONNEL MANUAL OF THE CITY OF ST. AUGUSTINE BEACH

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on December 2, 2019, resolves as follows:

That Section XIX.5 of the Personnel Manual for the City of St. Augustine Beach is hereby added as shown in Exhibit A of this resolution and such language shall be incorporated into the Personnel Manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida adds Section XIX.5, Employee Compensation During a Declared Emergency Operation, to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 2nd day of December 2019, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

_____
Undine C. George, Mayor

ATTEST:

_____
Max Royle, City Manager

EXHIBIT A

XIX.5 Employee Compensation During a Declared Emergency Operation

The purposed policy statement is to establish the procedures for employee compensation during a declared emergency for all City personnel, both exempt and non-exempt, during a declared emergency.

Under the following conditions, personnel will be eligible for employee compensation during an emergency:

Employees Not Working During a Declared Emergency: The City of St. Augustine Beach understands that the employees must stay home during emergencies unless they are part of the emergency team. Since the City closed at no fault of the employees, the employees will receive their normal hourly compensation during the emergency. When city hall is opened, all employees are expected to return at their normally scheduled hours. If an employee has requested vacation or compensation time before the emergency is declared and was on vacation or compensation time, they would not be charged for their vacation or compensation time during the declared emergency and would receive their normal pay.

Non-Exempt Employees: The Federal Labor Standards Act and the adopted Federal Rules and Regulations establish the procedures for non-exempt employees working for the City of St. Augustine Beach. Personnel who are covered under the provision of the Federal Labor Standards Act are entitled to overtime payments equal to 1.5 times their hourly rate of pay when they meet the overtime criteria established under FLSA.

Exempt Employee: The Federal Labor Standards Act establishes procedures to exempt certain classifications of employees from the overtime provisions. Under normal operations, these employees do not receive overtime compensation. Elected Officials, the City Manager, the City Attorney, and Department Heads are not eligible for overtime compensation during a declared State of Emergency. The City Commission may provide additional compensation to the City Manager, the Police Chief, the City Attorney and Department Heads for work performed during a declared State of Emergency if they so choose.

The purpose of this section is to provide the conditions for which overtime will be paid to exempt lower level supervisors, managers, or professional employees. If all the following conditions are met, then exempt personnel will be eligible for overtime compensation.

1. St. Johns County has signed a declaration declaring a State of Emergency exists in the City of St. Augustine Beach.

2. The City of St. Augustine Beach has suspended normal operations and is operating in pre-emergency and post-emergency operations.

3. St. Johns County has activated its Emergency Operations Center and the City Manager or Police Chief, or their designee directs implementation the County's Emergency Management Plan.

For the first 72 hours of a declared emergency, for all hours worked over 40 hours, exempt employees will be eligible to receive compensation computed at 1.5 times their regular hourly rate of pay. After the first 72 hours, all hours over 40 for which the employee is assigned to the Emergency Operations Center will be computed at straight time. Since exempted employees are salaried and do not have an hourly rate of pay, the bi-weekly amount must be converted to an hourly rate. For purposes of computing bi-weekly basis the

Finance Director will have their hours divided by 80 hours to determine an hourly rate of pay. After the first 72 hours, exempt employees will be eligible for overtime compensation at the computed regular hourly rate of pay. Overtime is defined as the period an employee works above the normal scheduled work period during a declared emergency. For purposes of this policy, overtime compensation will be computed based upon 40 hours as a normal work period. In order to qualify for overtime, an exempt employee must be assigned to St. Johns County Emergency Operations Center or be performing emergency management duties.

The City Manager or Chief of Police or their designee may modify this Policy as deemed appropriate. Exceptions may be made for unique situations as they arise through a declared emergency.

After the first 72 hours, the City Manager or Chief of Police must authorize specific overtime for all exempt employees.

It is acknowledged that departments and functions will have different durations for overtime compensation payments. The City Manager or Chief of Police will determine each week and report to the City Commission which departments are still working overtime, and which exempt employees will be compensated for hours worked beyond a normal work period. It is acknowledged that payments to exempt employees may continue through the response and recovery period.

The City Manager or Chief of Police will submit a report to the City Commission on a weekly basis with an estimated time frame for return to normal City operations for each operating departments.

Normal City operations means when a City department returns to their normal operating times and schedules. At the time a department returns to normal work and operating schedules, overtime for exempt employees will cease.

For purposes of this policy, work is defined as being scheduled to work in emergency management duties. It does not include rest periods or time off. Individuals who are not scheduled to work are not allowed to be in a work area or perform job functions.

The City of St. Augustine Beach and St. Johns Emergency Operations Center provides shelter space for employees during a disaster. It is clearly understood that personnel who are availing themselves of a City provided shelter will not be compensated for the time spent in the shelter and not working. Those assigned to staff City or St. Johns County operated shelters will be compensated only for the time they are scheduled to work at the shelter. If an employee is required to work during a rest period, then the employee is eligible for compensation for all hours worked.

Employees who are on the emergency team (i.e. Public Works, Police Department, Communications and Event Coordinator, and requested administrative staff) are expected to report at the beginning of their shifts during an emergency. Failure to report at the beginning of each shift will constitute being absent without authorization and is subject to disciplinary action as provided for the City's Personnel Manual.

Agenda Item #13

Meeting Date 12-2-19

MEMORANDUM

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

FROM: Max Royle, City Manager

DATE: November 5, 2019

SUBJECT: Election of Mayor and Vice Mayor for 2020

During non-election years when there is no expiration of a Commissioner's term in office on December 31st, you usually elect the Mayor and Vice Mayor at your December regular meeting. In years when there's a general election in November, you elect the Mayor and Vice Mayor at your January meeting when the terms of any newly-elected Commissioners will begin.

Section 1-4 (b) of the City Charter has provisions concerning the election of the Mayor and Vice Mayor. It states:

> The mayor and vice-mayor shall be elected by the members of the city commission from their number and the term of office of the mayor and vice-mayor shall be for one (1) year beginning January first of each year and continuing until January first of the succeeding year. Any vacancy in the office of mayor or vice-mayor shall likewise be filled by the city commissioners by the election of one (1) of their number to serve as mayor or vice-mayor, as applicable, for the unexpired term. No member of the commission shall be elected as mayor by the members of the city commission to serve more than two (2) consecutive terms. This subsection shall not be interpreted to preclude a city commissioner from serving as mayor for more than two (2) nonconsecutive terms.

You will note the restriction that the Commissioner elected as Mayor can serve only two consecutive, one-year terms.

By December 31, 2019, Mayor George will have served as Mayor for two consecutive terms: calendar years 2018 and 2019. In accordance with Section 2-4 (b) of the Charter, she must step down from the Mayor's position for one year. She can participate in the election of the Mayor and Vice Mayor for calendar year 2020.

Nominations can be made by individual Commissioners. The nominations do not require a second. If they are needed, we will have paper ballots for you to use and sign. The City Attorney will count the ballots.

BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
DECEMBER 2, 2019

CODE ENFORCEMENT/BUILDING/ZONING

The report is attached as pages 1-2.

COMPREHENSIVE PLANNING AND ZONING BOARD

Attached as pages 3-10 are the minutes of its October 15, 2019, meeting.

SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE

The minutes of the Committee's October 10, 2019, meeting are attached as pages 11-16.

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 13th Street and the Boulevard

An elderly part-time resident complained about the lack of flags at the intersection. She had been told in the past by the County that she could use the 12th Street crosswalk, which has flags. As Chief Hardwick and the Public Works Director have worked on getting flags at more intersections but 13th Street isn't one because 12th Street already has a crosswalk.

B. Condition of Intersection of Kings Quarry Lane and 16th Street

This complaint is the condition of the pavement on Kings Quarry Lane where it intersects with 16th Street. The complaint was forwarded to Mr. Bill Tredik, the City's Public Works Director. He determined the area wasn't on the City right-of-way. The City Manager has asked the County Public Works Director to check whether the broken pavement is on County right-of-way, as 16th Street is owned by the County.

C. Pouring of Beer Keg Dregs into Stormwater System

A resident sent a photo of two men emptying the liquid remains in beer kegs into the City's storm drain on 12th Street east of the Boulevard. This concerned an illicit discharge. The complaint was forwarded to the Public Works Director and Code Enforcement Officer.

D. Yard Trash on Right-of-Way

A Lockhart Lane resident made this complaint. The Code Enforcement Officer had investigated the complaint recently and found no violation. His report was sent to the resident and the City Manager talked with her about residents customarily putting yard trash on the right-of-way of streets.

E. Vehicles Parking on 12th Street, East of the Boulevard

A resident in the area complained about large weddings being held at #10 12th Street and disturbing the neighborhood with music, shouting, and fireworks. The City Manager called a meeting with the complainant, the Police Commander, the Code Enforcement Officer, and the property owner. The latter said he would take steps to prevent weddings from disrupting the neighborhood and would install a camera to monitor the property. The owner lives in St. Augustine. The Police Commander asked the complainant to call him personally when disturbances happen. The City Manager will look into whether regulations are feasible, such as prohibiting large weddings on residential properties, or requiring the weddings to be over by a certain time in the evening.

2. Major Projects

A. Road/Sidewalk Improvements

1) Pedestrian Safety at Crosswalks on A1A Beach Boulevard

Residents have requested pedestrian flags at the 8th and 13th streets crosswalks. As the County owns the Boulevard, these requests were forwarded to it. The County staff replied that standards for crosswalks in the Traffic Engineering Manual state that the minimum distance to the nearest crosswalk is 300 feet and that a crossing that comes between 100 and 300 feet from the nearest crosswalk must be documented by an engineering report. The County staff also reported that the volume of pedestrians crossing at each intersection does not justify a crosswalk.

Chief Hardwick and Bill Tredik, the Public Works Director, met in June with County staff about pedestrian safety improvements along the Boulevard. The County has agreed to allow crosswalks at 9th and D Streets. Both crosswalks have been painted.

The City has requested funding from the County's $15.5 million surplus for enhancements, such as flashing warning lights, at three crosswalks. At its November 5th meeting, the County Commission decided to use the surplus money to fund capital improvement projects that have had to be postponed in previous fiscal years because of a lack of funding.

2) Opening 2nd Street West of 2nd Avenue

There has been no action by the owners of the lots on 2nd Street west of 2nd Avenue to open that street. The owners would have to sign an agreement and pay in advance the costs to construct the utilities and the road, just as the owners of the lots adjacent to 8th Street between the Boulevard and 2nd Avenue did.

The Public Works Director has sent a letter to the owners of the lots along this section of 2nd Street, asking them if they would support the opening of 2nd Street and providing the utilities, knowing that they would be assessed the costs for the project. Thus far, the owners of 11 out of 16 lots have agreed to pay the costs, the owners of two lots have said no, and the remaining three owners haven't responded.

3) Sidewalk on A Street

A resident has suggested that a sidewalk is needed on A Street between the beach and the Boulevard because of the traffic and number of pedestrians and bicyclists along that section of A Street. The Public Works Director obtained a survey of this section of A Street. It appears that the right-of-way is wider along the north side of the street. The Director and the City Manager held a meeting on May 21st with the residents and property owners, to explain the project to them and learn whether they are in favor of it. Twelve persons attended. Most were not in favor of the sidewalk but asked that a speed bump be put on this section of A Street and that drainage improvements be done. As A Street is owned by the County, the Public Works Director will ask the County whether it will approve these proposals. At its June 12, 2018, meeting, the City Commission approved submitting the sidewalk and two other projects to the Tourist Development Council for funding by bed tax revenue. However, according to the County Administrator, Mr. Michael Wanchick, it is unlikely that bed tax funds for projects will be provided to our City and to St. Augustine. The City's Public Works Director, Mr. Bill Tredik, has suggested to the City Manager that instead of a sidewalk the shoulders on each side of this section of A Street be widened to provide more paved area for pedestrians and vehicles. Mr. Tredik and the City Manager will hold another town hall meeting with the residents and property owners along this section of A Street. One was held nearly two years ago, the residents/property owners were not in favor of the sidewalk.

The City has requested County funding for this project. However, at its November 5th meeting, the County Commission decided to use surplus money in its FY 20 budget to pay for projects that have had to be postponed in previous fiscal years. Mr. Tredik and the City Manager then asked the St. Augustine Port, Waterway and Beach Commission at its November 19, 2019, meeting if it could provide money for the project and for others.

B. Beach Matters

1) Off-Beach Parking

In response to the Commission's request, the Planning Board has recommended a residential parking permit plan. Though discussion of the parking plan was on the agenda for the City Commission's June 5, 2017 meeting, the Commission decided to postpone the topic to a future joint meeting in the spring with the Planning Board. The Commission held a special meeting on Monday, March 19, 2018, with the Planning Board to discuss the parking plan. Mayor George at the meeting spoke of Gainesville's pay by phone parking system and suggested the City explore having a similar system. The Commission reviewed the information obtained from Gainesville at its April 2nd meeting and authorized the advertising of a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20th deadline. At its continuation meeting, the Commission decided to let St. Augustine implement its pay-by-phone system first, which will likely happen early in 2019. St. Augustine is using one of the six vendors, Passport, that responded to the City's Request for Proposals. The County Administrator suggested to the City Manager that the County and the City should have the same pay-by-phone system because the pier park is in the City's limits. The County at that time was in the process of advertising for proposals for a

parking management plan. However, the City Commission decided that the City should have the same system St. Augustine has because that city was further along in its plans to adopt a system. The Commission discussed the details about the pay-by-phone parking system offered by Passport Parking at its November 13th meeting and held a special meeting December 17, 2018. A representative from Passport, Ms. Kelsey Owens, explained the system and the City's Information Technical Manager, Mr. Anthony Johns, provided answers to the questions the Commission had raised at its November 13th meeting. The Commission made a number of decisions, such as agreeing that the per-hour parking fee will be 50 cents for residents, $1.25 for St. Augustine residents, if that city allows St. Augustine Beach residents to park in St. Augustine for its discounted parking fee; and $2.50 for non-residents. The Commission scheduled a special meeting on Tuesday, January 8, 2019, to review the proposed contract with Passport and consider an ordinance adopting the per-hour parking fees. However, at the meeting, the Commission decided that the City should be a partner with the County and use the same pay-to-park system that the County adopts for the pier park and other off-beach parking areas. The County received several responses to its Request for Proposals by the February 21st deadline. The County staff reviewed them on March 7th and recommended to the County Commission at its April 2nd meeting that the County staff negotiate with Republic Parking System. The County Commission approved this recommendation. At its April 29th meeting, the City Commission decided that the City staff is to be involved with the County staff in the negotiations with Republic.

Also, at its April 29th meeting, the City Commission made changes to a proposed ordinance to establish a residential parking permit program. That ordinance as well as one to amend the parking regulations in Chapter 19 of the City Code will be on the agenda for the Commission's June 10th meeting. To date, the residents of two streets west of the Boulevard, 13th and 14th, have requested the parking permit program, as have the residents in the 100 block of 10th Street between 2nd Avenue and the Boulevard.

In the meantime, Mayor George held a town hall meeting on Thursday, February 28th, at the Courtyard Marriott, from 5:30 p.m. to 7:00 p.m. Its purpose was to receive suggestions from the public about paid parking, how to protect the residential neighborhoods from becoming parking lots, and how to enforce the City's parking regulations. The City Commission then held a special meeting on Tuesday, March 5th, starting at 6 p.m., to discuss paid parking options with the residents. The Commission decided the following at that meeting:

- Hourly parking fee: $2.00
- Discount for County residents: 50 cents
- St. Augustine Beach residents: no charge if resident registers at city hall for free parking
- Ocean Hammock Park: $1 an hour
- Maximum fee per day: $15
- Hours when paid parking would be in effect: 9 a.m. – 5 p.m.
- Days of year paid parking in effect: 365
- Paid parking locations: improved parking lots along A1A Beach Boulevard. No paid parking in residential areas, especially along 2nd Avenue.
- Parking areas shared with businesses: remain as unpaid areas

At its April 29th special meeting, the City Commission reviewed an ordinance for a Resident Only parking system, made changes to it, and asked the City Attorney to prepare a new draft, which was reviewed at the June 10th regular meeting, and passed on final reading at the Commission's July 1st meeting. Also, passed on final reading at that meeting was an ordinance to make changes to the parking regulations in Chapter 19 of the City Code.

D

Also, at the April 29th meeting, the Commission discussed a proposal to lease the vacant land south of the Marriott Hotel as a parking lot. The land is owned by the company that owns the Marriott. The owner has proposed that the City lease the land for 3-5 years and in lieu of rent pay the yearly taxes on the land. The six commercial lots that the City would use for parking would provide 102 parking spaces, include eight handicapped spaces. The costs to make the land suitable for parking would be about $100,000. The Commission made no decision concerning the lease.

In the meantime, the County solicited proposals for a parking management plan. The County Commission at its April 2nd meeting approved the staff negotiating with Republic Parking. The City Commission at its April 29th meeting agreed that City staff should participate with the County in the negotiations, on the premise that having a unified parking plan for the County's pier parking lot and the City's paid parking areas would benefit the residents and visitors who use the lots. The City staff met with a Republic representative on June 24, 2019. The City could have a separate agreement with Republic that is similar to what the County will have. Still to be determined by the County is an hourly parking fee and the formal acceptance of Republic's parking management plan. At its November 19, 2019, meeting, the County Commission decided not to adopt a parking management plan and hourly parking rate. The City Commission may consider at one of its future meetings whether to have paid parking in the City.

C. Parks

1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and for where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for $5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of $4.5 million. The City gave the Trust a down payment of $1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded $1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for $1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill. What remains to be done are improvements to the Park, such as restrooms. The Public Works Director is applying to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms. The deadline for the grant is October 31, 2019. The City will know in early summer of 2020 whether it has received the grant. In addition, the City requested money from the County's $15.5 million surplus. However, the County Commission at its November 5th meeting decided to use the surplus money for County capital projects that have been delayed from previous fiscal years.

2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for $2.5 million. By written agreement, the City reimbursed the County half the purchase price, or $1,250,000, plus interest. At its

July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it. At this time, the City does not have the money to develop any trails or other amenities in the Park.

D. Review of Comprehensive Plan/Land Development Regulations

Information about this topic is provided under Item 5.B, strategic plan update, below.

3. Construction in the City

As of Thursday, November 21, 2019, there were 42 permits active for single-family residences in the City.

SUBDIVISION	ADDRESS	DATE PERMIT ISSUED	BUILDING PERMIT #
Anastasia Dunes	446 Ocean Forest Drive	07/24/2018	Active permit #14064
	1017 Sea Forest Lane	08/21/2018	Active permit #14116
	512 Ocean Forest Drive	10/09/2018	Active permit #14205
	409 Ocean Forest Drive	07/18/2019	Active permit #P1915009
	1012 Island Way	09/16/2019	Active permit #P1915157
Anastasia Park	491 Pyrus Street	10/01/2018	Active permit #14180
Atlantic Beach	7 16th Street	07/05/2018	Active permit #14035
	12 13th Street	09/09/2019	Active permit #P1915242
Chautauqua Beach	6 6th Street	01/30/2019	Active permit #14397
	17 6th Street	04/19/2019	Active permit #P1914567
	4 12th Street	04/25/2019	Active permit #P1914615
	206 7th Street	07/03/2019	Active permit #P1914954
Coquina Gables	6 F Street	11/14/2018	Active permit #14270
Kings Quarry	613 Old Beach Road	01/16/2019	Active permit #14368
Lake Sienna			
Linda Mar			

Magnolia Dunes			
Minorca			
Ocean Oaks			
Raintree	23 Deanna Drive	10/04/2019	Active permit #P1915282
Sandpiper West	103 Sandpiper Boulevard	02/04/2019	Active permit #14404
	5 Kimberly Lane	07/25/2019	Active permit #P1915047
Sea Colony	612 Ocean Palm Way	09/10/2018	Active permit #P1915252
	332 South Forest Dune Drive	01/17/2019	Active permit #14373
	892 Ocean Palm Way	02/07/2019	Active permit #14417
Sea Grove	1308 Smiling Fish Lane	10/22/2018	Active permit #14224
Sea Oaks			
Sevilla Gardens			
The Ridge	22 High Dune Drive	01/18/2019	Active permit #14376
	94 High Dune Drive	01/24/2019	Active permit #14385
	170 Ridgeway Road	03/15/2019	Active permit #14483
	226 Ridgeway Road	03/15/2019	Active permit #14484
	65 High Dune Drive	03/28/2019	Active permit #14507
	55 High Dune Drive	04/17/2019	Active permit #P1914552
	542 Ridgeway Road	04/25/2019	Active permit #P1914613
	120 Ridgeway Road	04/29/2019	Active permit #P1914634
	448 Ridgeway Road	05/08/2019	Active permit #P1914682
	362 Ridgeway Road	05/10/2019	Active permit #P1914698
	143 Ridgeway Road	06/07/2019	Active permit #P1914846

513 Ridgeway Road	06/18/2019	Active permit #P1914892
23 High Dune Drive	06/21/2019	Active permit #P1914906
261 Ridgeway Road	06/24/2019	Active permit #P1914910
43 High Dune Drive	07/17/2019	Active permit #P1915008
462 Ridgeway Road	07/18/2019	Active permit #P1915020
305 Ridgeway Road	07/31/2019	Active permit #P1915043
420 Ridgeway Road	09/13/2019	Active permit #P1915279
357 Ridgeway Road	10/15/2019	Active permit #P1915248
522 Ridgeway Road	10/22/2019	Active permit #P1915334
564 Ridgeway Road	11/13/2019	Active permit #P2000113

Whispering Oaks

Woodland

Underlined address is a result of inspections not being performed in a 180-day period contrary to Chapter 1 of the Florida Building Code, in this event further review and actions are to take place as per the Florida Building Code.

COMMERCIAL CONSTRUCTION

Concerning the vacate property between 5th and 6th Streets on the east side of A1A Beach Boulevard: At its October 16, 2018, meeting, the Planning Board approved a variance to reduce the minimum lot size required for a mixed used development from 8,500 square feet to 6,195 square feet. A two-story building will be constructed on one lot. It will have commercial use on the ground floor and residential use on the second floor. The address will be 600 A1A Beach Boulevard.

The Planning Board approved a similar commercial/residential building at its January 15th meeting. The building's address will be 610 A1A Beach Boulevard.

At its March 20, 2018, meeting, the Planning Board held a concept review hearing on a proposal 4,960-foot commercial building on the east side of State Road A1A, between the Verizon and Savage Swimwear stores. The Planning Board reviewed the proposed final development plan at its November 20th meeting and recommended that the Commission approve the plan. The Commission approved the plan at its December 3, 2018, meeting. A permit for the project hasn't been issued yet.

4. Finance and Budget

H

A. Audit Report of FY 19 Budget

Staff members of the City's audit firm, James Moore and Company, did field work on the FY 19 budget in early October. They will continue the audit field work in early January.

B. Fiscal Year 2020 Budget

Because of the resignation of the City's Chief Financial Officer, Ms. Melissa Burns, the Assistant Finance Director, Ms. Patricia Douylliez, and the department heads prepared the proposed budget. It was submitted to the City Commission for review on July 23rd. The Commission held a public review of the budget on Wednesday, July 31, 2019. Among the decisions made at the meeting were the set the tentative property tax millage at 2.60 mils and to change some of the major capital projects, such as a second Public Works garage. The Commission reviewed the proposed millage and budget at a public hearing on Monday, September 9th, and lowered the operating millage to 2.50 mils. At its September 23rd special meeting, the Commission lowered the millage to its current FY 19 levy of 2.3992 mils by deleting certain projects and reducing the contingency reserve. The 2020 fiscal year began on October 1, 2019, and will end September 30, 2020.

C. Vendor Checks

Please see pages 22-45.

5. Miscellaneous

A. Permits for Upcoming Events

In November, the City Manager approved the permit for the Civic Association's Surf Illumination celebration to mark the start of the holiday season in the City. The event will be held on Saturday, December 7, 2019, from 3 p.m. to 7 p.m. at the County pier park.

B. Strategic Plan

The plan's six tier one objectives adopted by the Commission are: 1. establish a plan for evaluating various events and their impact on the quality of life; 2. review additional revenue sources, including fees, grants, taxes, public/private partnerships, bonds, etc.; 3. review and update City codes and their enforcement: parking, traffic and speed limits, solid waste and land development regulations; 4. advocate for continued funding for beach renourishment (state and federal sources); 5. Increase and improve citizen engagement; and 6. develop a City-wide traffic management plan.

All of the objectives, except the City-wide traffic management plan, have been achieved.

At its January 6, 2018, meeting, the City Commission discussed whether to hire again Mrs. Marilyn Crotty, the facilitator who helped the Commission develop the strategic plan in 2015. Ms. Crotty told the City Manager she would charge $1,800 for a six-hour session to update the strategic plan. The Commission decided at its February meeting not to hire her, but to consider possibly updating the strategic plan later in 2018, after the adoption of changes to the Land Development Regulations had been completed. In August, the City Manager learned that Ms. Crotty has retired. The Commission

decided at its January 7, 2019, meeting that it and the City staff would update the plan. The Commission agreed with the City Manager's suggestions for goals at its June 10th meeting and asked that the Planning Board and the Sustainability and Environmental Planning Advisory Committee be asked to provide their suggestions for the plan. The responses were reviewed by the Commission at its August 5th meeting. The Commission decided to have a mission statement developed. Suggestions for the statement were provided to the Commission for consideration at its September meeting. By consensus, the Commission asked the City Manager to develop a Mission Statement and provide it at a future meeting. This has been done along with a Vision Statement, a Values Statement and a list of tasks. The City Manager will provide the proposed plan at the Commission's January 6th 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 was response was received. Because its prices were so high, it had to be rejected. After the proposals had been opened, two Jacksonville planning firms said they were interested in doing the work. However, only one, Fleet and Associates, provided a written proposal. At its May 7th meeting, the Commission approved the hiring of Fleet and Associates. Mr. and Mrs. Fleet held a public hearing on June 26th and a workshop with the Planning Board and the public on July 17th. The Fleets presented the results of those two meetings to the Commission at its August 6th meeting. The next step was a workshop of the Commission with the Planning and Tree boards to review each policy and objective in the current Comprehension Plan. This was held on October 17th with the planning consultant. The result was that the consultant prepared a revised draft of the Plan, which the Commission reviewed at a special meeting on January 8, 2019. The Comprehensive Planning and Zoning Board reviewed the plan at its February 19th meeting and decided to continue its review at the Board's March 19th meeting. The Board is concerned that many of the proposed changes ceded too much authority to the County and other agencies. However, the Board's discussion was postponed to the Board's April 16th meeting because the Chair, Mrs. Jane West, was away on March 19th. At its April meeting, the Board discussed changes with the planning consultant, Ms. Janis Fleet, and recommended that she submitted to the City Commission the changes proposed by individual members of the Board. The Commission reviewed the changes with Ms. Fleet at its June 10th meeting, directed that the discussion be continued to a special meeting on July 2nd, and at that meeting made changes to the plan and approved its transmittal to the Florida Department of Economic Opportunity for review and comment. The Department in a report that was received in early October asked the City to include policies in the Comp Plan concerning sea level rise and coastal flooding. Ms. Fleet has prepared and an ordinance for first reading at the Commission's December 2nd meeting.

MEMO

City of St. Augustine Beach Building & Zoning Department

To: Max Royle, City Manager
From: Brian Law, Building Official
Date: 11--21--2019
Re: Building and Zoning Department Monthly Report

Trees:

1. 10-22-2019—3440 A1A South
   Removal of four oak trees hazardous to utilities and to two-unit duplex residence.
2. 10-25-2019—7 Beach Street
   Removal of magnolia tree hazardous to, and leaning on, lanai of single-family residence.
3. 10-25-2019—605 11th Street
   Removal of three oak trees hazardous to utilities and single-family residence.
4. 10-31-2019—1300 Makarios Drive
   Removal of non-viable palm tree

Planning and Zoning: (November 19, 2019 regular monthly meeting at 6:00 p.m. at City Hall)

1. Planning and Zoning Board approved a request for flexible setbacks to move proposed new construction of a single-family residence forward 7.5 feet to allow a 17.5-foot front yard setback and a 32.5-foot minimum rear yard setback, for a total of 50 feet for combined front and rear yard setbacks, to save several trees, per Section 6.01.03.A.3 of the City's Land Development Regulations (LDRs), and the Board also approved a request to allow the removal of a 36-inch diameter-at-breast-height (DBH) oak tree, per Section 5.01.02.E of the LDRs, in the proposed building footprint, on Lot 16, Block B, Ocean Walk Unit II Subdivision, at 47 Lee Drive, Kyle and Tammy Larson, Applicants
2. Planning and Zoning Board denied a variance to Section 3.02.03.A.1 of the City's Land Development Regulations, Prohibited Uses, submitted by the applicant to allow the keeping of eight (8) chickens (hens) on her property, but based on the unique circumstances demonstrated by the applicant, which includes the keeping of the chickens as emotional support animals for the applicant's son, voted to approve the applicant's request to keep the chickens on the premises of a single-family residence in a medium-low density residential land use district on Lot 14, Block 49, Coquina Gables Subdivision, at 313 A Street, Jennifer Grace Wildasin, Applicant
3. Planning and Zoning Board recommended the City Commission approve a conditional use permit for food and/or beverage service or consumption outside of an enclosed building in a commercial land use district on Lots 65, 66, 67, 78 & 79, Atlantic Beach Subdivision, at 451 A1A Beach Boulevard, Peter Darios and Michael Rosa, agents for Somewhere on A1A Partners LLC, Applicants
4. Planning and Zoning Board recommended the City Commission deny a conditional use permit for proposed new construction of eight (8) single-family residences on eight (8) lots in a commercial land use district on Lots 1-8, Block 43, Coquina Gables Subdivision, comprised of four lots west of A1A Beach Boulevard on the south side of E Street and four lots west of A1A

Beach Boulevard on the north side of F Street, between E and F Street at 103 E Street and 104 F Street, Leonard and Renee Trinca, Applicants

5. Planning and Zoning Board discussed and reviewed a concept review application submitted for proposed Embassy Suites St. Augustine Beach Resort Phase II, consisting of a 42-unit addition to the existing 175-unit Embassy Suites hotel in a commercial land use district at 300 A1A Beach Boulevard, Thomas O. Ingram, Esquire, Sodl & Ingram PLLC, Agent for Key Beach North LLC, Applicant

Code Enforcement:

1. Code Enforcement staff continues to monitor progress being made to address multiple complaints and code violations per the 2018 International Property Maintenance Code (IPMC)at Seaside Villas Condominiums, off Pope Road on Brigantine Court, Clipper Court and Schooner Court.
2. Fees for annual inspections of approximately 140 transient rental facilities are currently being submitted and inspections are nearing completion for renewal of business tax receipts for transient rental properties.
3. Code Enforcement Board meeting held Wednesday, November 20, 2019, at 2:00 p.m. at City Hall, to address and discuss four derelict properties at 106 2nd Street, 201 6th Street, 205 7th Street, and 206 8th Street. Proceedings are currently underway for the City to foreclose on the property at 106 2nd Street, and the latter three properties were given 30 days to provide contingency plans to correct code violations on the properties, which will be presented to the Board at its next meeting scheduled on Wednesday, December 18, 2019, at 2:00 pm. at City Hall.

Building:

1. Shell Shack building at 491 A1A Beach Boulevard has been energized and renovation is progressing as expected.
2. Construction of new donut shop on site of former Carriage Realty building at 400 A1A Beach Boulevard has progressed to the installation of exterior windows and doors.
3. Construction has begun on interior buildout of Corral Dental building at 2100 A1A South.

MINUTES

PLANNING AND ZONING BOARD MEETING
TUESDAY, OCTOBER 15, 2019, 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

I. CALL TO ORDER

Chairperson Jane West called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Jane West, Steve Mitherz, Berta Odom, Hester Longstreet, Senior Alternate Chris Pranis, Junior Alternate Dennis King.

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

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

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

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

V. PUBLIC COMMENT

Mark Bailey, 403 A Street, St. Augustine Beach, Florida, 32080, said an article in *The St. Augustine Record* on October 8, 2019 said Embassy Suites was planning a Phase II expansion which is not going to be on the south side of the existing hotel as originally thought, but on the north side. Embassy Suites plans to add 42 more units and 49 more parking spaces, and it is unclear if the matter will be going through the public approval process or a concept review. Mayor Undine George is quoted in the article as saying she'd like to see both sides move on so they can heal, but he finds it very difficult to heal when the City is in the middle of a second lawsuit with the hotel over its proposed waterpark issue. He'd like both sides to heal as well but thinks they need to get past this first. He's submitted public record requests for the proposed Phase II addition but the information he's received sort of contradicts itself. The plans show the expansion as two stories above a parking garage, and another page says the height of the addition will not exceed the 35-foot height maximum, but with parapet walls and mechanical equipment on the roof, the hotel is asking to extend an additional 10 feet above 35 feet. The Phase II area will have 49 parking spaces underneath it, but he'd really like to see this demonstrated, as he counted 45 parking

spaces in the area where the expansion is proposed and doesn't see how 45 spaces can turn into 49 spaces. Seeing how the hotel doesn't have enough parking now, he strongly recommends the hotel build a three-story parking garage on the north side of the building to ensure it meets all its parking requirements, rather than taking up beach parking spaces and parking on Pope Road.

Rose Bailey, 403 A Street, St. Augustine Beach, Florida, 32080, said now that the plans for Phase II of Embassy Suites are finally coming out in the open, she takes it very personally that this hotel is suing their little beach town. The Miami-based law firm and Key International lost to the Planning and Zoning Board and City Commission and then took the case to court and lost there. This hotel doesn't stop until it takes everything, and it's going to try to take more property on its south side. She's a taxpayer of St. Augustine Beach and if she needs to cut down a tree, she must get permission to do so, yet this hotel thinks it can come and do anything it wants and the owners look down on the residents of St. Augustine Beach as bumpkins, while they're high-quality Miami people. She heard several years back that the hotel had eyes on the volleyball courts and the pier pavilion for additional expansion. Even Brian Law said the hotel would have to buy huge sections of land for offsite parking, which the County and City Commission would have to approve. Her prediction is that there will be a Phase III which will be a public-private partnership with the government and the hotel. County Commissioner Henry Dean already dropped the hint that he'd be in favor of this type of partnership for a hotel and boardwalk with restaurants and shops. This kind of partnership is unconstitutional, as this where corporations look for little beach towns that need money so they can take over and be in control. As residents, they must think ahead of the people who are trying to dictate what happens to them and what will be done with their town. Nothing says "Hello neighbor!" like a lawsuit and a hostile takeover by a Miami-based corporation. This is just an example of what we do not need in St. Augustine Beach. Since the City Commission is in it for the developers, let St. Johns County take over, like it did in Hastings. The budget for this small barrier-island City is totally out of control, and a boatload of money could be saved since as residents, they're being taken over by corrupt City Commissioners who've forgotten that they work for the residents. She believes the City has maxed out of land, so why do they need a City Commission at all, she asked? The City should be run like a corporation, not a free-for-all.

VI. NEW BUSINESS

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

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

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

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

Danielle Gwiazda, 311 Weff Road, St. Augustine, Florida, 32080, applicant and owner of Island Prep LLC, said there are 92 students enrolled for the current school year. They've added a new classroom inside the building and have a new license number, which allows a full capacity of 109 students, but at this point, they haven't exceeded 100 students, they're still under this number.

opens at 7:30 a.m., and many of the teachers have their kids outside early because it's cooler then, but they only have 20 children before 8:45 a.m. because the majority are elementary school-age. They have physical education and recess outside and occasionally have outdoor arts and crafts and picnic lunches. The kids are inside by 4:45 p.m., and the school closes at 5:30 p.m.

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

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

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

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

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

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

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

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

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

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

8. Conditional Use File No. CU 2019-05, for a conditional use permit for proposed new construction of a single-family residence in a commercial land use district on Lot 18, St. Augustine Beach Subdivision, at 16 5th Street, James and Kimberly Cochrane, Applicants

Mr. Law said if the Board recalls, this application came before them several months ago, and the Board recommended approval, by a 4-2 vote, to the City Commission to grant the conditional use permit to allow construction of a new single-family residence on this lot in the commercial land

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

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

Jane Bowditch, 300 South Ocean Trace Road, St. Augustine Beach, Florida, 32080, said if you've read the newspapers or listened to the news, you know she and the school have not been very friendly. She came to the meetings five years ago when the conditional use to allow the school was first applied for and asked that it not be allowed. It is within 50 feet of the fence line of Ocean Trace Subdivision, a community of people over the age of 50. She was told at past meetings the playground equipment would be on the A1A South side of the property, but instead it abuts the fence of her neighbor's backyard. All the outdoor equipment, including a new pergola just built, is near the residential community. She asked everyone to put themselves in her shoes starting at eight o'clock in the morning with screaming, yelling, whistles, and loudspeakers that don't stop for 8-10 hours a day. It's a constant recess that she thought would be a school with 50 children, and that number has now doubled. There are only six or seven designated parking spaces behind the school but there are 12-14 cars parked there every day. Three houses in Ocean Trace Subdivision abut the fence. One of the owners sold their home, and another home has gone unsold for two years. She can't open her doors, windows or entertain outside unless it's after six o'clock at night or the weekends. She's had conversations with Ms. Gwiazda over the last five years, mostly in the first three years, as she's a nurse who works late and she can't sleep in during weekday mornings. Ms. Gwiazda invited her over via email to speak to her, but this went nowhere, even though they had a nice conversation. She went to City Hall to get some help and was told to go to the Police Department, where everyone was very helpful, but she was told to stay away because Ms. Gwiazda lied and told the police she'd been trespassing on the school's property.

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

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

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

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

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

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

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

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

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

Ms. Gwiazda said Chief Hardwick came out when the complaints were first lodged a few years ago and did a decibel check. They've planted six to eight trees, which are now taller than the fence, right behind the fence to help soften the sound barrier. She's hoping the pergola, which is enclosed on three sides so the kids can get out of the sun, will also help with the sound. The police have come out immediately to check the sound whenever Ms. Bowditch has called, and one time, it was during field day, and police officers were already onsite for that event. The school

use district. The Commission, however, turned it down the following month, and traditionally, a one-year waiting period is required before an applicant can reapply. However, the applicant went before the Commission last month and asked for the Commission's permission to waive the one-year time period for reapplication. The Commission voted in favor of waiving the one-year reapplication time period and the applicant was advised he'd have to submit a new application, which he has done, and which is now before the Board for recommendation to the Commission.

Mr. Mitherz asked why the original application was turned down by the Commission.

Mr. Law said he really can't speak for the Commission, but he thinks it had something to do with the Commission's hope that all six lots, of which this lot is one, originally owned by one property owner, would be developed as one commercial parcel with commercial uses.

Ms. West said development of all six lots would be impossible at this stage, as one of the lots already has a residential structure currently being built on it.

Mr. Law said yes, and two other lots will be developed as mixed-use buildings. The history of this property is that it's a big retention area, so any development is good as far as the Building Department is concerned, because development will require water to be shed to the north and south, which is a great plus for the City as far as correcting drainage issues.

Ms. West said so once again, there will be a residential use directly adjacent to commercial and mixed-use properties.

Mr. Law said yes, but the zoning will remain commercial, so they will not be awarded the same benefit of having a 15-foot-wide landscape buffer as is required in the Land Development Regulations (LDRs) between non-compatible uses such as commercial and residential land uses.

James Cochrane, 328 South Forest Dune Drive, St. Augustine Beach, Florida, 32080, said as Mr. Law mentioned earlier, there's a lot of history here, so he'll just briefly go through the facts. The lot behind his was granted a conditional use permit to build residential in commercial zoning, and there are five commercially zoned lots from a hotel group that have also recently been granted a conditional use permit to allow residential construction on them. It's his understanding all conditional use permit applications submitted for residential construction on commercial lots since at least 2016 have been granted. His lot is 48-feet-by-105-feet, and he believes this Board has heard before from real estate experts that there is no interest in this lot as a commercial property because it is not directly on A1A Beach Boulevard but is one lot off the commercial corridor, and due to the size of the lot, there is no space for parking. The only businesses that exist off the Boulevard are those that have the first lot off the Boulevard that can be used for parking. These are small lots and he can appreciate the sensitivity of what to do with them as commercial uses adjacent to residential properties. He's had this lot for sale since the Commission turned down his last application, but there has been no interest in it for commercial use, and it has been a vacant, low-lying dirt lot for some time now. He thinks it's beneficial for the City to grant this conditional use permit because the proposed residential use is consistent with the neighboring properties. The single-family residence he proposes to build will be a beautiful home consistent with others on the street. It will improve the appearance of 5th Street, increase the residential property tax base, and assist with water shedding. As a commercial lot, it is in a transient rental area, and basically there is no other commercially-viable use for this parcel.

Mr. Mitherz asked how many bedrooms the proposed single-family residence will have, and how many parking spaces are provided.

Mr. Cochrane said right now, the proposed residence, for which he provided elevations that have been copied to the Board, is configured as a five-bedroom home that will comply with all zoning and parking regulations, as he will not be asking or coming back to the Board for any variances.

Mr. Law said in the event the Commission approves this, the applicant's plans will be redesigned when submitted for permit review in accordance with whatever conditions the Commission decides to impose as part of the conditional use approval.

Ms. West suggested the Board recommend approval of the conditional use subject to the conditions that the use must comply with existing building and land use criteria and that no future requests for reduced setbacks or increased impervious surface ratio (ISR) coverage be submitted.

Mr. Law said the Board could also recommend, as they've done with recent recommendations to approve similar requests, that the regulations for medium density residential properties be met, otherwise, as a commercial lot, it would be allowed to have 70% maximum ISR and reduced setbacks. The lot to the north had reduced setbacks because it was permitted before October 1, 2018, when the more stringent setbacks went into effect, and this applicant also had to demonstrate parking spaces. Parking will be checked when a full set of plans is submitted for the permitting review process, as right now, the submitted site plan and elevations only show a one-car garage, and five parking spaces would be required for a five-bedroom home.

Ms. West asked if the conditional use permit for the lot adjacent to the north was granted to run with the land or only the property owner. She also asked Mr. Law to clarify what he said earlier about water pooling on this lot, which in the past has been kind of a retention area.

Mr. Law said the conditional use permit for the lot to the north ran with the land, because it was for a single-family house, which, once built, is a permanent structure. Mr. Cochrane's lot is in a lower area that goes down about two feet in the center, so when the house to the north was permitted, the builder was asked to gutter it so stormwater would drain to the driveway and out to the street. As these lots continue to be developed, drainage will be directed so water goes out to the storm systems in the streets, and gutters will be required on three-story houses in order to do this. Mr. Cochrane's lot is not a designated storage area, water just happens to pool there because it's a divot in the ground, which is why drainage needs to be directed out to the street.

Ms. Longstreet asked if the lot will be filled in to one foot above the grade of the road.

Mr. Law said yes, traditionally garages need to be at least six inches above the crown of the road so the water flows in a positive manner. They will be subjected to building height requirements which will be one foot above the crown of the road or one foot above natural highest front grade. In this case, he believes, the crown of the road will be the defining factor for measuring height.

Ms. Longstreet said she asked about this because the height is already at 34 feet, 10 inches.

Mr. Law said one condition the Board could recommend is that a final signed and sealed survey certifying building height in compliance with the City's height ordinance and LDRs be submitted. This is also something staff will check during the plan review and permitting process.

Motion: to recommend the City Commission approve Conditional Use File No. CU 2019-05 for new construction of a single-family residence in a commercial land use district at 16 5th Street, subject to the conditions that the new single-family residence shall be built in compliance with current LDRs for medium density residential land use districts; that no variances shall be requested for setback reductions or to exceed maximum ISR coverage per LDRs for medium den-

sity residential land use districts; verification of building height in compliance with the City's height ordinance and LDRs shall be submitted by a certified and licensed surveyor prior to the issuance of a certificate of occupancy for the new single-family residence. **Moved** by Ms. West, **seconded** by Ms. Odom, **passed 5-1** by voice-vote with Ms. West, Ms. Odom, Mr. Mitherz, Mr. Pranis and Mr. King assenting, and Ms. Longstreet dissenting.

C. Land Use Variance File No. VAR 2019-14, for rear and side yard setback reductions from 10 (ten) feet to 7 (seven) feet for proposed new construction of an inground swimming pool and rear and side yard setback reductions from 10 (ten) feet to 5 (five) feet for a pool deck at an existing single-family residence in a Planned Unit Development (PUD) on Lot 194, Seagrove St. Augustine Beach Unit 8, at 1349 Smiling Fish Lane, Bruce Cataldo, Caribbean Pools and Spas, agent for David J. and Lyndsey H. Stein, Applicants

Ms. West said she's a friend and neighbor of the applicants but does not feel the need to recuse herself from this variance application, as there is no pecuniary gain involved.

Mr. Law said the Board has seen a few of these variances in Seagrove in the last year or so, as Seagrove is a PUD and in the PUD ordinance there is language that requires 10-foot setbacks for pools, pool decks and pool screen enclosures. The applicants are requesting setback reductions to seven feet for the inground pool to the water's edge and five feet for the pool deck. The Building Department has no objection as these setbacks are not less than what is required for pool, pool deck, and pool screen enclosure setbacks in other land use districts.

Ms. West said this has been an ongoing issue and has been historically the basis for the undue hardship that is required for variance applications.

Bruce Cataldo, Caribbean Pools and Spas, P.O. Box 9378, Fleming Island, Florida, 32006, agent for David J. and Lyndsey H. Stein, applicants, said his clients have received approval for the proposed pool and pool deck from the Seagrove Homeowners Association and request this variance to have space for their kids to walk around the pool without falling in it. There is an air-conditioning unit the proposed pool addition must stay away from and certain building codes that must be met.

Ms. Pranis said he's not sure about the hardship, as a devaluation of property investment is not really a hardship.

Ms. West said the hardship for similar variances in Seagrove historically has been that the PUD setbacks are more restrictive than the setbacks in City Code. The Board has approved numerous similar variances in the past in Seagrove, so a precedent has been set based on the explicit hardship that the Seagrove PUD has more restrictive setbacks than City Code dictates for other land use districts. She doesn't see how the Board could take an inconsistent position on something they have very consistently voted in favor of in the Seagrove community in the past.

Motion: to approve Land Use Variance File No. VAR 2019-14 as requested. **Moved** by Mr. King, **seconded** by Ms. West, **passed 6-0** by unanimous voice-vote.

D. Land Use Variance File No. VAR 2019-15, for a rear yard setback reduction from 10 (ten) feet to 7 (seven) feet for proposed new construction of an inground swimming pool and pool screen enclosure at an existing single-family residence in a Planned Unit Development (PUD) on Lot 195, Seagrove St. Augustine Beach Unit 8, at 1353 Smiling Fish Lane, Bruce Cataldo, Caribbean Pools and Spas, agent for William J. and Jennifer A. Piniarski, Applicants

Ms. West said Bill Piniarski does the Internet Technology (IT) work for her law firm so there is a direct conflict of interest and she will recuse herself on this variance application.

Mr. Law said just like the previous variance request, these applicants are seeking a reduction in setbacks from the Seagrove PUD language. The Building Department has no objection to this.

Bruce Cataldo, Caribbean Pools and Spas, P.O. Box 9378, Fleming Island, Florida, 32006, agent for William J. and Jennifer A. Piniarski, applicants, said his clients are only asking for a rear yard setback reduction to seven feet for an inground pool and pool screen enclosure. They can't move the proposed pool addition forward to maintain the required 10-foot rear setback per the PUD because of the steps they have off the back of their home, and they don't want to push the pool back any closer than seven feet from the rear lot line, as this would limit the size of the pool deck.

Motion: to approve Land use Variance File No. VAR 2019-15 as requested. **Moved** by Ms. Longstreet, **seconded** by Ms. Odom, **passed 5-0** by unanimous voice-vote, with Ms. West recusing herself from the vote.

VII. OLD BUSINESS

There was no old business.

VIII. BOARD COMMENT

Mr. Mitherz said he went to the Commission meeting on October 7, 2019, to represent the Board, and at 10:00 p.m. they were just about to discuss the proposed changes in the LDRs but decided they didn't want to continue the meeting to go past 10:00 p.m., so he never got to speak.

Mr. Law said meetings are scheduled to end at 9:30 p.m., and to go past this time, the Commission must vote to extend meetings another 30 minutes. The Commission elected to not hold a continuation of the meeting because the LDRs were the last item on the agenda, and the proposed revisions were continued until the Commission's next regular monthly meeting in November.

Ms. West said this is very frustrating as this should have been heard under the civility aspect. This is a volunteer Board and a member of the Board was asked to come to the City Commission meeting to explain some of the concerns the Board had with a particular issue. She quite frankly finds it disrespectful to have Mr. Mitherz sit for several hours and not give him a few minutes to make comments to relay what's been happening with the Board. She'd really like the Commission to acknowledge the amount of time this Board puts in on a volunteer basis and if the Commission sees a Board member attending a meeting at their request, it would be nice to call on him or her.

Mr. Wilson said he has been advised that item will be first up under "Old Business" at the next City Commission meeting.

IX. ADJOURNMENT

The meeting was adjourned at 7:03 p.m.

_____

Jane West, Chairperson

_____

Lacey Pierotti, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122.)

MINUTES

SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING
THURSDAY, OCTOBER 10, 2019, AT 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

Chair Krempasky called the meeting to order at 6:01 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Chair Sandra Krempasky, Members Craig Thomson, Lonnie Kaczmarsky, Lana Bandy, and Alternate Jeanette Smith.

Vice Chair Alex Farr and Member Ann Palmquist were absent.

Also Present: Public Works Director Bill Tredik and Recording Secretary Dariana Fitzgerald.

Public Works Director Bill Tredik arrived at 7:00 p.m.

Chair Krempasky informed the Committee that this was Member Palmquist's third consecutive absence and asked if the Committee would like to excuse one of her absences or remove her from the Committee.

Motion: to excuse Member Palmquist's absence at this meeting. **Moved by** Member Kaczmarsky, **Seconded by** Member Bandy. Motion passes unanimously.

IV. APPROVAL OF MINUTES OF SEPTEMBER 12, 2019, REGULAR MEETING

Chair Krempasky introduced Item IV and then asked for a motion.

Member Thomson pointed out that "ration" should be "ratio".

Motion: To approve the Committee minutes for September 12, 2019, with correction of typographical error. **Moved by** Member Thomson **Seconded by** Member Smith. Motion passed unanimously.

V. PRESENTATION OF REPORTS:

Chair Krempasky asked that Item 2 be presented first since there was a speaker here to discuss the topic.

1. Proposed Changes to City Code

Member Thomson presented a section of the Comprehensive Planning & Zoning Board minutes from September 17 (Exhibit A) showing that Building Official Law noted that under current setbacks an owner could only build to 27.4% coverage on a 50-foot-by-93-foot lot and that the City could be guilty of government taking since the Code allows up to 35% coverage. He also noted that Mr. Kincaid commented in the minutes that the lot coverage and setback rule conflict with each other. Member Thomson reported that he reviewed what the code allows and drew a site plan based on the 25-foot front and rear and 10-foot side setbacks (Exhibit B). He stated that the code allows for patios, second and third floor decks, accessory buildings, and exterior stairways. He noted that if all of those are built, then coverage could go up to 40%. He discussed emails between himself and Building Official Law on the subject (Exhibit C) where he was directed to the City Code. He also showed an older map of the City lots (Exhibit D) and stated that he had calculated over 1,000 50-foot by 100-foot lots. He claimed that there are environmental concerns and an issue of sustainability for a community with a pattern of growth. He read an email from Dr. Sandy Bond (Exhibit E) with several objections to the proposed setbacks. Chair Krempasky commented on the request for a workshop in that email that Chair Jane West from the CPZB had recommended the same thing and it was rejected by the rest of that Board.

Motion: To have Chair Krempasky write a memo with the Committee's objections to provide to City Manager Royle for the Commission agenda books for the November 4th meeting. **Moved** by Member Thomson, **Seconded** by Chair Krempasky. Motion passes unanimously.

Member Thomson commented that he wasn't sure why there was a proposed change to increase the Impervious Surface Ratio to 50% in low density residential areas.

2. Climate Change Survey

Dr. Sandy Bond, 1117 Compass Row, spoke on the survey. She stated that it was just as much educational for the survey taker as informational to the City. She stated that she focused on things that individuals could potentially change.

Member Thomson commented that he and Dr. Bond spoke with Communications Coordinator Cindy Walker, who gave feedback on the survey and the number of respondents for previous surveys over time. He stated that more people are likely to respond if the survey is available for several months.

Dr. Bond went through the proposed survey and explained each question to the Committee.

Member Kaczmarsky noted that he has his students answer similar surveys and he suggested adding questions on sea level rise. He recommended adding mentions of salt water intrusion, storm surge, and dune protection in the opening paragraph and in the second paragraph adding "...reducing carbon emissions and prepare for the inevitable sea level rise by increasing resiliency and resistant infrastructure".

Chair Krempasky suggested that Member Kaczmarsky send his ideas to Dr. Bond and Coordinator Walker to see if and how they could be incorporated. She asked if the background questions would be optional and Dr. Bond stated that all the questions would be optional.

Member Bandy asked how this information would be used. Member Thomson stated that it could be used to develop general statement on the topics. Member Bandy suggested that there could be an optional question asking for email addresses from those interested in further information.

Chair Krempasky asked for Committee consensus to approve this survey with Members Kaczmarsky and Thomson working with Dr. Bond and Coordinator Walker to finalize it for the November 4th Commission meeting. Secretary Fitzgerald stated that City Manager Royle has asked that a member of the Committee must write a memo to accompany any Commission agenda items requested by SEPAC to explain the item's background and why the Committee is asking the Commission to discuss it. Chair Krempasky asked if Member Thomson would draft that memo and he agreed.

Chair Krempasky commented that she believed Vice Chair Farr had mentioned a potential question topic at a previous meeting and Member Thomson replied that she had spoke on sequestering, which is what trees help do and could have a positive effect on reducing climate change. He noted that it was an excellent topic, but would probably have less of an effect in an urban area.

3. Educational Programs

Member Bandy reported that the next film, *The Smog of the Sea*, will be on October 29th at 6:30 p.m. and that Coordinator Walker is helping to advertise for it. She noted that she did not have a speaker arranged yet, but is working on a few potential options. She stated that another film will need to be selected for January 30th in the next couple of weeks. Member Kaczmarsky suggested *Rising Seas*, which is a series on Florida confronting sea level rise. Member Thomson suggested incorporating SEPAC's PowerPoint on sea level rise into the presentation if the chosen film is on that topic.

Member Thomson suggested using the Arbor Day Our Sustainable Future logo for advertising, but Chair Krempasky noted that this was a partnership with the library, and it may not be appropriate. He also suggested using the logo on reusable bags or other items to sell. Chair Krempasky noted that it was discussed to change the logo each year as a joint project with Flagler College. The Committee asked if Coordinator Walker could come to the next meeting to discuss this topic.

Member Thomson mentioned an article in The Folio Weekly that discussed a film and asked if Member Bandy had looked into that as an option. Member Bandy reported that there was a $75 licensing fee to show the film and that she was going to check in with the author of the article to see if she had a connection to the filmmaker and maybe he or the author would be willing to come to speak on the topic.

4. Development of a Committee Strategic Plan

Chair Krempasky stated that Member Kaczmarsky was supposed to contact Public Works Director Tredik about planting and he replied that Director Tredik suggested waiting until Grounds Foreman Large returned, since he was more familiar with the landscaping and planting.

Chair Krempasky noted that the Commission is interested in suggestions for planting along the Mickler Boulevard sidewalk to help divide it from the road. Director Tredik reported that when the new sidewalk is complete, there will be about 6-7 feet between the sidewalk and the roadway, which is enough space for some landscaping, but not trees. He stated that anything planted should be limited in size so the plant or its roots would not impact the sidewalk, roadway, or powerlines. He commented that it would be nice to have something low maintenance to divide the area, improve the aesthetic, and discourage vehicles from parking or driving on the sidewalk. Alternate Smith noted that FPL had cut down several palm trees along that road because they were interfering with the lines. Secretary Fitzgerald noted that much of the damage to the previous sidewalk came from work trucks parking on it. Member Thomson suggested that the area over the pipe could be a possible location for a rain garden. Director Tredik commented that without a curb, he would have to check FDOT's Greenbook to verify requirements since if a car swerved off the road and hit a tree that could escalate the severity of an accident.

Member Thomson asked if the sidewalk could be shifted over any further and suggested that this could be reviewed and brought back at the next meeting. Director Tredik stated that there is a contract in place, and he needs to complete the terms of that contract and cannot wait one or two more months, but will try to shift the sidewalk as much as possible.

Chair Krempasky asked how to go about the development of a strategic plan. Secretary Fitzgerald stated that the purpose was similar to the five-year plan they created before, but in far more detail. They should lay out specific projects to complete each year instead of broad goals, something like plant five of this tree species at this estimated cost and complete this project at this estimated cost. She noted, for example, that with the Urban Forestry Grant, the Committee could not apply to use the grant to plant trees because the application required detailed plans which the Committee did not have, but if they know ahead of time that in year three they want that grant to plant trees then a plan could be developed during years one and two. Member Thomson stated that they already wanted to work on a yearly planting plan with Public Works and that should be sufficient. Director Tredik stated that he does not intend to budget for trees unless it is dedicated to a specific project ahead of time. He noted as examples that if the Committee wanted to complete $10,000 or $20,000 landscaping projects, then those would have to be specifically included in the budget for the following year and a plan would be needed before the request is made. Secretary Fitzgerald again noted that large projects take time and the best practice is to use one year to develop a plan and determine the cost, then the second year to implement that plan. She commented that for the past couple of years, the Committee has decided on a project without a plan, guessed at the costs, and scrambled to complete both a plan and the project before the end of the fiscal year. Director Tredik commented that a plan would allow time to hire a landscape architect for certain projects. He stated that expenditures may go down over the next few years as large ticket items are completed, so the Committee may have to opportunity for larger projects in the future. Member Kaczmarsky commented that the Urban Forestry Management Plan included several potential planting spaces and those could be incorporated into a long-range plan and Director Tredik started that they would have much better chance of getting funding for projects with a design ready beforehand, which is what he has to do for the new Public Works building.

Chair Krempasky asked if Public Works is now willing to work with the Committee to plant and maintain future projects. Director Tredik stated that if there is a good work plan for the next year, then he should be able to fit it into the schedule, if there is no plan then Public Works may not be able to do the work. Secretary Fitzgerald stated that this is not something new, every City department has a plan to determine what needs to be purchased or accomplished each year. Chair Krempasky stated that she would work on a start of a plan. Member Kaczmarsky stated that he would speak with Foreman Large when he returns to work. Secretary Fitzgerald noted that this doesn't have to be created by only one member, that each member could create a plan and then the Committee could discuss how to merge those ideas into one.

5. Environmental Policy & Planning Recommendations

Member Thomson suggested looking at policies at each meeting to make recommendations to staff. Member Kaczmarsky asked if Member Thomson had gotten in touch with Stone Engineering.

6. Sustainable Stormwater Management Research

Member Thomson showed a slide from the sea level rise PowerPoint (Exhibit F) that shows a sloping swale at the end of a driveway. He asked if Director Tredik would be willing to put the requirement for a driveway swale in an ordinance. Director Tredik stated that every situation is different and needs to be evaluated case-by-case basis to determine if a swale driveway encourages water flow. He noted that his driveway has a swale and the water doesn't go anywhere, just sits at the bottom of the driveway. Director Tredik stated that it may help to inform residents that this is Florida and that having a little water in their yards for a short period of time is a good thing.

Member Thomson reported that per a conversation with City Manager Royle, that the Comprehensive Plan will be revised related to sea level rise.

VI. OTHER COMMITTEE MATTERS

Member Bandy handed out a set of documents [Exhibit G] regarding the Hammock Dunes Park, north of the Publix Plaza. She explained that the City Commission requested use of surplus funding from St. Johns County and that one potential use of the funds was for parking at Hammock Dunes Park. She commented that this seemed to go against the plans described before the purchase [Exhibits G-1 to G-3] and asked if Secretary Fitzgerald had any more information on the purchase. Secretary Fitzgerald reported that it was a joint purchase by the City and the County with the City paying the County back over time, at which point the deed would be transferred to the City alone. She stated that there were conditions on the purchase and that one was that it be a passive park, but she was not completely sure of the full conditions. She noted that in 2010, there was a proposal to create a small parking area on the southwest corner, but access would have had to be provided via the shopping center's north alleyway or the bank parking lot to the west. Neither agreed to allow the City the right-of-way at the time so the proposal never went any further. Member Bandy mentioned that Mayor George commented at a meeting on using this site for beach parking. Director Tredik stated that the focus would be Ocean Hammock Park for the next

few years. Secretary Fitzgerald noted that there has been mention of improved parking at Ocean Hammock Park and maybe the two were confused.

Member Bandy also noted that there was talk of bike trails and Director Tredik mentioned that there is the River-to-Sea Bike loop that is in progress and the proposed path goes right by this area on A1A Beach Boulevard. Secretary Fitzgerald noted that there has not been any definitive plan or studies done related to Hammock Dunes Park at this point. Director Tredik stated that if he envisions a 20-year plan he can see a combination of passive and active use, such as trails, but that would be in the future.

Director Tredik reported that he has applied for a grant from the Florida Resilient Coastlines Program for a vulnerability assessment and adaptation plan at $72,500. He stated that he thinks the City has a pretty good chance, but still does not know if it will be awarded to the City in mid-May. He stated that the City does not have a good grasp on the southern end of the City, like Ocean Trace, and some connections to Salt Run. He stated that calculations would be run on at least two different sea level rise situations. He noted that the coastal dune system would be evaluated as well. He commented that engineers' services are not cheap, and they are in the business to make money, so he tries to limit contact to items related to specific projects only. In response to Member Thomson, he replied that if the City does not receive the grant, he will try to ask the Commission for money in the budget to accomplish it anyway.

Member Thomson asked if there is a backup plan if the weir begins to backflow into the City. Director Tredik replied that that was one of the purposes for the plan the grant would help pay for. He commented that in a storm similar to Hurricane Matthew, that water would likely backup along the system, but not for a long period of time and it wouldn't happen all at once.

Member Thomson asked about having the City's engineer test the different storm surge mechanisms to model the runoff capacity. Director Tredik stated that there is no money to have the engineer run those models and replied to Member Thomson that it would cost tens of thousands to do so. Member Thomson asked about the $450,000 for a section of the Mickler Boulevard ditch and noted that that could be used for a number of design projects. Director Tredik stated that the ditch needs to be done now and there will likely be other similar projects that need to be completed. Director Tredik stated that during a category 3 or 4 storm, that water will come over the dunes and flood the City, no matter how much sand is placed at the beach ramps. He stated that once the storm clears, that that water will disperse and can be removed pretty quickly even without pumps, but flooding will happen during an event like that. He commented that he would like to focus on building more dune walkovers over time and keep people from walking through the dunes, since that damages them.

VII. ADJOURNMENT

Chair Krempasky adjourned the meeting at 8:04 p.m.

_____

Sandra Krempasky, Chair

ATTEST

_____

Max Royle, City Manager

COMMISSION REPORT

November 2019

TO: MAYOR/COMMISSIONERS

FROM: ROBERT A. HARDWICK, CHIEF OF POLICE

DEPARTMENT STATISTICS – October 21th - November 17th

CALLS FOR SERVICE 941
OFFENSE REPORTS 52
CITATIONS ISSUED 70
LOCAL ORDINANCE CITATIONS 0
DUI 2
TRAFFIC WARNINGS 410
TRESSPASS WARNINGS 10
ANIMAL COMPLAINTS 8
ARRESTS 10

3 – Battery
1- Driving W/ License Suspended Revoked
2- DUI
1- Trespass
1- Petit Theft
1-Possession – Heroin
1-Possession- Control Substance

ANIMAL CONTROL:

- St. Johns County Animal Control handled 8 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES:

- **WAVE**- Oct 18th
- **Blood Drive** – Nov 5th
- **Veteran's Day Memorial Ceremony** – November 11th

MEMORANDUM

Date: November 21, 2019

To: Max Royle, City Manager

From: Bill Tredik, P.E., Public Works Director

Subject: Monthly Report

Funding Opportunities

In November October, Public Works made the following presentations requesting financial assistance for projects:

- St. Augustine Port, Waterway & Beach District November 19, 2019 – Public Works presented three potential beach access improvement projects for consideration, including:
    - A Street Sidewalk
    - Ocean Hammock Park Phase II
    - 5th Street Dune Walkover

  The District discussed whether these projects fell within their mandate and determined that, due to the increase of access to a waterway and the protection of the dune system, the dune walkover was the most likely project they could support. They recommended that the City secure matching funding to partner on the project and come back at a future meeting.

- St. Johns County Legislative Delegation Hearing 11/22/2019 – Public Works requested $505,000 of financial assistance for the Mizel Road Stormwater Treatment Area Improvements (a.k.a. Mizel Weir Project). This appropriation if approved will be used to fund the City portion of the project.

Public Works also submitted the A Street Sidewalk Project to the St. Johns County Transportation Advisory Group for prioritization and consideration of submittal to the North Florida TPO to be considered for the FDOT Five Year Work Plan.

Public works will continue to explore additional funding opportunities.

Maintenance Activities

Rights-of-way and Parkettes – As the growing season ends, required maintenance of these facilities will decrease, allowing Public Works to focus on other functions such as cut-back of trees along S.R. A1A and A1A Beach Boulevard and planting of trees currently stored at the Public Works facility nursery.

Holiday Lights – All holiday lighting has been installed. As of November 21, 2019, Public Works is making final preparations to ensure that all fixtures are operational by November 23, 2019.

Parks – Maintenance of City parks is ongoing.

Buildings – Maintenance of City buildings and grounds is ongoing

Fleet – The Public Works Department continues to do minor fleet maintenance on our larger trucks, heavy equipment and regular work trucks, to reduce outside repair costs.

Capital Improvements

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. Permit application has been made to the St. Johns River Water Management District, and a request for additional information (RAI) was received with only two comments. The consultant responded and resubmitted to the District on November 21, 2019. A Water Management District permit is anticipated within 30 days. Submittal of the final design (Phase 1 of the HMGP) to the State of Florida is scheduled to be made before the end of the year, with construction to commence upon approval of the Phase II contract by the State. Public Works currently operates the old pump station to maintain water levels in the pond.

3rd Lane Drainage Improvements [CONSTRUCTION] – The 3rd Lane Ditch Drainage Improvements will pipe approximately 450 feet of existing ditch west of the 2nd Avenue right-of-way and east of Sea Oaks Subdivision. This project will address localized stormwater flooding and reduce long term drainage maintenance requirements. Final preparation of the bid documents is in process with construction anticipated to commence in the late winter.

Ocean Hammock Park [DESIGN/CONSTRUCTION] – The City has submitted two (2) applications for funding assistance for Ocean Hammock Park. These grant applications are discussed above. Public Works will begin formal design of Phase 2 components of the park and will be ready to move to construction in July 2020 if funding is appropriated.

11th Street Pipe Repair and resurfacing [DESIGN/CONSTRUCTION]– 11th Street is experiencing subsidence in several locations due to leaks in existing pipe joints. The project is currently in design. No permitting is anticipated for this project, and construction will follow completion of design. Anticipated improvements include slip-lining of the existing drainage pipe, repair of pavement subbase and base at pipe joints, and resurfacing of the roadway.

Streets / Rights of Way

Lighting – Public Works is working with the Police Department and FPL to move forward with the following lighting improvements:

- Seven (7) new streetlights to improve visibility along S.R. A1A, south of City Hall
- Twelve (12) new streetlights along A1A Beach Boulevard
- Citywide replacement of existing streetlights with LED lights, including replacement of twenty-eight (28) streetlights with turtle-friendly amber fixtures

These items requires a separate agreement amendments with FPL. These agreements are currently scheduled to be brought to the City Commission for consideration at the January 6, 2020 meeting. Installation will occur after approval of the agreement amendments.

Traffic Calming – Atlantic Oak Circle residents have requested that the City consider traffic calming devices (e.g. speed bumps or speed humps). The Police Department conducted a speed study and determined that speeding is occurring in this area. Public works has reviewed the study and is moving forward with the implementation of traffic calming measures in conformance with current City guidelines. Public Works has notified residents that, per current guidelines, 50% neighborhood support is required to install speed bumps/humps on residential streets – and that properties directly adjacent to the devices must be fully supportive. A survey was provided to each residence either by door hanger or mail requesting their support or opposition. A neighborhood meeting was originally scheduled for December 3rd to discuss the next steps. Due to scheduling conflicts, this meeting is currently being rescheduled to December 10th. If the guideline requirements are met, Public Works will proceed with the procurement and installation of speed bumps/humps in the area.

Events

Beach Blast Off – Staff is currently preparing for the upcoming Beach Blast Off and is participating in regular coordination meetings and associated preparations.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER

FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR

SUBJECT: MONTHLY REPORT

DATE: 11/18/2019

Finance

Additional data continues to be collected for discussion of the Non-Ad Valorem assessment for Residential Solid Waste services, as well as Commercial Solid Waste. Our new Finance Assistant, Mimi Mudrick, has been with the department for just over a month and training continues as we prepare for the auditor's return in January.

Communications and Events

Our Communications & Events Coordinator has been very busy. She attended the Florida Municipal Communicators Association Conference in Daytona Beach. Strategic communications planning is underway for the upcoming Census, Beaches Go Green/ ash can partnership project, and Go Green SAB campaign. The Climate Change Challenge Survey for SEPAC and a corresponding marketing plan is being developed. She continues to edit the events policy and has attended the St. Johns County events strategic planning meeting, which included representatives from DOT, St. Johns County, St. Augustine, and local law enforcement. Veterans Day was a successful event, with well over 150 in attendance. Preparations for Beach Blast Off are underway. She also continues to manage her duties as a board member for both the South Beaches Chamber of Commerce and Enterprising Women's Leadership Institute.

Technology

The IT staff has started upgrading the evidence hardware at the Police Department. Annual software subscription renewals continue being installed.

Range of Checking Accts: First to Last Range of Check Dates: 10/01/19 to 10/31/19
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num / Ref Seq	Acct
001TDOPERATING								
42456	10/11/19	ADVAN010 ADVANCED DISPOSAL				10/31/19	1482	
19-02428	1	RECYCLE CHARGES 092019	11,247.48	001-3400-534-3400 GARBAGE	Expenditure		65	1
42457	10/11/19	ADVAP010 ADVANCED AUTO PARTS				10/31/19	1482	
20-00056	1	REPAIRS #57	9.88	001-1900-519-4630 OTHER GOVERNMENTAL	Expenditure		136	1
42458	10/11/19	AFLAC005 AFLAC				10/31/19	1482	
19-02393	1	PREIUMS	403.06	001-229-2100 Insurance-Other Employee Paid	G/L		26	1
42459	10/11/19	AGILE005 AGILE INTERNET MARKETING				10/31/19	1482	
19-02414	1	WEBSITE	200.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		50	1
42460	10/11/19	AMERI145 AMERI-FAX				10/31/19	1482	
19-02426	1	THERMAL PAPER PATROL	230.00	001-2100-521-5100 LAW ENFORCEMENT	Expenditure		63	1
42461	10/11/19	ARMAI005 ARMA INTERNATIONAL				10/31/19	1482	
20-00012	1	MEMBERSHIP	175.00	001-1300-513-5420 FINANCE	Expenditure		93	1
42462	10/11/19	ASCAP010 ASCAP				10/31/19	1482	
20-00006	1	MUSIC LICENSE	364.14	001-7200-572-4832 PARKS AND REC	Expenditure		88	1
42463	10/11/19	ATLAN040 ATLANTIC DODGE-CHRYSLER-JEEP				10/31/19	1482	
19-02413	1	OIL CHANGE #114	32.17	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		49	1
42464	10/11/19	ATLAN060 ATLANTA PARENT MAGAZINE				10/31/19	1482	
20-00061	1	ADS FOR BBO-GRANT	1,990.00	001-7200-572-4832 PARKS AND REC	Expenditure		140	1
42465	10/11/19	AXONE005 AXON ENTERPRISE INC				10/31/19	1482	
19-02410	1	BATTERIES TASER	130.00	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		46	1
42466	10/11/19	BENCH005 BENCHMARK PROFESSIONAL SEMINAR				10/31/19	1482	
20-00020	1	RECORDS TRAINING	295.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		105	1
42467	10/11/19	BEVER005 BEVERLY RADDATZ				10/31/19	1482	
20-00001	1	TRAVEL REIMB-FACC	35.61	001-1300-513-4020 FINANCE	Expenditure		83	1

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num / Ref Seq	Acct
001TDOPERATING			Continued					
42467		BEVERLY RADDATZ Continued						
20-00001	2	TRAVEL REIMB-FACC	126.00	001-1300-513-4000 FINANCE	Expenditure		84	1
			161.61					
42468	10/11/19	BOZAR010 BOZARD FORD COMPANY				10/31/19	1482	
19-02404	1	OIL CHANGE #24	66.58	001-2400-524-4630 PROT INSPECTIONS	Expenditure		40	1
19-02407	1	PM #122	288.19	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		43	1
			354.77					
42469	10/11/19	BUGOU010 BUG OUT				10/31/19	1482	
20-00058	1	LAWN PEST CONTROL	189.00	001-1900-519-3400 OTHER GOVERNMENTAL	Expenditure		137	1
42470	10/11/19	CENTR020 CENTRAL FLORIDA MAGAZINE LLC				10/31/19	1482	
20-00062	1	ADS FOR BBO-GRANT	699.00	001-7200-572-4832 PARKS AND REC	Expenditure		141	1
42471	10/11/19	CINDY005 CINDY WALKER				10/31/19	1482	
19-02446	1	EXPENSE REPORT	36.83	001-1300-513-4020 FINANCE	Expenditure		80	1
42472	10/11/19	CLERK020 CLERK OF CIRCUIT COURT				10/31/19	1482	
19-02447	1	FILING FEES	37.00	001-1300-513-5290 FINANCE	Expenditure		81	1
42473	10/11/19	COLON010 COLONIAL SUPPLEMENTAL INSURANC				10/31/19	1482	
20-00049	1	PREMIUMS	591.20	001-229-2100 Insurance-Other Employee Paid	G/L		129	1
42474	10/11/19	CRAFT010 CRAFT'S TROPHIES & AWARDS INC					1482	
19-02415	1	PLAQUES	15.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		51	1
19-02424	1	NAMEPLATES	12.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		61	1
			27.00					
42475	10/11/19	CREAT005 CREATIVE FLEET MARKINGS LLC				10/31/19	1482	
19-02427	1	FLEET	905.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		64	1
42476	10/11/19	DEPT0010 DEPT OF BUSINESS & PROF REGULA				10/31/19	1482	
20-00032	1	BLDG DEPT SURCHARGE-0701-0930	1,767.96	001-208-0000 Due to Other Governments	G/L		121	1
42477	10/11/19	DGGTA010 DGG UNIFORMS & WORK APPAREL				10/31/19	1482	
19-02418	1	UNIFORM POLOS	445.50	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		54	1
19-02423	1	UNIFORMS-LEWIS	86.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		59	1

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num / Ref Seq	Acct
001TDOPERATING			Continued					
42477		DGG UNIFORMS & WORK APPAREL Continued						
19-02423	2	UNIFORMS-LEWIS/ADERHOLD	139.48	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		60	1
			670.98					
42478	10/11/19	DRTOW010 DR TOWNSEND & ASSOCIATES P.A.				10/31/19	1482	
19-02419	1	BACKGROUND BRYANT	225.00	001-2100-521-4930 LAW ENFORCEMENT	Expenditure		55	1
42479	10/11/19	FCCMA010 FLORIDA CITY & COUNTY MGMT				10/31/19	1482	
20-00031	1	FCCMA MEMBERSHIP	364.00	001-1200-512-5420 EXECUTIVE	Expenditure		120	1
42480	10/11/19	FDLEF005 FDLE/FL CRIMINAL JUSTICE				10/31/19	1482	
20-00018	1	TRAINING-HAMMONDS	350.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		103	1
42481	10/11/19	FEDER005 FEDERAL EASTERN INTERNATIONAL				10/31/19	1482	
19-02409	1	PLACARDS	57.20	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		45	1
42482	10/11/19	FIREW010 FIREWORKS BY SANTORE INC.				10/31/19	1482	
20-00068	1	BBO FIREWORKS	12,500.00	001-7200-572-4832 PARKS AND REC	Expenditure		152	1
42483	10/11/19	FIRST070 FIRST BANKCARD				10/11/19 VOID	0	
42484	10/11/19	FIRST070 FIRST BANKCARD				10/11/19 VOID	0	
42485	10/11/19	FIRST070 FIRST BANKCARD				10/11/19 VOID	0	
42486	10/11/19	FIRST070 FIRST BANKCARD				10/31/19	1482	
19-02155	1	FURNITURE FOR 2ND FLR TRAINING	461.56	001-2400-524-5230 PROT INSPECTIONS	Expenditure		157	1
19-02155	4	FURNITURE FOR 2ND FLR TRAINING	389.94	001-2400-524-5230 PROT INSPECTIONS	Expenditure		158	1
19-02155	5	FURNITURE FOR 2ND FLR TRAINING	67.99	001-2400-524-5230 PROT INSPECTIONS	Expenditure		159	1
19-02186	1	BLDG DEPT TRAINING COMPUTER	469.99	001-2400-524-6430 PROT INSPECTIONS	Expenditure		2	1
19-02186	2	BLDG DEPT TRAINING COMPUTER	109.99	001-2400-524-6430 PROT INSPECTIONS	Expenditure		3	1
19-02191	1	10 & 30 YR SVC ANNIVERSARIES	184.93	001-1100-511-4990 LEGISLATIVE	Expenditure		4	1
19-02195	2	HURRICANE SUPPLIES	58.55	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		5	1
19-02204	1	RAIN BOOTS	7.88	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		6	1
19-02264	1	HURRICANE ITEMS	121.52	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		7	1
19-02266	1	WOMEN W/VISION MEETING	25.00	001-1300-513-5430 FINANCE	Expenditure		8	1

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num Ref Seq	Acct
001TDOPERATING			Continued					
42486 FIRST BANKCARD		Continued						
19-02287	1	2019 FSBPA CONF-MAYOR	550.00	001-1100-511-5430 LEGISLATIVE	Expenditure		9	1
19-02315	1	KILO FOOD	109.99	001-2100-521-4640 LAW ENFORCEMENT	Expenditure		10	1
19-02316	1	POSTAGE-BROKEN RADAR GUN RTRN	12.17	001-2100-521-4200 LAW ENFORCEMENT	Expenditure		11	1
19-02347	1	FL ASSOC CLERKS CONFERENCE	450.00	001-1300-513-5430 FINANCE	Expenditure		13	1
19-02348	1	SJC CHAMBER MTG	90.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		14	1
19-02349	1	SHIRT-ASHLOCK	71.94	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		15	1
19-02350	1	FRCA DUES-ASHLOCK	135.00	001-2100-521-5420 LAW ENFORCEMENT	Expenditure		16	1
19-02388	1	GLOVES PATROL	175.54	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		21	1
19-02389	1	MEDICAL PATROL	206.08	001-2100-521-5250 LAW ENFORCEMENT	Expenditure		22	1
19-02390	1	KILO K9 GEAR	321.29	001-2100-521-4640 LAW ENFORCEMENT	Expenditure		23	1
19-02391	1	KILO SUPPLIES	74.05	001-2100-521-4640 LAW ENFORCEMENT	Expenditure		24	1
19-02392	1	POSTAGE-RTRN DAMAGED AED	91.79	001-2100-521-4200 LAW ENFORCEMENT	Expenditure		25	1
19-02395	1	HAMPTON-TRAINING	109.00	001-2100-521-4000 LAW ENFORCEMENT	Expenditure		27	1
19-02396	1	CVS-PHOTOS/FRAMES	14.87	001-2100-521-5100 LAW ENFORCEMENT	Expenditure		28	1
19-02431	1	NETWORK SWITCH	69.00	001-1900-519-5230 OTHER GOVERNMENTAL	Expenditure		66	1
19-02432	1	KILO FOOD	109.99	001-2100-521-4640 LAW ENFORCEMENT	Expenditure		67	1
19-02433	1	LATE FEE-	39.00	001-1300-513-4990 FINANCE	Expenditure		68	1
			4,527.06					
42487 10/11/19		FLAGL030 FLAGLER CARE CENTER				10/31/19	1482	
19-02412	1	NEW HIRE BRYANT	275.00	001-2100-521-4930 LAW ENFORCEMENT	Expenditure		48	1
42488 10/11/19		FLGIS005 FLGISA				10/31/19	1482	
20-00033	1	MEMBERSHIP	200.00	001-1300-513-5420 FINANCE	Expenditure		122	1
42489 10/11/19		FLORI170 FLORIDA JANITOR & PAPER SUPPLY				10/31/19	1482	
20-00042	1	CLEANING SUPPLIES	182.49	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		124	1
42490 10/11/19		FLORI180 FLORIDA LEAGUE OF CITIES, INC.				10/31/19	1482	
20-00022	1	MEMBERSHIPS FY20	875.00	001-1300-513-5420 FINANCE	Expenditure		112	1

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001TDOPERATING			Continued					
42491	10/11/19	FLORI190 FLORIDA MUNICIPAL INSURANCE TR				10/31/19	1482	
20-00021	1	TRAVEL INS	304.55	001-1100-511-4000 LEGISLATIVE	Expenditure		106	1
20-00021	2	TRAVEL INS	60.91	001-1200-512-4000 EXECUTIVE	Expenditure		107	1
20-00021	3	TRAVEL INS	121.81	001-1300-513-4000 FINANCE	Expenditure		108	1
20-00021	4	TRAVEL INS	60.91	001-2100-521-4000 LAW ENFORCEMENT	Expenditure		109	1
20-00021	5	TRAVEL INS	60.91	001-2400-524-5290 PROT INSPECTIONS	Expenditure		110	1
20-00021	6	TRAVEL INS	60.91	001-3400-534-5290 GARBAGE	Expenditure		111	1
			670.00					
42492	10/11/19	FLORI230 FLORIDA POLICE CHIEFS ASSOCIAT				10/31/19	1482	
20-00013	1	CHIEF FPCA MEMBERSHIP	210.00	001-2100-521-5420 LAW ENFORCEMENT	Expenditure		94	1
42493	10/11/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				10/31/19	1482	
19-02399	1	ELECTRIC	976.75	001-2100-521-4310 LAW ENFORCEMENT	Expenditure		29	1
19-02399	2	ELECTRIC	714.37	001-1900-519-4310 OTHER GOVERNMENTAL	Expenditure		30	1
19-02399	3	ELECTRIC	476.25	001-2400-524-4310 PROT INSPECTIONS	Expenditure		31	1
19-02399	4	ELECTRIC	24.10	001-7200-572-4310 PARKS AND REC	Expenditure		32	1
19-02399	5	ELECTRIC	26.76	001-7200-572-4310 PARKS AND REC	Expenditure		33	1
19-02399	6	ELECTRIC	116.79	001-1900-519-4310 OTHER GOVERNMENTAL	Expenditure		34	1
19-02399	7	ELECTRIC	130.27	001-3400-534-4310 GARBAGE	Expenditure		35	1
19-02399	8	ELECTRIC	202.13	001-131-1000 Due From Road & Bridge Fund	G/L		36	1
			2,667.42					
42494	10/11/19	FLORI330 FLORIDA SHORE & BEACH PRESERVA				10/31/19	1482	
20-00011	1	MEMBERSHIP	500.00	001-1300-513-5420 FINANCE	Expenditure		92	1
42495	10/11/19	FLORI340 FLORIDA LEAGUE OF MAYORS				10/31/19	1482	
20-00005	1	MEMBERSHIP	350.00	001-1100-511-5420 LEGISLATIVE	Expenditure		87	1
42496	10/11/19	FMCA0005 FL MUNICIPAL COMMUNICATORS ASC				10/31/19	1482	
20-00007	1	MEMBERSHIP	100.00	001-1300-513-5420 FINANCE	Expenditure		89	1

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001TDOPERATING			Continued					
42496		FL MUNICIPAL COMMUNICATORS ASC Continued						
20-00009	1	CONFERENCE	225.00	001-1300-513-5430 FINANCE	Expenditure		90	1
			325.00					
42497	10/11/19	FOPLO005 FOP LODGE 113				10/31/19	1482	
20-00070	1	MEMBERSHIP DUES	7.00	001-229-1000 Miscellaneous Deductions	G/L		154	1
42498	10/11/19	GALLS010 GALLS LLC				10/31/19	1482	
19-02416	1	NEW HIRE BRYANT-UNIFORMS	190.03	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		52	1
19-02417	1	CHIEF COLLAR PINS	20.95	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		53	1
			210.98					
42499	10/11/19	GOODY020 GOODYEAR COMMERCIAL TIRE				10/31/19	1482	
19-02367	1	SANITATION TIRES/CREDIT	3,353.25	001-3400-534-4630 GARBAGE	Expenditure		17	1
19-02367	2	SANITATION TIRES/CREDIT	90.00-	001-3400-534-4630 GARBAGE	Expenditure		18	1
			3,263.25					
42500	10/11/19	HAGAN020 HAGAN ACE MANAGEMENT CORP				10/31/19	1482	
19-02435	1	MURIATIC ACID	23.36	001-7200-572-5290 PARKS AND REC	Expenditure		70	1
20-00043	1	REPAIRS TO STAGE	29.98	001-7200-572-4832 PARKS AND REC	Expenditure		125	1
20-00052	1	BLADES	32.98	001-3400-534-5290 GARBAGE	Expenditure		132	1
			86.32					
42501	10/11/19	HEATH010 HEATH ELECTRIC				10/31/19	1482	
19-02441	1	REPAIRS-VETERANS MEM PK	326.53	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		75	1
19-02442	1	CITY HALL PK LOT LIGHTS	402.30	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		76	1
			728.83					
42502	10/11/19	HICKS101 HICK'S LAND CLEARING & INCINER				10/31/19	1482	
19-02401	1	DISPOSAL FEES	240.00	001-3400-534-4940 GARBAGE	Expenditure		37	1
20-00060	1	DISPOSAL	480.00	001-3400-534-4940 GARBAGE	Expenditure		139	1
			720.00					
42503	10/11/19	HOMED010 HOME DEPOT				10/31/19	1482	
20-00051	1	BBO STAGE REPAIRS	75.02	001-7200-572-4832 PARKS AND REC	Expenditure		131	1

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001TDOPERATING	Continued			
42503 HOME DEPOT Continued				
20-00053 1 BBQ STAGE	40.96	001-7200-572-4832 PARKS AND REC	Expenditure	133 1
	115.98			
42504 10/11/19 INDIA010 INDIANHEAD BIOMASS SERVICES				10/31/19 1482
19-02402 1 DISPOSAL FEES	399.32	001-3400-534-4940 GARBAGE	Expenditure	38 1
42505 10/11/19 LEADS005 LEADSONLINE				10/31/19 1482
20-00029 1 LEADS ONLINE SUBSCRIPTION	2,128.00	001-2100-521-4930 LAW ENFORCEMENT	Expenditure	119 1
42506 10/11/19 LVHIE010 L.V. HIERS INC.				10/31/19 1482
20-00017 1 290 GALS UNLD, 448 GALS DIESEL	667.03	001-141-0000 Inventories - Fuel	G/L	101 1
20-00017 2 290 GALS UNLD, 448 GALS DIESEL	1,165.51	001-141-0000 Inventories - Fuel	G/L	102 1
	1,832.54			
42507 10/11/19 MCCIL005 MCCI, LLC				10/31/19 1482
20-00059 1 ANNUAL SUPPORT	9,316.45	001-1100-511-4970 LEGISLATIVE	Expenditure	138 1
42508 10/11/19 MICRO010 MICROSOFT				10/31/19 1482
19-02448 1 EOP2 EMAIL	1,536.00	001-1100-511-4620 LEGISLATIVE	Expenditure	82 1
42509 10/11/19 NATIO090 NATIONWIDE RETIREMENT SOLUTION				10/31/19 1482
20-00069 1 DEFERRED COMP	1,714.52	001-235-0000 Deferred Compensation	G/L	153 1
42510 10/11/19 NEXTR005 NEXTRAN				10/31/19 1482
20-00054 1 FUEL ADDITIVE	87.00	001-3400-534-5220 GARBAGE	Expenditure	134 1
42511 10/11/19 OMGNA005 OMG NATIONAL				10/31/19 1482
19-02411 1 BADGE STICKERS	150.77	001-2100-521-4700 LAW ENFORCEMENT	Expenditure	47 1
42512 10/11/19 ORIEN010 ORIENTAL TRADING CO., INC.				10/31/19 1482
19-02425 1 SUPPLIES-	238.48	001-2100-521-5240 LAW ENFORCEMENT	Expenditure	62 1
42513 10/11/19 PINNA005 PINNACLE PUBLIC FINANCE, INC				10/31/19 1482
20-00004 1 POLICE VEH LEASE	25,765.94	001-1700-517-7100	Expenditure	85 1
20-00004 2 POLICE VEH LEASE	2,510.75	001-1700-517-7200	Expenditure	86 1
	28,276.69			

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001TDOPERATING			Continued					
42514	10/11/19	PIPPR010 PIP PRINTING				10/31/19	1482	
20-00019	1	BUSINESS CARDS	277.00	001-2100-521-4700 LAW ENFORCEMENT	Expenditure		104	1
42515	10/11/19	POLKB005 POLK BROS ENT		(Void Reason: stop pymt-lost)		10/23/19 VOID	1482	
20-00002	1	BBO SOUND PRODUCTION	2,875.00	001-7200-572-4832 Parks-Beach Blast Off Event	Expenditure		155	1
42516	10/11/19	PROSH010 PROSHOW DJ SERVICE					1482	
20-00050	1	DJ-VETERAN'S DAY	200.00	001-7200-572-4834 PARKS AND REC	Expenditure		130	1
42517	10/11/19	PUBLI020 PUBLIX				10/31/19	1482	
19-02406	1	CLEANING SUPPLIES	14.37	001-2100-521-4610 LAW ENFORCEMENT	Expenditure		42	1
19-02436	1	SUPPLIES	6.99	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		71	1
			21.36					
42518	10/11/19	QUILL010 QUILL LLC				10/31/19	1482	
20-00065	1	OFFICE SUPPLIES	36.25	001-2400-524-5100 PROT INSPECTIONS	Expenditure		144	1
20-00065	2	OFFICE SUPPLIES	20.42	001-1300-513-5230 FINANCE	Expenditure		145	1
20-00065	3	OFFICE SUPPLIES	1.64	001-1900-519-5100 OTHER GOVERNMENTAL	Expenditure		146	1
20-00065	4	OFFICE SUPPLIES	47.76	001-1300-513-5100 FINANCE	Expenditure		147	1
20-00065	5	OFFICE SUPPLIES	32.52	001-2400-524-5100 PROT INSPECTIONS	Expenditure		148	1
20-00065	6	OFFICE SUPPLIES	15.73	001-2100-521-5100 LAW ENFORCEMENT	Expenditure		149	1
20-00066	1	SUPPLIES	14.71	001-1900-519-5100 OTHER GOVERNMENTAL	Expenditure		150	1
20-00067	1	SUPPLIES RETURNED	14.71-	001-1900-519-5100 OTHER GOVERNMENTAL	Expenditure		151	1
			154.32					
42519	10/11/19	RINGP005 RING POWER CORPORATION				10/31/19	1482	
19-02420	1	HURRICANE DORIAN EQUIP RENT	2,363.97	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		56	1
19-02420	2	HURRICANE DORIAN EQUIP RENT	2,063.97-	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		57	1
			300.00					
42520	10/11/19	SANFO005 SANFORD AND SON AUTO PARTS INC				10/31/19	1482	
20-00046	1	SUPPLIES	293.68	001-3400-534-5290 GARBAGE	Expenditure		127	1
42521	10/11/19	SHI00005 SHI INTERNATIONAL CORP				10/31/19	1482	
19-01999	1	MDT FOR POLICE DEPT	2,812.27	001-2100-521-6430 LAW ENFORCEMENT	Expenditure		1	1

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001TDOPERATING			Continued					
42522	10/11/19	SMITH010 SMITH BROS. PEST CONTROL				10/31/19	1482	
20-00023	1	PEST CONTROL	52.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		113	1
20-00023	2	PEST CONTROL	25.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		114	1
20-00023	3	PEST CONTROL	30.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		115	1
20-00023	4	PEST CONTROL	25.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		116	1
20-00023	5	PEST CONTROL	52.00	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		117	1
			184.00					
42523	10/11/19	STADV010 STAPLES ADVANTAGE				10/31/19	1482	
19-02403	1	OFFICE SUPPLIES	367.91	001-1300-513-5100 FINANCE	Expenditure		39	1
42524	10/11/19	STAUG110 ST AUGUSTINE RECORD				10/31/19	1482	
19-02324	1	P&Z AD	94.24	001-2400-524-4810 PROT INSPECTIONS	Expenditure		12	1
19-02375	1	LEGAL ADS-BUDGET	578.89	001-1300-513-4810 FINANCE	Expenditure		19	1
19-02375	2	LEGAL ADS-BUDGET	578.89	001-1300-513-4810 FINANCE	Expenditure		20	1
19-02445	1	PZ AD	192.97	001-2400-524-4810 PROT INSPECTIONS	Expenditure		79	1
			1,444.99					
42525	10/11/19	STJOH010 ST JOHNS COUNTY CHAMBER OF COM				10/31/19	1482	
19-02422	1	LEADERSHIP TRAINING	1,950.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		58	1
20-00014	1	MEMBERSHIP	700.00	001-1300-513-5420 FINANCE	Expenditure		95	1
			2,650.00					
42526	10/11/19	STJOH070 ST. JOHNS COUNTY CLERK OF COUR				10/31/19	1482	
19-02440	1	ORDINANCE FEES	40.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		74	1
42527	10/11/19	STJOH110 ST. JOHNS COUNTY SOLID WASTE				10/31/19	1482	
19-02443	1	DISPOSAL FEES AUG 2019	12,608.43	001-3400-534-4940 GARBAGE	Expenditure		77	1
19-02444	1	DISPOSAL FEES-SEPT 2019	12,851.02	001-3400-534-4940 GARBAGE	Expenditure		78	1
			25,459.45					
42528	10/11/19	SUNAN005 SUN AND SEA BEACH WEDDINGS INC					1482	
19-02405	1	REFUND OVERPAYMENT	10.00	001-322-300 Events Permits	Revenue		41	1

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001TDOPERATING			Continued					
42529	10/11/19	SUNLI010 SUN LIFE FINANCIAL				10/31/19	1482	
20-00064	1	PREMIUMS	981.51	001-155-0000 Prepaid Items	G/L		143	1
42530	10/11/19	TAMPA010 TAMPA CRANE & BODY INC				10/31/19	1482	
20-00015	1	Truck 75 parts	28.68	001-3400-534-4630 GARBAGE	Expenditure		96	1
20-00015	2	Truck 75 parts	117.08	001-3400-534-4630 GARBAGE	Expenditure		97	1
20-00015	3	Truck 75 parts	939.52	001-3400-534-4630 GARBAGE	Expenditure		98	1
20-00015	4	Truck 75 parts	19.52	001-3400-534-4630 GARBAGE	Expenditure		99	1
20-00015	5	Truck 75 parts	112.00	001-3400-534-4630 GARBAGE	Expenditure		100	1
			1,216.80					
42531	10/11/19	THEBA005 THE BANCORP BANK				10/31/19	1482	
19-02439	1	LEASE VEH #128	389.49	001-2100-521-4431 LAW ENFORCEMENT	Expenditure		73	1
42532	10/11/19	THERE005 THE RECORD				10/31/19	1482	
20-00010	1	NEWS SUBSCRIPTION	296.98	001-1300-513-5410 FINANCE	Expenditure		91	1
42533	10/11/19	TOMNE010 TOM NEHL TRUCK COMPANY				10/31/19	1482	
20-00055	1	REPAIRS #79	165.45	001-3400-534-4630 GARBAGE	Expenditure		135	1
42534	10/11/19	TOUCH005 TOUCHPOINT INNOVATIVE SOLUTION				10/31/19	1482	
20-00034	1	ADVERTISEMENT FOR BBO	1,270.00	001-7200-572-4832 PARKS AND REC	Expenditure		123	1
42535	10/11/19	TRACT010 TRACTOR SUPPLY CREDIT PLAN				10/31/19	1482	
20-00044	1	BOLTS #75	8.73	001-3400-534-4630 GARBAGE	Expenditure		126	1
42536	10/11/19	TRITE005 TRI TECH FORENSICS		(Void Reason: duplicate inv)		10/11/19 VOID	1482	
19-02408	1	EVIDENCE SUPPLIES	83.20	001-2100-521-5250 Law Enforcement-Medical Supplies	Expenditure		44	1
20-00048	1	KITS EVIDENCE	83.20	001-2100-521-4930 Law Enforcement-Investigations	Expenditure		128	1
			166.40					
42537	10/11/19	UNITE020 UNITED HEALTHCARE INSURANCE CO				10/31/19	1482	
20-00063	1	PREMIUMS	65,748.98	001-155-0000 Prepaid Items	G/L		142	1
42538	10/11/19	USBAN005 US BANK VOYAGER FLEET SYS				10/31/19	1482	
19-02449	1	FUEL CARDS PURCHASES	4,046.97	001-2100-521-5220 LAW ENFORCEMENT	Expenditure		156	1

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001TDOPERATING			Continued					
42539	10/11/19	VERIZ010 VERIZON WIRELESS				10/31/19	1482	
19-02438	1	CELL PHONES	907.68	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		72	1
42540	10/11/19	VKASE005 VKA SECURITY				10/31/19	1482	
19-02434	1	KEYPAD REPAIR-ARMS ROOM	137.92	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		69	1
42541	10/17/19	EMBAS005 EMBASSY SUITES				10/31/19	1483	
20-00080	1	FLC DINNER 10/17/19	6,078.48	001-1100-511-4800 LEGISLATIVE	Expenditure		2	1
42542	10/24/19	AMERI060 AMERICAN HERITAGE LIFE INSURAN				10/31/19	1485	
19-02456	1	DENTAL PREMIUMS	29.56	001-229-2100 Insurance-Other Employee Paid	G/L		15	1
19-02457	1	DENTAL PREMIUMS	29.56	001-229-2100 Insurance-Other Employee Paid	G/L		16	1
20-00133	1	DENTAL PREMIUMS	29.56	001-229-2100 Insurance-Other Employee Paid	G/L		73	1
			88.68					
42543	10/24/19	AMERIC10 AMERICAN CROSSROADS APPAREL CO					1485	
20-00168	1	PROT INSPECTION UNIFORMS	458.00	001-2400-524-5210 PROT INSPECTIONS	Expenditure		113	1
42544	10/24/19	ATLAN040 ATLANTIC DODGE-CHRYSLER-JEEP				10/31/19	1485	
20-00140	1	VEH MAINT ROTOR BRK PDS #114	331.95	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		77	1
42545	10/24/19	ATTUV010 AT & T (U-VERSE)				10/31/19	1485	
20-00082	1	INTERNET	45.47	001-1300-513-4100 FINANCE	Expenditure		29	1
20-00082	2	INTERNET	45.48	001-2400-524-4100 PROT INSPECTIONS	Expenditure		30	1
			90.95					
42546	10/24/19	BOZAR010 BOZARD FORD COMPANY				10/31/19	1485	
20-00089	1	PATROL VEHICLE MAINT #119	66.58	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		43	1
20-00090	1	TIRE VEH #122	16.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		44	1
20-00091	1	VEH MAINT BRAKES ROTOR #132	532.07	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		45	1
20-00092	1	VEHICLE MAINT #129	150.46	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		46	1
20-00146	1	VEH MAINT - 3 TIRES VEH #120	48.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		83	1
			813.11					
42547	10/24/19	CANON010 CANON FINANCIAL SERVICES				10/31/19	1485	
20-00148	1	BLDG CANON LEASE	125.00	001-2400-524-4430 PROT INSPECTIONS	Expenditure		87	1

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001TDOPERATING			Continued					
42547		CANON FINANCIAL SERVICES Continued						
20-00148	2	BLDG CANON USAGE	54.76	001-2400-524-4700 PROT INSPECTIONS	Expenditure		88	1
20-00148	3	POL CANON LEASE	125.00	001-2100-521-4430 LAW ENFORCEMENT	Expenditure		89	1
20-00148	4	POL CANON USAGE	73.02	001-2100-521-4700 LAW ENFORCEMENT	Expenditure		90	1
20-00148	5	FIN CANON LEASE	125.00	001-1300-513-4430 FINANCE	Expenditure		91	1
20-00148	6	FIN CANON USAGE	104.68	001-1300-513-4700 FINANCE	Expenditure		92	1
20-00149	1	OTH GVT CANON LEASE	47.84	001-1900-519-4430 OTHER GOVERNMENTAL	Expenditure		93	1
20-00149	2	GARBAGE CANON LEASE	53.36	001-3400-534-4430 GARBAGE	Expenditure		94	1
20-00149	3	COPIER LEASE & USAGE DUE FR RB	82.80	001-131-1000 Due From Road & Bridge Fund	G/L		95	1
20-00149	4	OTH GVT CANON USAGE	4.35	001-1900-519-5100 OTHER GOVERNMENTAL	Expenditure		96	1
20-00149	5	GARBAGE CANON USAGE	4.85	001-3400-534-5100 GARBAGE	Expenditure		97	1
20-00149	6	COPIER LEASE & USAGE DUE FR RB	7.53	001-131-1000 Due From Road & Bridge Fund	G/L		98	1
			808.19					
42548	10/24/19	CARDI010 CARDIAC SCIENCE CORP				10/31/19	1485	
20-00145	1	MEDICAL SUPPLIES - AED	204.00	001-2100-521-5250 LAW ENFORCEMENT	Expenditure		82	1
42549	10/24/19	CINDY005 CINDY WALKER					1485	
20-00156	1	TRAVEL-CONFERENCE C WALKER	97.48	001-1300-513-4000 FINANCE	Expenditure		103	1
42550	10/24/19	CMRMO005 CMR MOBILE EQUIPMENT & TRUCK R				10/31/19	1485	
20-00106	1	WATER PUMP REPAIR VEH #79	550.00	001-3400-534-4630 GARBAGE	Expenditure		57	1
42551	10/24/19	COMCA015 COMCAST				10/31/19	1485	
20-00094	1	TV NEWS	66.48	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		48	1
42552	10/24/19	CSAB-030 CSAB - POLICE EDUCATION FUND					1485	
20-00098	1	PE FROM FINES 10152019	130.98	001-155-0000 Prepaid Items	G/L		114	1
42553	10/24/19	ELITE005 ELITE SUPPLY & INSTALL'S LLC				10/31/19	1485	
20-00142	1	PATROL EQUIPMENT-GUN VAULT	825.90	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		79	1
20-00159	1	vehicle equipment	1,443.00	001-2100-521-6410 LAW ENFORCEMENT	Expenditure		106	1
			2,268.90					

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num / Ref Seq	Acct
001TDOPERATING		Continued						
42554	10/24/19	FEDER005 FEDERAL EASTERN INTERNATIONAL				10/31/19	1485	
20-00095	1	UNIFORMS NAMETAPE	45.76	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		49	1
42555	10/24/19	FLAGL035 FLAGLER BROADCASTING				10/31/19	1485	
20-00078	1	ADS FOR BBO-GRANT	2,000.00	001-7200-572-4832 PARKS AND REC	Expenditure		27	1
42556	10/24/19	FLOAT005 FLOATERS PORTABLE SANITATION					1485	
20-00085	1	PORTALETS-VETERANS DAY	255.00	001-7200-572-4834 PARKS AND REC	Expenditure		40	1
42557	10/24/19	FLORI170 FLORIDA JANITOR & PAPER SUPPLY					1485	
20-00107	1	JANITORIAL SUPPLIES	209.59	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		58	1
20-00153	1	JANITORIAL SUPPLIES	297.95	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		100	1
			507.54					
42558	10/24/19	FMCA0005 FL MUNICIPAL COMMUNICATORS ASC				10/31/19	1485	
20-00157	1	FMCA CONFERENCE	100.00	001-1300-513-5430 FINANCE	Expenditure		104	1
42559	10/24/19	GALLS010 GALLS LLC				10/31/19	1485	
19-02452	1	UNIFORMS KELLY	42.60	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		11	1
19-02453	1	UNIFORMS BRYANT/KELLY	151.72	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		12	1
19-02454	1	UNIFORM KELLY	112.95	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		13	1
20-00143	1	UNIFORM PANTS	42.61	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		80	1
			349.88					
42560	10/24/19	HAGAN020 HAGAN ACE MANAGEMENT CORP				10/31/19	1485	
20-00099	1	SUPPLIES FOR SPLASH PARK	9.99	001-7200-572-5290 PARKS AND REC	Expenditure		53	1
20-00128	1	SPLASH PARK REPAIR	4.14	001-7200-572-4620 PARKS AND REC	Expenditure		72	1
20-00164	1	MISC OPERATING SUPPLIES	20.57	001-3400-534-5290 GARBAGE	Expenditure		110	1
20-00165	1	MISC OPERATING SUPPLIES	11.98	001-3400-534-5290 GARBAGE	Expenditure		111	1
			46.68					
42561	10/24/19	HICKS101 HICK'S LAND CLEARING & INCINER				10/31/19	1485	
20-00071	1	DISPOSAL	30.00	001-3400-534-4940 GARBAGE	Expenditure		22	1
20-00166	1	DISPOSAL	510.00	001-3400-534-4940 GARBAGE	Expenditure		112	1
			540.00					

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001TDOPERATING		Continued						
42562	10/24/19	HOLID020 ST. AUGUSTINE RESORTS, INC.				10/31/19	1485	
20-00154	1	DEPOSIT-HOLIDAY PARTY	500.00	001-1100-511-4800 LEGISLATIVE	Expenditure		101	1
42563	10/24/19	HOMED010 HOME DEPOT				10/24/19 VOID	0	
42564	10/24/19	HOMED010 HOME DEPOT				10/31/19	1485	
20-00086	1	SUPPLIES CODE ENFORCEMNT SANIT	52.44	001-2400-524-5290 PROT INSPECTIONS	Expenditure		41	1
20-00122	1	BBO STAGE	191.46	001-7200-572-4832 PARKS AND REC	Expenditure		67	1
20-00125	1	TOOL RATCHET TIE DOWN	11.97	001-1900-519-5230 OTHER GOVERNMENTAL	Expenditure		69	1
20-00126	1	MISC HARDWARE	17.37	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		70	1
20-00127	1	TOOL REPAIRS	18.95	001-1900-519-5230 OTHER GOVERNMENTAL	Expenditure		71	1
20-00162	1	OPERATING SUPPLIES	69.20	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		108	1
20-00163	1	OP SUPP-PWD DIRECTORS OFFICE	66.34	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		109	1
			427.73					
42565	10/24/19	IIMC0010 IIMC					1485	
20-00072	1	MEMBERSHIP DUES	170.00	001-1300-513-5420 FINANCE	Expenditure		23	1
42566	10/24/19	LEGAL005 LEGALSHIELD				10/31/19	1485	
20-00155	1	PREPAID LEGAL	15.95	001-229-2100 Insurance-Other Employee Paid	G/L		102	1
42567	10/24/19	LOWES005 LOWES				10/31/19	1485	
20-00124	1	TOOL DEWALT 20V MAX 4	251.16	001-1900-519-5230 OTHER GOVERNMENTAL	Expenditure		68	1
42568	10/24/19	MAILF010 MAILFINANCE					1485	
20-00083	1	MAIL MACHINE	99.21	001-1300-513-4430 FINANCE	Expenditure		31	1
20-00083	2	MAIL MACHINE	27.06	001-2100-521-4430 LAW ENFORCEMENT	Expenditure		32	1
20-00083	3	MAIL MACHINE	54.12	001-2400-524-4430 PROT INSPECTIONS	Expenditure		33	1
			180.39					
42569	10/24/19	MARIO010 MARIOTTI'S				10/31/19	1485	
19-02455	1	DRY CLEAN UNIFORMS	100.41	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		14	1
42570	10/24/19	MIKES005 MIKE'S COLLISION CENTER				10/31/19	1485	
20-00093	1	VEH MAINT SHOCKS VEH#114	963.75	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		47	1

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001TDOPERATING			Continued					
42571	10/24/19	MONEY010 MONEY PAGES				10/31/19	1485	
20-00003	1	ADVERTISING-BBO-FOR GRANT	2,663.00	001-7200-572-4832 PARKS AND REC	Expenditure		19	1
42572	10/24/19	NEXTR005 NEXTRAN				10/31/19	1485	
20-00105	1	ANTI-FREEZE	117.00	001-3400-534-4630 GARBAGE	Expenditure		56	1
42573	10/24/19	PEAF0010 PEAF					1485	
20-00096	1	PEAF MEMBERSHIPS HAR-GILL-PAD	75.00	001-2100-521-5420 LAW ENFORCEMENT	Expenditure		50	1
20-00097	1	PEAF CONFERENCE - PADGETT	950.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		51	1
			1,025.00					
42574	10/24/19	PETTY060 PETTY CASH-BONNIE MILLER				10/31/19	1485	
20-00161	1	REIMB PETTY CASH-BONNIE MILLER	50.00	001-102-2000 Petty Cash	G/L		107	1
42575	10/24/19	POLKB005 POLK BROS ENT				10/31/19	1485	
20-00002	1	BBO SOUND PRODUCTION	2,875.00	001-7200-572-4832 PARKS AND REC	Expenditure		18	1
42576	10/24/19	PUBLI020 PUBLIX				10/31/19	1485	
20-00101	1	SUPPLIES PLATES UTEN CAKE	39.83	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		54	1
20-00141	1	COMMUNITY OUTREACH-HALLOWEEN	37.94	001-2100-521-5240 LAW ENFORCEMENT	Expenditure		78	1
20-00158	1	20 YR SERVICE ANNIVERSARIES	54.95	001-1100-511-4990 LEGISLATIVE	Expenditure		105	1
			132.72					
42577	10/24/19	QUILL010 QUILL LLC					1485	
20-00073	1	SUPPLIES RETURNED	36.25-	001-1300-513-5100 FINANCE	Expenditure		24	1
20-00120	1	OFFICE SUPPLIES	36.25	001-1300-513-5230 FINANCE	Expenditure		65	1
20-00120	2	OFFICE SUPPLIES	14.71	001-1900-519-5100 OTHER GOVERNMENTAL	Expenditure		66	1
			14.71					
42578	10/24/19	SAFET020 SAFETY PRODUCTS, INC.				10/31/19	1485	
20-00150	1	OPERATING SUPPLIES-VESTS	386.40	001-3400-534-5290 GARBAGE	Expenditure		99	1
42579	10/24/19	SIGNS010 SIGNS NOW					1485	
19-02460	1	OP SUPP-# FOR NEW TRUCK	70.00	001-3400-534-5290 GARBAGE	Expenditure		17	1
42580	10/24/19	SMITH015 SMITH ELECTRICAL					1485	
20-00074	1	REFUND OVERPAY	119.00	001-115-2000 Accounts Receivable - Other	G/L		25	1

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num / Ref Seq	Acct
001TDOPERATING			Continued					
42580		SMITH ELECTRICAL Continued						
20-00077	1	REFUND WIPP 3767444818-10/14	59.00	001-115-2000 Accounts Receivable - Other	G/L		26	1
			178.00					
42581	10/24/19	SPORT010 SPORTS CORNER				10/31/19	1485	
20-00088	1	UNIFORM HAT	20.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		42	1
42582	10/24/19	STADV010 STAPLES ADVANTAGE				10/31/19	1485	
20-00119	1	OFFICE SUPPLIES	41.99	001-1300-513-5230 FINANCE	Expenditure		61	1
20-00119	2	OFFICE SUPPLIES	197.97	001-1300-513-5100 FINANCE	Expenditure		62	1
20-00119	3	OFFICE SUPPLIES	383.49	001-2400-524-5100 PROT INSPECTIONS	Expenditure		63	1
20-00119	4	OFFICE SUPPLIES	316.13	001-2100-521-5100 LAW ENFORCEMENT	Expenditure		64	1
			939.58					
42583	10/24/19	STJOH140 ST. JOHNS COUNTY UTILITY DEPAR				10/31/19	1485	
19-02451	1	WATER	235.70	001-7200-572-4320 PARKS AND REC	Expenditure		1	1
19-02451	2	WATER	69.33	001-7200-572-4320 PARKS AND REC	Expenditure		2	1
19-02451	3	WATER	330.61	001-7200-572-4320 PARKS AND REC	Expenditure		3	1
19-02451	4	WATER	198.33	001-2100-521-4320 LAW ENFORCEMENT	Expenditure		4	1
19-02451	5	WATER	148.14	001-7200-572-4320 PARKS AND REC	Expenditure		5	1
19-02451	6	WATER	369.70	001-1900-519-4320 OTHER GOVERNMENTAL	Expenditure		6	1
19-02451	7	WATER	246.46	001-2400-524-4320 PROT INSPECTIONS	Expenditure		7	1
19-02451	8	WATER	67.31	001-1900-519-4320 OTHER GOVERNMENTAL	Expenditure		8	1
19-02451	9	WATER	116.49	001-131-1000 Due From Road & Bridge Fund	G/L		9	1
19-02451	10	WATER	75.08	001-3400-534-4320 GARBAGE	Expenditure		10	1
			1,857.15					
42584	10/24/19	STRAT010 STRATE				10/31/19	1485	
20-00108	1	ACETYLENE FOR REPAIR WORK	83.05	001-3400-534-5290 GARBAGE	Expenditure		59	1
42585	10/24/19	SUPER055 SUPERIOR PRESS				10/31/19	1485	
20-00118	1	CHECK STOCK	560.58	001-1300-513-4990 FINANCE	Expenditure		60	1

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num / Ref Seq	Acct
001TDOPERATING			Continued					
42586	10/24/19	SYMBA010 SYMBOL ARTS				10/31/19	1485	
20-00144	1	UNIFORM BADGE	60.00	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		81	1
42587	10/24/19	TIREH005 TIREHUB LLC				10/31/19	1485	
20-00138	1	TIRE VEH #405	405.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		75	1
20-00139	1	TIRES VEH #408	408.00	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		76	1
			813.00					
42588	10/24/19	TOMNE010 TOM NEHL TRUCK COMPANY				10/31/19	1485	
20-00081	1	REGEN REPAIR-#79	2,839.07	001-3400-534-4630 GARBAGE	Expenditure		28	1
42589	10/24/19	TRITE005 TRI TECH FORENSICS				10/31/19	1485	
20-00048	1	KITS EVIDENCE	83.20	001-2100-521-4930 LAW ENFORCEMENT	Expenditure		21	1
42590	10/24/19	VERIZ010 VERIZON WIRELESS				10/31/19	1485	
20-00147	1	CELL PHONES	110.37	001-2400-524-4100 PROT INSPECTIONS	Expenditure		84	1
20-00147	2	CELL PHONES	234.78	001-3400-534-4100 GARBAGE	Expenditure		85	1
20-00147	3	CELL PHONES	234.79	001-131-1000 Due From Road & Bridge Fund	G/L		86	1
			579.94					
42591	10/24/19	WAL-M010 WAL-MART STORE#01-0579				10/31/19	1485	
20-00102	1	SUPPLIES	61.90	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		55	1
42592	10/24/19	WATER015 WATERLOGIC				10/31/19	1485	
20-00137	1	WATER TANK	132.93	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		74	1
42593	10/24/19	WINDS005 WINDSTREAM				10/31/19	1485	
20-00084	1	PHONES/INTERNET	703.81	001-1300-513-4100 FINANCE	Expenditure		34	1
20-00084	2	PHONES/INTERNET	1,466.27	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		35	1
20-00084	3	PHONES/INTERNET	322.58	001-2400-524-4100 PROT INSPECTIONS	Expenditure		36	1
20-00084	4	PHONES/INTERNET	87.98	001-1900-519-4100 OTHER GOVERNMENTAL	Expenditure		37	1
20-00084	5	PHONES/INTERNET	146.63	001-3400-534-4100 GARBAGE	Expenditure		38	1
20-00084	6	PHONES/INTERNET	205.27	001-131-1000 Due From Road & Bridge Fund	G/L		39	1
			2,932.54					

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001TDOPERATING			Continued					
42594	10/25/19	FOPLO005 FOP LODGE 113					1486	
20-00169	1	FOP DUES	7.00	001-229-1000 Miscellaneous Deductions	G/L		1	1
42595	10/25/19	NATIO090 NATIONWIDE RETIREMENT SOLUTION				10/31/19	1486	
20-00170	1	DEFERRED COMP	1,714.52	001-235-0000 Deferred Compensation	G/L		2	1

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	134	6	243,630.61	3,041.40
Direct Deposit:	0	0	0.00	0.00
Total:	134	6	243,630.61	3,041.40

002IMPACTFEES								
1573	10/31/19	STJOH020 ST JOHNS COUNTY FINANCE DEPT					1487	
20-00217	1	IMPACT FEES-OCT 2019	37,302.76	001-208-0000 Due to Other Governments	G/L		1	1

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	37,302.76	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	37,302.76	0.00

101TDBANKRDBRG								
20518	10/11/19	BUGOU010 BUG OUT				10/31/19	1481	
20-00057	1	LAWN PEST CONTROL	350.00	101-4100-541-3400 ROADS & BRIDGES	Expenditure		26	1
20519	10/11/19	CMT00005 CMT				10/31/19	1481	
19-02429	1	3RD ALLEY	3,960.00	101-4100-541-6380 ROADS & BRIDGES	Expenditure		16	1
19-02430	1	SAB HMGP PH2 DESIGN	6,157.50	101-4100-541-6383 ROADS & BRIDGES	Expenditure		17	1
			10,117.50					
20520	10/11/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				10/11/19 VOID	0	
20521	10/11/19	FLORI250 FLORIDA POWER & LIGHT COMPANY				10/31/19	1481	
19-02400	1	ELECTRIC	13.23	101-4100-541-4310 ROADS & BRIDGES	Expenditure		1	1
19-02400	2	ELECTRIC	23.01	101-4100-541-4310 ROADS & BRIDGES	Expenditure		2	1
19-02400	3	ELECTRIC	79.55	101-4100-541-4310 ROADS & BRIDGES	Expenditure		3	1
19-02400	4	ELECTRIC	426.39	101-4100-541-4310 ROADS & BRIDGES	Expenditure		4	1
19-02400	5	ELECTRIC	27.07	101-4100-541-4310 ROADS & BRIDGES	Expenditure		5	1
19-02400	6	ELECTRIC	10.81	101-4100-541-4310 ROADS & BRIDGES	Expenditure		6	1
19-02400	7	ELECTRIC	19.75	101-4100-541-4310 ROADS & BRIDGES	Expenditure		7	1

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101TDBANKRDBRG			Continued					
20521		FLORIDA POWER & LIGHT COMPANY Continued						
19-02400	8	ELECTRIC	14.52	101-4100-541-4310 ROADS & BRIDGES	Expenditure		8	1
19-02400	9	ELECTRIC	38.94	101-4100-541-4310 ROADS & BRIDGES	Expenditure		9	1
19-02400	10	ELECTRIC	12.05	101-4100-541-4310 ROADS & BRIDGES	Expenditure		10	1
19-02400	11	ELECTRIC	14.81	101-4100-541-4310 ROADS & BRIDGES	Expenditure		11	1
19-02400	12	ELECTRIC	374.22	101-4100-541-4310 ROADS & BRIDGES	Expenditure		12	1
19-02400	13	ELECTRIC	11.45	101-4100-541-4310 ROADS & BRIDGES	Expenditure		13	1
19-02400	14	ELECTRIC	93.74	101-4100-541-5320 ROADS & BRIDGES	Expenditure		14	1
19-02400	15	ELECTRIC	4,334.79	101-4100-541-5320 ROADS & BRIDGES	Expenditure		15	1
			5,494.33					
20522	10/11/19	SANFO005 SANFORD AND SON AUTO PARTS INC				10/31/19	1481	
19-02437	1	BATTERY RETURN	155.29	101-4100-541-4630 ROADS & BRIDGES	Expenditure		18	1
19-02437	2	BATTERY RETURN	18.00-	101-4100-541-4630 ROADS & BRIDGES	Expenditure		19	1
20-00047	1	BATTERY	274.58	101-4100-541-4630 ROADS & BRIDGES	Expenditure		25	1
			411.87					
20523	10/11/19	STJOH245 ST JOHNS SALES & SERVICE				10/31/19	1481	
20-00041	1	REPAIRS TO POLE SAW	33.20	101-4100-541-4620 ROADS & BRIDGES	Expenditure		21	1
20524	10/11/19	THELA020 THE LAKE DOCTORS				10/31/19	1481	
20-00030	1	WATER MGT SVC	595.00	101-4100-541-3400 ROADS & BRIDGES	Expenditure		20	1
20525	10/11/19	TRACT010 TRACTOR SUPPLY CREDIT PLAN				10/31/19	1481	
20-00045	1	SHOP SUPPLIES/OIL	74.97	101-4100-541-5230 ROADS & BRIDGES	Expenditure		22	1
20-00045	2	SHOP SUPPLIES/OIL	32.45	101-4100-541-5290 ROADS & BRIDGES	Expenditure		23	1
20-00045	3	SHOP SUPPLIES/OIL	53.90	101-4100-541-5220 ROADS & BRIDGES	Expenditure		24	1
			161.32					
20526	10/25/19	AMERI080 AMERICAN PUBLIC WORKS ASSOC				10/31/19	1484	
20-00110	1	MEMBERSHIP RENEWAL GATCHELL	212.00	101-4100-541-5420 ROADS & BRIDGES	Expenditure		9	1
20527	10/25/19	AWACO010 AWA CONTRACTING CO. INC.				10/31/19	1484	
19-02450	1	CHANGE ORD 2-MICKLER DITCH	30,781.68	101-4100-541-6380 ROADS & BRIDGES	Expenditure		1	1

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101TDBANKRDBRG		Continued						
20528	10/25/19	CMT00005 CMT				10/31/19	1484	
19-02458	1	SAB HMGP PH 2 DESIGN	2,182.50	101-4100-541-6383 ROADS & BRIDGES	Expenditure		2	1
20529	10/25/19	CRAFT010 CRAFT'S TROPHIES & AWARDS INC					1484	
20-00130	1	TREE PLAQUE	20.00	101-4100-541-5290 ROADS & BRIDGES	Expenditure		13	1
20530	10/25/19	DUVAL010 DUVAL ASPHALT				10/31/19	1484	
20-00151	1	ROAD REPAIR - EZ ST COLD MIX	480.26	101-4100-541-5310 ROADS & BRIDGES	Expenditure		16	1
20531	10/25/19	EVANS010 EVANS AUTOMOTIVE					1484	
20-00109	1	INSTRUMENT CLUSTR REP VEH #67	404.05	101-4100-541-4630 ROADS & BRIDGES	Expenditure		8	1
20532	10/25/19	FLSTO020 FLORIDA STORMWATER ASSOCIATION					1484	
20-00111	1	MEMBERSHIP RENEWAL TREDIK	500.00	101-4100-541-5420 ROADS & BRIDGES	Expenditure		10	1
20533	10/25/19	GEORG005 GEORGIA UNDERGROUND & SUPPLY				10/31/19	1484	
20-00152	1	TOOLS/EQUIP-WALK BEHIND CART	791.42	101-4100-541-5230 ROADS & BRIDGES	Expenditure		17	1
20534	10/25/19	HAGAN020 HAGAN ACE MANAGEMENT CORP				10/31/19	1484	
20-00100	1	MISC HARDWARE	11.98	101-4100-541-5290 ROADS & BRIDGES	Expenditure		5	1
20535	10/25/19	HOMED010 HOME DEPOT				10/31/19	1484	
20-00123	1	CHRISTMAS LIGHTS	49.15	101-4100-541-5310 ROADS & BRIDGES	Expenditure		11	1
20536	10/25/19	JACKW015 JACK WRIGHT'S TREE SERVICE					1484	
20-00103	1	TREE TRIM 5TH AVE	300.00	101-4100-541-5310 ROADS & BRIDGES	Expenditure		6	1
20537	10/25/19	LWERN010 L. WERNINCK & SON				10/31/19	1484	
20-00132	1	RIGHT OF WAY POLES	135.00	101-4100-541-5310 ROADS & BRIDGES	Expenditure		15	1
20538	10/25/19	MUNIC020 MUNICIPAL SUPPLY & SIGN CO.				10/31/19	1484	
20-00131	1	SIGNS	585.00	101-4100-541-5270 ROADS & BRIDGES	Expenditure		14	1
20539	10/25/19	SANFO005 SANFORD AND SON AUTO PARTS INC				10/31/19	1484	
20-00104	1	REPAIRS VEH #57	114.72	101-4100-541-4630 ROADS & BRIDGES	Expenditure		7	1
20540	10/25/19	SIGNS010 SIGNS NOW					1484	
19-02459	1	STREET SIGNS	90.92	101-4100-541-5310 ROADS & BRIDGES	Expenditure		3	1

Check # / PO #	Check Date / Item	Vendor / Description	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num / Ref Seq	Acct
101TDBANKRDBRG			Continued					
20541	10/25/19	SOUTH010 SOUTHERN HORTICULTURE				10/31/19	1484	
19-02461	1	ROADS BEAUTIF 5 15GAL HOLLY	399.80	101-4100-541-6360 ROADS & BRIDGES	Expenditure		4	1
20542	10/25/19	TAYLO020 TAYLOR RENTAL				10/31/19	1484	
20-00129	1	REP DST/3RD AV COMPACTOR RNTL	52.00	101-4100-541-5310 ROADS & BRIDGES	Expenditure		12	1

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	24	1	54,273.70	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	24	1	54,273.70	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	159	7	335,207.07	3,041.40
Direct Deposit:	0	0	0.00	0.00
Total:	159	7	335,207.07	3,041.40

Totals by Year-Fund Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	0-001	96,885.43	0.00	112,602.87	209,488.30
ROAD & BRIDGE FUND	0-101	5,069.68	0.00	0.00	5,069.68
	Year Total:	101,955.11	0.00	112,602.87	214,557.98
GENERAL FUND	9-001	70,654.27	10.00	780.80	71,445.07
ROAD & BRIDGE FUND	9-101	49,204.02	0.00	0.00	49,204.02
	Year Total:	119,858.29	10.00	780.80	120,649.09
	Total Of All Funds:	221,813.40	10.00	113,383.67	335,207.07

Totals by Fund

Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	001	167,539.70	10.00	113,383.67	280,933.37
ROAD & BRIDGE FUND	101	54,273.70	0.00	0.00	54,273.70
Total Of All Funds:		221,813.40	10.00	113,383.67	335,207.07

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
GENERAL FUND	0-001	96,885.43	0.00	0.00	0.00	96,885.43
ROAD & BRIDGE FUND	0-101	5,069.68	0.00	0.00	0.00	5,069.68
Year Total:		101,955.11	0.00	0.00	0.00	101,955.11
GENERAL FUND	9-001	70,654.27	0.00	0.00	0.00	70,654.27
ROAD & BRIDGE FUND	9-101	49,204.02	0.00	0.00	0.00	49,204.02
Year Total:		119,858.29	0.00	0.00	0.00	119,858.29
Total Of All Funds:		221,813.40	0.00	0.00	0.00	221,813.40

PENDING ACTIVITIES AND PROJECTS

Revised November 21, 2019

1. PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER. At its July 1, 2019, meeting the Commission decided to have the reviews done by individual Commissioners by October 21st and for the reviews to be discussed at the Commission's November 4th meeting. However, because not all the reviews were received by the time the agenda books had to be ready for distributed, the reviews will be on the agenda for the Commission's December 2nd meeting.

2. LAND DEVELOPMENT REGULATIONS. At the City Commission's September 9th meeting, the Building Official proposed several amendments to the Regulations. The Commission had the amendments reviewed by the Planning Board, which discussed them at its September 17th meeting. The amendments and the Board's recommendations concerning them were discussed by the Commission at its November 4th meeting. The Commission did not favor changes to the setback regulations. For the Commission's December 2nd meeting, the Building Official will provide modified changes as well as a separate topic concerning the impervious surface ratio for swimming pools in low density residential land use districts.

3. COUNTY PIER PARK. Mayor George has by letter asked the County Administrator to keep the City informed of plans to renovate the park. In early October, Mr. Wanchick in an email listed four Parks and Recreation Department projects: Fiscal Year 2019 impact fees to be used for Pier Shop expansion; deferred maintenance will be done on pier structural/maintenance improvements, including replacement of three beams and wood components; the tennis courts at Ron Parker Park will be replaced; and there'll be routine maintenance on access points to the beach. In early March, the County Beach Services Division provided this update:

    a. Pier shop expansion: Construction Services and Purchasing departments are coordinating the completion of this project. Engineering is working on drawings; then proposals and pricing will be submitted from contractors. There is no firm timeline for this project.

    b. Improvements to the pier: At its July 16, 2019, meeting, the County Commission awarded the bid for the improvements to Yelton Construction Company for $780,000. The County Administrator and the City Manager have discussed the construction schedule, so that the City can use the pier on December 31, 2019, for its New Year's Eve fireworks show. The Administrator has said that repairs won't be started until after December 31st.

    c. Replacing Ron Parker Park tennis courts: Construction Services and Purchasing are coordinating the completion of this project, which was started in September 2019.

    d. Routine maintenance at beach access points: Maintenance has been done at 1st, 2nd, 7th, D, and F streets. The County is working with the Florida Department of Environmental Protection on what can be permitted to repair the retaining wall at the Pope Road access. What can be done will be subject to budget considerations based on the complexity of the repair. At the A Street access, the County is reviewing on to provide better and safer pedestrian access.

4. UPDATING STRATEGIC PLAN. The plan was adopted in the spring of 2015. At its January 6, 2018, meeting, the City Commission discussed whether to hire a facilitator to help update the plan. The Commission decided to delay the updating until it had adopted the changes to the Land Development Regulations. As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking infrastructure. The Commission discussed the topic at its June 10th meeting. The City Manager asked the Planning Board and the Sustainability and Environmental Planning Advisory Committee for their suggestions for strategic plan goals. What they provided were reviewed by the City Commission at its August 5th meeting. The Commission decided to have a mission statement first, which will be the foundation for the plan's goals. Possible wording for the statement was discussed by the Commission's September 10th continuation meeting. The City Manager has prepared a Mission State, a Vision Statement, a Values Statement and a list of proposed tasks for the plan. These will be presented to the Commission at its January 6th meeting.

5. PARKING PLAN. An outcome of the City Commission's joint meeting on March 19th with the Comprehensive and Zoning Board is the exploration of a pay-by-phone parking system. Mayor George informed the Commission of Gainesville's use of the technology. The Commission discussed Gainesville's system at its April 2nd meeting, and directed the City staff to prepare and advertise a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20th deadline. The City staff reviewed them and met with St. Augustine's parking enforcement staff, as that city is interested in having a similar system and has been exploring the matter longer than our City has. Initially, the City Commission said it favored both cities having the same system St. Augustine is adopting, which is a system offered by a company called Passport Labs. With that system, a person uses a smart phone app to pay to park. However, at a special meeting on January 8, 2019, the Commission learned that St. Johns County planned to advertise for paid parking proposals in January with the possible implementation of paid parking at the pier and other County beach parking lots in April 2019. The City Commission decided to change direction and adopt the same paid parking system that the County adopts. The Commission believes this would be less confusing for residents and visitors.

   In the meantime, the City Commission has adopted an ordinance to raise the fine for illegal parking from $20 to $75, to set the fine for illegal parking in a handicapped space at $250, and to authorize the City Manager to put parking regulation signs on City streets. The Commission considered adopting regulations for a residential parking permit plan but decided on a trial basis to have Resident Only signs posted on 13th and 14tth Streets west of the Boulevard, where the residents have requested the signs.

   The Commission held a special meeting on January 8th for public comment on the proposal to have paid parking. Nearly all the persons who spoke were not in favor of the proposal.

   At the Commission's February 4th meeting, there were two parking-related topics. One was an ordinance on final reading to allow for the establishment of parking meter zones; the second was to be a discussion of residential parking permits. The Commission decided to delay action on both topics and to hold a special meeting on Tuesday, March 5th, with residents to discuss the residents' proposed

solutions for how to protect residential neighborhoods from parking by beach visitors. At the Commission's April 1st meeting, the Commission decided to hold a special meeting on April 29th, to discuss the parking management plan submitted by the County, and to pass on first reading the ordinance to establish the resident only parking system and ordinance to adopt changes to the City's parking regulations.

At the County Commission's April 2nd meeting, by majority vote it authorized the County staff to enter into negotiations with Republic Parking for a parking management plan with proposed parking fees of $5 a day and $50 for the year. On April 15th, Commissioner Samora, the City's Chief Financial Officer, Ms. Melissa Burns, and the City Manager met with the County Administrator, Mr. Michael Wanchick, and the County's Director of the Office of Management and Budget, Mr. Jesse Dunn, to discuss how the City could be involved in the negotiations with Republic so that both the City and the County would have one parking management plan. The City Manager later sent the locations and numbers of public parking spaces that could be included in the Republic plan. The City's total number of possible paid parking spaces is 152. The City Manager in a subsequent email reminded Mr. Dunn to include City staff in the negotiations with Republic. However, as that meeting wasn't arranged, the Manager contacted Republic for a meeting with City staff. In April, Mr. Dunne informed the Manager that the County likely would implement its paid parking plan in March 2020.

In the meantime, the City Commission at its April 29, 2019, reviewed a proposed ordinance to establish a residential parking permit system, made changes to the ordinance and asked the City Attorney to have a final draft for the June 10th regular meeting. The ordinance and one to amend the parking regulations in Chapter 19 of the City Code were adopted on final reading at that meeting.

Also, at the April 29th meeting, the Commission discussed the possibility of leasing the vacant property between 4th and 5th Streets on the west side of the Boulevard, south of the Marriott Hotel. It is owned by the company that owns the Marriott. The owner proposes a 3 or 5-year lease with the City paying yearly the property taxes on the six lots that would be used for parking. The taxes currently are over $13,410. It would cost about $100,000 to make the property suitable for 104 parking spaces. The Commission made no decision concerning the lease.

The County Commission at its November 19, 2019, regular meeting decided not to adopt a parking management plan and the hourly fee. The City Commission will consider at one of its future meetings whether to approve paid parking on City-owned lots.

6. JOINT MEETING WITH THE COUNTY COMMISSION. No date has yet been proposed by either Commission for a joint meeting.

7. STATE-MANDATED COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT. At its January 6, 2018, Commission meeting, the City Manager explained the report that is mandated for cities and counties every seven years, and whether it can be done by a consultant or a staff planner. The Commission agreed to have a request for proposals prepared for planning services with a provision in it requiring full disclosure of any actual or potential conflicts of interest or any appearance thereof. The City advertised for proposals. One was received, but the amount of money requested was so far above what the City could afford that the City Manager sought proposals from other sources. Two

firms replied. At its May 7th meeting, the Commission approved the hiring of Fleet and Associates to do the report. The consultant held a public meeting on the Comprehensive Plan on Tuesday, June 26, 2018, at 6 p.m. Three citizens and one Commissioner attended. The consultant met with the Comprehensive Planning and Zoning Board at its July 17th meeting, and provided the results of the two meetings to the City Commission at its August 6th meeting. The Commission met with the planning consultants, Fleet and Associates, plus members of the Planning and Tree Boards at a workshop on October 17th to review Ms. Fleet's changes to the policies in the current Comprehensive Plan. At its November 13th meeting, the Commission decided not to hold a special meeting in late November to review the draft of the plan. At its December 17th special meeting, the Commission decided to hold a special meeting on January 8, 2019, to review with the planning consultant the proposed changes to the Comprehensive Plan. On January 8th, Ms. Fleet went through the proposed changes with the Commission. Public comment was provided as well. The Planning Board reviewed the proposed changes at its February 19th meeting and decided to continue a review of the changes at the Board's March 19th meeting. However, at the request of the Board's Chair, Mrs. Jane West, and the planning consultant, Ms. Janis Fleet, the Board's review of the changes has been postponed to its April 16th meeting. At that meeting, the Planning Board approved the submission to the Commission of the changes proposed by its members. The Commission reviewed those changes at its June 10th meeting and continued the review for a special meeting on Tuesday, July 2nd. At that meeting, the Commission made some changes to the Plan and approved the consultant submitting it to the Florida Department of Economic Opportunity and other agencies for review. In early August, the DOE informed Ms. Fleet by letter that the Department had received the City's submission package and that the package was complete. The Department did its review of the City's proposed amendments and sent a report to the City in early October. The Department's one objection concerned the City's need to adopt updated policies concerning sea level rise and coastal flooding. Ms. Fleet met with City staff members in October to discuss proposed policies. She will an ordinance to adopt the changes at the City Commission's December 2nd meeting.

8. UPDATING PERSONNEL MANUAL. The City Clerk and Chief Financial officer have reviewed the Manual for possible changes and forwarded the draft to the City Manager. The Commission will need to schedule a meeting, possibly sometime 2020, to discuss the changes.

9. CROSSWALKS AND PEDESTRIAN SAFETY. City residents have asked that the pedestrian safety flag system on A1A Beach Boulevard be provided at 13th and 8th streets. At this time, the County Road and Bridge Department reports that because the number of pedestrian crossings at these intersections is low, the flag system cannot be justified.

   At the Commission's May 6th meeting, Ms. Wanda Forrest of the North Florida Transportation Organization presented the TPO's five-year transportation improvements plan for northeast Florida. The Commission asked her for the TPO's help for pedestrian safety improvements on the Boulevard. She said she could bring the request to the attention of her Executive Director. Chief Hardwick has since been in contact by email with the TPO about possible improvements.

   Chief Hardwick and the Public Works Director, Bill Tredik, in June met with County staff to discuss pedestrian safety improvements on the Boulevard. Chief Hardwick reported at the Commission's June

11th continuation meeting that the County has proposed putting new crosswalks at 9th and D Streets. Both crosswalks have been painted. The 9th Street crosswalk still lacks flags.

10. NEW REVENUE SOURCES: A. NON-AD VALOREM ASSESSMENT FOR COLLECTION OF HOUSEHOLD WASTE, RECYCLING AND YARD TRASH. For several years, the City has levied a yearly assessment of $74 per residence that is on the property tax bill residents receive each November. The $74 pays the costs to disposal of household wastes, etc. The proposed additional assessment will pay the costs to collect the wastes. The Commission at its June 17th meeting discussed the proposal and asked for more information. At its August 5th meeting, the City Commission postponed the topic to the September 9th meeting. By majority vote it authorized the City Manager to do the next step in the process, which is to contact the Tax Collector for the date or dates when the public hearing must be held on a resolution to adopt the assessment. At its October 7th meeting, the Commission approved continuing the steps to implement the non-ad valorem assessment in 2020 and agreed to continue the discussion to its November 4th meeting of changes to the commercial solid waste service fees. The Commission had length discussion at that meeting as well as the continuation meeting on November 6th without any decisions being reached. The topic will be on the agenda for the December 2nd meeting when there is to be a public hearing for a resolution that declares the Commission intent to adopt the non-ad valorem assessment for the collection of solid waste. The Commission will also be asked to decide whether to increase fees for the removal of commercial solid waste and whether vacation rentals are to billed as commercial or subject to the residential non-ad valorem assessment.

11. 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. DOT has approved the lights. The agreement for the lights will be on the agenda for the Commission's January 6th meeting.

12. STREETLIGHT FOR ENTRANCE TO BEACH ACCESS WALKWAY. A resident has requested that a light be put at the entrance on A1A Beach Boulevard. On January 29th, City personnel 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.

13. LED STREETLIGHTS. FPL representatives presented a proposal to the Commission at its June 10th meeting to change the lights throughout the City to LED lights. The Commission decided it needed more information from FPL. Chief Hardwick has worked with FPL on a complete review of the lighting along the Boulevard. The agreement for the lighting change will be on the agenda for the Commission's January 6th meeting.

14. CITIZEN SURVEY. At its November 4th meeting, the City Commission approved the Sustainability and Environmental Planning Advisory Committee's request for the City's Communications Coordinator to post a climate change survey. The results of the survey are due by March 25, 2020.

15. CITY ATTORNEY SEARCH. City Attorney James Wilson announced his intention to resign at the Commission's April 1st meeting. At its April 29th special meeting, the Commission reviewed a draft of a Request for Proposals, made some changes to it, and provided suggestions to the City staff where

to advertise the RFP. Deadline for responses to the RFP was Friday, May 31, 2019, at 4 p.m. The City received two applications, one from Cape Coral on Florida's southwest coast, the other from Gainesville. At its June 17th special meeting, the Commission discussed the proposals but selected neither one. The current City Attorney, Mr. James Wilson of the Coquina Law Group provided a proposal for the Commission to review at its July 1st meeting. The Commission agreed to have the Coquina Law Group continue to provide legal services for two to three months and increase the monthly retainer from $3,000 to $6,000. In October, the City staff prepared a Request for Proposals.

a. November 4, 2019: The Commission determined the criteria for evaluating the proposals.

b. November 8, 2019: Deadline for the proposals to be received.

c. December 2, 2019: The Commission reviews and ranks the proposals.

d. January 6, 2020: The Commission interviews the firms and selects one to be the City Attorney.

At its November 4th meeting, the Commission decided not to rank the firms that submitted a proposal but to interview all of them.

As of the November 8th deadline, 10 firms had submitted a proposal. The Commission will discuss at its December 2nd meeting whether to interview all the firms at a special meeting in January and, if so, when the date of that meeting will be.

16. REQUEST TO COUNTRY FOR FUNDING FOR PROJECTS

The County has a $15.5 million surplus in its Fiscal Year 2020 budget. County Commissioner Henry Dean at the City Commission's September 9th meeting suggested that the City submit projects for a share of the surplus. At its September 23, 2019, special meeting, the City Commission decided to request funding for the following projects:

a. Sail shade at Splash Park

b. Enhanced crosswalks at three locations on A1A Beach Boulevard

c. Sidewalk and drainage improvements on A Street, east of the Boulevard

d. Improvements to plazas on Boulevard's west side between A and 1st Streets

e. Beach access parking lot at Hammock Dunes Park north of the shopping center

f. Restrooms for Ocean Hammock Park on the Boulevard's east side between the Bermuda Run and Sea Colony subdivisions.

The County Commission discussed possible uses of the surplus funds at its November 5, 2019, regular meeting and decided to use the money for projects in the County's long-term capital plans that have been delayed due to lack of funding. This item will no longer be in this report.

17. GRANTS. The Public Works Director has prepared and submitted three grant applications:

a. Florida Recreation Development Assistance Program, $106,500, for restrooms at Ocean Hammock Park. City match would be $35,500. Total project cost: $142,000

b. Coastal Partnership Initiative: $25,000, to fund planning for other improvements to Ocean Hammock Park: picnic pavilion, observation platform, playscape for children, more trails. City match would be $25,000. Total project cost: $50,000

c. Florida Resilient Coastlines Programs: to do a Vulnerability Assessment and Adaptability Plan. Total amount requested $72,000. No match required. This will involve updating the City's stormwater model, identifying vulnerabilities and recommending options for inclusion in a future Public Works Capital Improvements Plan.

18. REQUEST TO COUNTY LEGISLATION DELEGATION TO SUPPORT REQUEST FOR AN APPROPRIATION. There is a possibility of the City obtaining an appropriation in the state's Fiscal Year 2121 budget for a project. The County's Legislative Delegation will meet on November 22nd. As that meeting, City representatives will request a state appropriation for the Mizell Road retention pond weir project.

19. REQUEST TO ST. AUGUSTINE PORT, WATERWAY AND BEACH COMMISSION FOR FUNDING FOR PROJECTS. The Public Works Director presented a list of projects to the Commission at its November 19th meeting. The Commission said one, the 5th Street dune walkover, might be eligible with the City paying part of the costs. The Director will return to the Commission in two or three months with more detailed cost estimates.

20. VIDEOING PORT COMMISSION MEETINGS. At its November 19th meeting, the Port Commission approved paying City personnel to video its monthly meetings. The City's IT staff will update the cost estimate it provided earlier this year. It will be presented to the Commission at its December 17th meeting.