



**MINUTES**  
**CONTINUATION OF THE**  
**REGULAR CITY COMMISSION MEETING**  
**TUESDAY, DECEMBER 3, 2019 AT 6:00 P.M.**  
**CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080**

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**I. CALL TO ORDER**

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

**II. PLEDGE OF ALLEGIANCE**

Mayor George asked to Commissioner 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.

Commissioner Kostka asked to reschedule the evaluations of City Manager Royle and Police Chief Hardwick to January 6, 2019, at 6:00 p.m. in order to give some Commissioners an opportunity to submit their evaluations.

Commission agreed.

**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)

Mayor George continued the discussion regarding Item 7 from the regular Commission meeting on Monday, December 2, 2019. She advised that the interviews with candidates is scheduled for January 13, 2020, at 6:00 p.m.

Mayor George asked City Manager Royle to follow up with the candidates with a letter on the bench mark maximums and minimums to see who would be still interested to be interviewed on January 13, 2020, at 6:00 p.m.

Mayor George advised that the maximum retainer would be \$6,000 a month for general legal services associated with the attendance of all Commission, Comprehensive Planning and Zoning Board, and Code Enforcement Board meetings, and day to day questions regarding agenda items. She then advised that the City would not compensate for attorney travel to and from the meetings, postage, copies, charges for long distance phone calls, or paralegal services. The maximum charge for extra legal work for litigation would be \$175 an hour, which includes the presentations for lawsuits mediations on the City's behalf; and any land

transactions would be negotiated as stated under Exhibit A of the proposed letter.

Attorney candidates may call City Attorney Wilson if they have questions. If the candidates want to negotiate lower than the terms, they may do so or if the candidate don't agree to the maximums, they can let City Manager Royle know and they would be taken off the list to be interviewed.

City Attorney Wilson advised that Embassy Suites is pending on a judge's decision and there is a pending judgment for a Code Enforcement Board case that needs a decision, but those are the only cases he has outstanding. The Florida Municipal Insurance Trust (FMIT) cases he only monitors and is not involved too much with those. He advised that he would finish the Embassy Suites and the Code Enforcement Board cases after there is a judgement.

Mayor George asked to have the information before the January 6, 2020, regular Commission meeting in case it needs to be discussed.

The City Commission requested an update at the January 6, 2020, regular Commission meeting by City Manager Royle.

City Manager Royle advised that the candidates would have to give their replies to him by Friday, January 3, 2020, in order to get the information to the Commission on time.

Mayor George suggested emailing the information to the Commission by Friday, January 3, 2020.

Mayor George did not open Public Comments section because everyone in the audience had already spoke on December 2, 2019, regular Commission meeting.

Mayor George moved on to Item 5.

## X. PUBLIC HEARINGS

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)

Mayor George introduced Item 5 and asked Finance Director Douylliez to give a staff report.

Finance Director Douylliez explained that this resolution gives the City's intent to the Tax Collector to increase the non-ad valorem tax for solid waste collection for residential, commercial, and recyclables. She explained that once the intent for Resolution 19-13 is sent, the City will have a few months to determine the fee ranges that will be charged and how to proceed. She commented that the Commission requested staff to bring more revenue into the City and this would alleviate having the City's General Fund pay to make up the solid waste collection. She explained that transient rentals are the bulk of the commercial users and the City also has some true small commercial businesses that would not need a dumpster to maintain their trash. She provided a list of businesses that need to go on dumpster service from a private vendor because of their volume (Exhibit 12). She researched the costs associated with the City of St. Augustine for solid waste collection, which was \$208 annually. She explained that the City of St. Augustine charges their commercial businesses more to subsidize the residential fees. Effective this year St. Johns County is increasing their non-ad valorem fees to \$230 from \$220. She explained that they negotiate with a much larger volume than our City. She commented that staff is requesting a non-ad valorem tax for solid waste collection for residential homes of \$230, which is half of the City's costs. She advised that

there would be three categories: 1) disposal at \$74; 2) collection at \$112.80; and 3) recycling at \$43.20, which equals \$230 annually. She presented a PowerPoint (Exhibit 13) which explains the costs for residential, commercial, and transient rentals. She proposed to the Commission the resident's non-ad valorem costs for recycling be \$43.20 per the Advanced Disposal contract and disposal fee of \$74.00, which is a total cost of \$117.20 for FY Budget 2020 or \$9.76 per month per household. She recommended in FY Budget 2022 to increase the non-ad valorem fee by \$112.80, which would bring a total \$230, or \$19.17 per month per household.

Staff suggests that effective February 1, 2020 to increase the price for commercial customers from \$1.76 to \$2.38 per can. She explained that instead of counting cans, the Public Works Department would be responsible to do an audit of the cans twice a year to make sure that the business has not increased their can usage. She explained and in fiscal budget starting in October 2020 the fee would increase to \$3.00 per can.

Mayor George advised that she did not want staff to continue counting cans, billing, and collecting on invoices.

Finance Director Douylliez explained that transient rentals can be structured differently than commercial and residential.

Commissioner Samora asked how many cans the Public Works Department is counting currently for transient rentals.

Finance Director Douylliez advised approximately 130 cans.

Mayor George said someone quoted over 430 transient rentals.

Commissioner Kostka advised that the 430 transient rentals were only in the condo associations.

Finance Director Douylliez advised that the City does not manage the transient rentals for the condo associations.

Commissioner Rumrell explained that the City of St. Augustine has different color cans that differentiate between commercial and residential and asked if we could do that instead of counting cans.

Finance Director Douylliez advised that it could be done, but the City would have to outlay the money for the different color cans, and it is not in the budget this year. She explained that her proposal is a gradual change for this budget year, but staff could research the costs of the different color cans in FY 2022. She explained that the resolution only gives the Tax Collector the City's intent on moving forward with this and that price ranges were not needed for tonight's discussion.

Commissioner Rumrell asked if the Public Works Department would be able to pick the recyclables up in-house.

Public Works Director Tredik explained that the Public Works Department could do the recyclables in-house, but it would require two more positions and another truck.

Vice Mayor England commented that the City needs to right-size our customers because then the City would know what the hard costs are such as, equipment, personnel, maintenance, insurance, and disposal fees. She explained that the goal is to drive down the annual costs. She remarked that she would like to evenly spread the costs. She explained that the ordinance

says that all properties are eligible for an annual ad valorem fee, which takes away the billing completely. She said that the ordinance says properties that qualifies for the City would have pick up and disposal of solid waste, yard waste, or recyclables, but if properties doesn't qualify, then they would have to be informed to use a private service. She stated that the hard costs are driving the annual fees, not the number of cans and what the City residents and businesses are not paying for is being taken out of the General Fund. She suggested a flat fee for residents and commercial properties and to stop counting cans. She mentioned that the residents should not pay more than the short-term rentals. She asked that the Public Works Department to find out by March 1<sup>st</sup> what customers qualify for the City's solid waste pick up and if some properties don't to tell them they don't qualify and to get a private company for their services. She suggested the following according to the ordinance: 1) allow for City pickup for condos from one to five units and anything over six units would have to get private services, unless the Commission gives them an exception; 2) Commissioners annually on March 1<sup>st</sup> will determine how much the non-ad valorem fees would be depending on the property types; 3) the Public Works Department would notify Administration when a property no longer qualifies for pick up due to maximum solid waste disposal according to the ordinance amounts stated; 4) Administration would notify the property owner to get private services; and 5) determine the amount of yard waste per property owner in case of emergency events.

Mayor George advised that the tipping costs are a low compared to the overall hard costs that is involved in pickup of solid waste.

Vice Mayor England explained that the hard costs are \$460 whether it is commercial or residential.

Mayor George explained that the residents feel that the costs should be based on consumption.

Discussion ensued regarding whether larger homes should pay more than smaller homes because of less trash; the hard costs of personnel, maintenance, insurance, equipment and disposal fees when stopping at every home or business to pick up recycling, yard waste and solid waste is what should dictate the annual fee; why bill double for a duplex that puts the property owners trash in the same spot for pick up; and updating the solid waste ordinance.

Commissioner Samora explained that the tipping costs last year was approximately \$163,000 and overall cost of the waste disposal was \$1.35 million. He explained that the tipping fees are approximately 12% and recycling costs are 10%, but Advanced Disposal does that, which explains that Vice Mayor England is spot on with her reasoning. He commented that it is difficult to explain that to the customers and advised that 85% of the costs is the equipment, insurance, maintenance, personnel, and going to the landfill.

Mayor George asked about the amortization schedule of the costs because it shows a new garbage truck being purchased every year. She explained that when taking that cost out, then the fee would go decrease the hard costs by \$320,000.

Finance Director Douylliez advised that that figure would breakdown over five years for the depreciation; however, the City has been using the trucks much longer than five years.

Mayor George advised that instead of \$460 the figures are really \$350 annually, which is good news.

Commissioner Kostka advised she understands Mayor George's point of view, but she

disagrees with it. There are several issues that need to be done before moving forward with this, such as the City's Codes and City Charter conflicting with each other and should be cleaned up before we do anything else. She asked the Commission to do a Request for Proposals (RFP) for all the services to see if we are competitive. She listed the three concerns were residential, commercial, and transient rentals and requested the Commission to spend time on policies for transient rentals. She commented that more and more cities are eliminating transient rentals for a variety of reasons.

Mayor George advised that because of state laws the City could not eliminate transient rentals.

Commissioner Kostka commented that she did not know that, but the transient rentals could be tied to the licensing and suggested that transient rental licensing should be more.

Mayor George advised that there is a five percent cap on the increasing business tax receipts according to Florida State Statutes.

Commissioner Kostka agreed that some commercial accounts should have dumpsters instead of cans. She explained that Public Works is picking up eight cans, when there are only two cans allowed per property. She agreed with not counting cans. She asked the Commission whether they wanted to be in the trash collection business, or should the City outsource it. She explained that it would be fiscally irresponsible not look at other options and if the City does want to collect solid waste, there is another option where it could be a bond based on millage. She suggested putting on the tax roll a millage based on waste collection. She felt that solid waste collection could be done less expensive from an outside source or if the City wants the employees to collect the waste, then let's do a good job at collecting it.

Mayor George advised that she agreed that she would like it to be a valorem tax, but the Commission already discussed this, and a vote was decided on a non-ad valorem levy. She explained that because Commissioner Kostka was in the minority, she cannot bring that issue back up under the City's procedures.

Commissioner Samora commented that the Commission has already decided not to outsource solid waste collection.

Commissioner Kostka asked even if it is more money.

Commissioner Samora advised yes, case in point the attorney RFP, no Commissioner said, let's pick the lowest bidder. He explained that he wants quality and sometimes it takes more to get quality. He likes the quality of the Public Works Department and the City having their own employees picking up after a storm. He stated it was a necessary cost.

Mayor George agreed. She explained that Finance Director Douylliez has already presented the information that the Commission would receive from an RFP.

Commissioner Samora commented on insourcing, which Commissioner Rumrell brought up and maybe when the Advanced Disposal contract expires the City could insource the recycling.

Commissioner Kostka advised that there is a clause in Advanced Disposal's contract where the City can terminate.

Mayor George advised that there may be availability, with the proper amount of staff, to include other customers to offset the overhead costs since the tipping fees are only a small

portion of the costs. She calculated the hard costs and included residential, commercial and short-term rentals to give a total annual cost of \$341.95 per customer.

Commissioner Kostka asked if a business changed to a dumpster, would they still be charged a non-ad valorem fee for solid waste.

Finance Director Douylliez advised no. Once the customer shows proof of a dumpster, then they would be taken off the list for minimum collection fees.

Commissioner Kostka advised that one of the conflicts in the ordinance is that multi-use properties that have a dumpster is still being charged a non-ad valorem fee. She continued that if there are multiple units on the properties, the City charges multiple non-ad valorem fees.

Finance Director Douylliez advised that was what is stated in the codes. She explained that if a multi-use building has a residential unit, the owner will be assessed a non-ad valorem fee, even if your business has a dumpster.

Commissioner Rumrell advised that the codes need to be changed and updated. He suggested that all properties be charge an increase of 25% annually, which would be \$39 annually or \$3.00 a month because costs go up each year. He explained that that would be affordable for those on fixed incomes and after four or five years, the City would re-evaluate the costs again. He would like to research the termination clause in Advanced Disposal's contract. He agreed that property owners should not be charged a non-ad valorem fee when they have a dumpster.

Commissioner Samora advised that he would be comfortable in adding in the recycling and seeing what the true costs were in a year. He explained that he doesn't want to hit the residents with the true costs all in one year.

Finance Director Douylliez advised that this resolution tonight is just for the City's intent and the Commission has a few months to decide the cost ranges. She explained that the costs could even go down from year to year.

Commissioner Rumrell would like to move forward with first residential and then commercial.

Commissioner Samora advised that the Tax Collector could separate residential, commercial, and transient rentals.

Vice Mayor England asked if the Tax Collector could delineate the separate categories.

Finance Director Douylliez advised that the Tax Collector can separate categories and different costs; however, the City wants to label the costs for each category.

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

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, advised that he was glad that he came tonight because he believes that the costs should be paid through ad valorem taxes, but he was insulted by a comment Finance Director Douylliez mentioned about more educated people live in larger homes and are more environmentally friendly and asked why the Commission didn't correct her. He stated that he has the almost respect for the Finance Director who gives the best numbers he has seen in years, but it was an insult to the community. He suggested to continue discussing this so more of the community will understand this issue and to start the commercial fees first because they are bringing in

incomes. He asked what figure did the Commission want to raise the 25% increase from because the Commission has been throwing out numbers all night.

Mayor George responded by saying that Finance Director Douylliez did not mean the comment how it came out and that was why she ended the statement that no one knows how much recycling or solid waste will come out of a home of any size.

Mr. Binder advised that he was sure she didn't mean what she said, but the Commission needs more time to review the numbers.

Finance Director Douylliez stated that her initial remark came out wrong and she apologized if it insulted anyone, but she was simply trying to indicate that the home size is not an indication of how much waste they will have.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, said that the Commission has been stealing money for several condos by subsidizing the trash from the General Fund. He asked the Commission to make users pay for their costs.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, suggested to have a Memorandum of Understanding with St. Johns County to bill the solid waste collection fees and if the property owners don't pay, then their garbage would not be picked up and the City would not need a non-ad valorem fee. He agreed with Commissioner Kostka to do an RFP. He agreed with Commissioner Rumrell to cancel Advanced Disposal's contract and have the City recycle insource. He suggested 95-gallon cans for recycling and commented that he would like the voters to decide.

Mayor George closed the Public Comments section and asked if there were any other Commission comments.

Mayor George explained that the details were unclear regarding hard costs and she was concerned about not being clear before moving forward. She commented that there was no clarity on the direction of the transient rentals from the Commission and what kind of increases the Commission wants.

Commissioner Samora advised that most of the Commissioners don't want to count cans.

Mayor George advised that she liked the costs to be based on bedrooms, but the discussion regarding hard costs are different than what she thought originally. She commented that it is a new approach, but she hasn't had time to collect the data.

Vice Mayor England advised that counting bedrooms would not equate because of the number of snowbirds and transient rentals. She explained that there are too many variables for that approach, but the hard costs were more definite.

Mayor George advised that it makes sense, but it is new.

Discussion ensued regarding the resolution includes residential, commercial, and transient rentals; who will pay a non-ad valorem fee if they have a dumpster; and who would be charged according to the resolution and how much.

Mayor George advised that if the same occupant has the multi-use building and uses both, then they should not pay for a non-ad valorem fee, but there are a lot of buildings that rent out the residences on top of the business. The tenant downstairs could tell the tenant upstairs that they cannot use their dumpster because they are paying for.

Vice Mayor George advised that Article 2 on page 34 has the language that the City Manager

by June 1<sup>st</sup> certifies the list of all properties to the County Tax Collector, which are subject to the special assessment. She explained that the staff can have different fees and it is doable.

Commissioner Kostka asked how a property owner could be charged if they have a dumpster.

Vice Mayor England explained that the Public Works Department would have to get information from each property owner on whether they have a dumpster and then notify Administration of the change.

Mayor George envisioned that there would be a form that the property owner would submit to the City that would say they would be responsible for their own trash collection and disposal and by submitting this form, the property owner will be removed from the Tax Collector's roll for the non-ad valorem tax.

Commissioner Kostka asked if that would include yard waste as well.

The Commission did not have an answer to that question.

Commissioner Rumrell advised that his intention was to separate residential and commercial. He explained whether the City calls taking money out of the General Fund to pay solid waste a subsidy or not, the City is paying for trash collection and people who are not getting the service are still paying their own trash collection and not getting the service, which needs to be corrected.

Mayor George advised that this was in the code when all the condos were built, and the owners accepted it. This was well known and if they had concerns, they could have said something.

Discussion ensued regarding condos who pay private services for dumpsters do not pay the non-ad valorem tax; clean up being done on the solid waste ordinance; the General Fund is subsidizing the trash collection, but not everyone is benefiting; wanting charges closer to what is being provided; and putting this on every agenda until the commercial side is discussed; and the cost ranges can be decided by March 1<sup>st</sup>.

Commissioner Samora said that the resolution should be passed tonight.

Finance Director Douylliez advised that the resolution does speak to residential, commercial, and transient rentals.

Vice Mayor England advised that a list is certify every year by June 1<sup>st</sup>.

Discussion ensued regarding how the non-ad valorem costs could be calculated; increasing it in stages; and calculating the non-ad valorem tax increases over several years.

**Motion:** to approve Resolution 19-13. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passed 3 to 2, with Commissioner Kostka and Mayor George opposing.

Mayor George stated that staff has asked to increase the per can rate for businesses using the existing billing system starting in February 2020 to \$2.38 per can instead of \$1.76 per can.

Discussion ensued regarding 12 cans per week would qualify a business for a small dumpster; whether seasonal businesses would be calculate the same rate; dumpsters must have enclosure; some businesses don't have room for a dumpster or an enclosure and staff would have to have them go to private hand collection services; having an increase fee for collections over the normal pickup range; the solid waste ordinance on page 27 and 28 sites the



maximum amount of collecting waste for residential and condominiums over six units; and Public Works Director Tredik should start to clean up the solid waste ordinance.

Commissioner Rumrell asked what the City of St. Augustine's hard cost for collection are and if they were subsidizing from their General Fund.

Finance Director Douylliez advised that she could review that further, but that they have the businesses subsidizing the residential costs.

Mayor George objected to the fact that the City has been misleading or disingenuous about subsidizing trash collection at the expense of certain condominium buildings. She explained that this fee was in the code when the property owners bought the condominiums. The secondary benefit is that the Commission brings the revenues closer to the costs, but the costs that are being presented are not hard costs of the service. She explained that the City has a lot of other services that are being funded.

Discussion ensued regarding whether to increase the commercial can fee to \$2.38 on February 1<sup>st</sup>; residential, commercial and transient unit fees should not be comingled with the City's services and should be taken out of the hard costs.

Commissioner Kostka explained that in the code in Section 10-13, Commercial Waste, part (b) (2), says that if there are more than six cans, the City Manager can tell the owner that they need to get a private collector.

It was the consensus of the Commission to bring this agenda item back next month to discuss more cost details on commercial and transient rentals units and what staff recommends for code changes.

Mayor George moved on to Item 8.

## XII. OLD BUSINESS

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

Mayor George introduced Item 8 and advised that City Manager Royle gave a draft of what he felt would be relevant for civility in the meetings. She explained that she would like notice to be given.

Commissioner Samora agreed with it being posted and asked if Resolution 89-5 still is in effect. He then asked City Attorney Wilson if there was any problem with the verbiage.

City Manager Royle advised that Resolution 89-5 is still in effect.

City Attorney Wilson said there was nothing in the resolution that would not be appropriate or unconstitutional. He explained that the enforcement would be the issue. He said if someone is being led out of the room for comments or if a Chair is heavy-handed, then that would be the issue.

Vice Mayor England advised that Option 1 would seem to replace Resolution 89-5 and the short pledge of civility could be listed on the agenda. She also asked about putting it on the speaker cards.

Commissioner Kostka asked to laminate it and place it on the podium as a reminder.

City Manager Royle advised yes.

Discussion ensued regarding encouraging the public not to clap or boo unless it is a spontaneous interruption that does not disrupt the meeting.

Mayor George requested Options 1, 9, and the first sentence of 4 if not all of it would be good to post.

Commissioner Rumrell advised that we are all adults and need to act that way.

Commissioner Kostka said she has seen the civility rules on the wall.

Vice Mayor England said she would hope that that would not be necessary.

Mayor George advised that the Commission doesn't have to do anything, but she was just suggesting it if the Commission wanted it.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to have staff sign a civility pledge. He explained that Mayor George's initial proposal of civility was unconstitutional and then she withdrew it. He said that Mayor George does not enforce uniformity when it comes to civility.

Mayor George closed the Public Comments section and she said that she uniformly struck the gavel on booing or clapping that was not an excited utterance. She explained that many members of the public felt that she was consistent.

Commissioner Samora asked to put the pledge of civility on the speaker cards.

Mayor George advised that she liked Lincoln's quote and would like to include it. She asked if the Commission would like to give a civility pledge to the residents. She suggested putting the verbiage on the agendas and the speaker cards.

It was the consensus of the Commission to add the civility pledge to the speaker cards and the agendas.

Mayor George moved on to Item 9.

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

Mayor George introduced Item 9 and asked Building Official Law for a staff report.

Building Official Law advised the setbacks are not included in this draft and explained the proposed changes to the Commission.

Mayor George asked if the language on paragraph A regarding the trellis should be increased to the height.

Building Official Law suggested getting rid of that language and just say "not to exceed the height of the primary structure" and the same thing on paragraph B.

After discussion, the Commission agreed to paragraph A and B suggested language changes proposed by Building Official Law.

Discussion ensued regarding the calculations for Impervious Surfaces Ratio (ISR) regarding a pool or pool decking in the City's Low Density District.

Mayor George asked Building Official Law if the property owners would automatically

receive 465 square feet without any consideration of the ISR.

Building Official Law said only for a pool and pool decking; however, if the property owner wanted a larger pool, they could take away from the driveway to meet the ISR.

Mayor George asked how they calculate the pool decking.

Building Official Law advised that it is shown on the drawings with the pool. He advised that the Comprehensive Planning and Zoning Board did recommend decreasing low density ISR to 50% and this would be more restrictive than what they recommended.

Discussion ensued regarding whether the Commission would need an annual building report; what items the new building system can track; whether the City tracks flood damage; and whether the new system started tracking this year or was previous years inputted.

It was the consensus of the Commission that an annual report would not have to be done for the Commission, but if the Commission wants any report that the Building Department is tracking, he would be able to supply it to them.

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

Building Official Law asked if the Commission would direct City Attorney Wilson to update this ordinance and bring it back to the Commission on January 6, 2020, regular Commission meeting.

Mayor George advised that on the conditional use permits the City should track how many were granted, have better controls in the code on how many transient rentals are being built on commercial lots, whether the City needs restrictive language or criteria that gives the Commission more protection if the Commission turns down an application for residential structures being built on commercial lots. She asked City Attorney Wilson if a numbered cap could be put on residential structures on commercial lots.

Building Official Law advised that the Building Department can do reports on conditional use permits that are single-family structures and outside food consumption or seating, and list when the expiration dates will be so the property owner could be called to renew their conditional use permit. He explained that the Commission will be able to make better decisions, if they have more information.

Vice Mayor England suggested having a workshop to discuss where residential lots could be considered on A1A Beach Boulevard or where commercial lots should be maintained as commercial. She would like to have clear criteria that the Commission can follow in order to protect the Commission if any are denied.

Building Official Law commented that he can research all the vacate properties on St. Johns County GIS system that are zoned commercial and can get that to the Commission.

Vice Mayor England asked to bring the setback issue regarding small lots back to the Commission for a future agenda.

Building Official Law advised that his recommendation would be that the 50 x 73 size lots would have 7.5 feet setbacks for more flexibility. He explained that rear setbacks should be 20 feet City wide because it gives the designers more flexibility to move the house around trees.

Vice Mayor England advised that the property owner would still have to go for a variance in order to save trees.

Building Official Law advised that there is a flexible setback that the property owner can go to the Comprehensive Planning and Zoning Board for a variance at no charge in order to save trees.

Commissioner Kostka agreed with a workshop and requested to discuss transient rentals at the same time.

Mayor George asked City Manager Royle to include it in his memo and when to consider this to come back up to the Commission.

Commissioner Samora suggested a joint workshop with the Comprehensive Planning and Zoning Board on these items.

Building Official Law advised that the mixed-use district is not defined in the Comprehensive Plan and he would have to define it anyways. He explained that the Vision Plan may have discussed it, but he would like the Boulevard from Pope Road to F Street. He advised that he will start working on that to bring back to the Commission in February and it will be on both sides of A1A Beach Boulevard.

Mayor George asked by defining the mixed-use district, what would it do to those lots.

Building Official Law advised the mixed-use district has its own set of codes. He explained that a mixed-use property could be a residential house in a commercial sector or a business in a commercial sector or a business and residence in a commercial sector, so it has its own set of rules. The construction of any single-family residence, regardless of what the mixed-use requirements say, still needs a conditional use permit in the commercial sector.

Mayor George asked if it would apply to the overlay district and advised that it could be done several ways depending on what the property owner wants to accomplish.

Building Official Law advised yes. The Overlay District proposes a more pedestrian friendly front. He explained that the concept is good but was never finished.

Vice Mayor England said that it sounds like the Commission wants to update the Vision Plan.

Building Official Law advised that he will bring information back to the Commission in February 2020.

Mayor George opened the Public Comments section. Being none, Mayor George closed the Public Comments section.

Mayor George requested City Attorney Wilson to prepare a proposed ordinance and bring back in January 2020.

Mayor George moved on to Item 13.

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

This Item was rescheduled to January 6, 2020, at 6:00 p.m.

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

This Item was rescheduled to January 6, 2020, at 6:00 p.m.

### XIII. NEW BUSINESS

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

This Item was rescheduled to January 6, 2020, at 6:00 p.m.

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

Mayor George introduced Item 13 and explained that the Commission could make verbal nominations.

City Attorney Wilson advised that was correct and there is no need to have a second when there are no other nominations. He explained that it could be done by tally sheets or verbal for the vote.

Mayor George said that it has been a real honor to serve as Mayor and was extremely happy that we have this wonderful Commission. She congratulated all the Commissioners, including herself, because this Commission is a great group. She commented that Commissioner Rumrell has added a nice element to the Commission and remarked that the Commission doesn't get enough praise, but was a joy serving as Mayor for the last two years.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, thanked Mayor George for service and suggest Vice Mayor England as Mayor and Commissioner Kostka as Vice Mayor. He explained that he has been impressed with their civility, their willingness to hear about problems, and their willingness to change their minds.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, agreed with Mr. Slavin and is looking forward to Margaret England being the Mayor because she is smart, thorough, elegant, and is a classy person. He suggested Commissioner Kostka as Vice Mayor, but if she didn't want it, any of the gentlemen would do just fine. He advised that he feels everything in the City is worth doing well and the City has an incredible City Manager and staff because of the City Manager.

Mayor George closed the Public Comments section and asked for nominations.

Commissioner Kostka advised that the Commission has a lot of tidying up to do in City policies and ordinances to continue going in the right direction for our citizens. She explained that it takes a strong individual with a business mind to accomplished this, so she nominated Donald Samora as Mayor.

Mayor George nominated Vice Mayor England not because she didn't think that Commissioner Samora would do a great job, but because Vice Mayor England is very well qualified and there is no reason to deviate from the seniority procedure unless there is a reason to do so or if Vice Mayor England didn't want to serve.

Vice Mayor England advised that she has turned the Mayor position down in the past but felt that she is ready to do her best now.

Mayor George asked for any other nominations. Being none, the Commission agreed to write ballots for their vote.

City Clerk Raddatz and City Attorney Wilson counted the ballots (Exhibits 14 – 18).

City Clerk Raddatz congratulated Margaret England as Mayor.

Mayor George then opened nominations for Vice Mayor.

Mayor George nominated Maggie Kostka.

Commissioner Kostka advised that she would be honored to accept.

Vice Mayor England nominated Donald Samora for Vice Mayor.

Commissioner Samora thanked Vice Mayor England.

City Clerk Raddatz and City Attorney Wilson tallied the votes (Exhibit 19-23).

City Clerk Raddatz congratulated Maggie Kostka as Vice Mayor.

Mayor George congratulated the new Mayor and Vice Mayor and advised that the Commission was great and looked forward to the change.

City Manager Royle reminded Mayor George that her term did not end until January 1, 2020.

Mayor George moved on to Item XIV.

#### XIV. STAFF COMMENTS

Mayor George introduced Item XIV and asked City Manager Royle for any comments.

City Manager Royle advised since St. Johns County has said no to paid parking, does the Commission want to revisit the topic in a couple of months.

Mayor George advised that she would like to bring it back in March.

The Commission agreed.

City Manager Royle commented that Public Works Director Tredik did a wonderful presentation at the St. Johns County Legislation meeting and that he and Public Works Director Tredik also went to the Port and Waterway meeting and requested funding for beach walkovers. He advised that they did not give them an overwhelming acceptance, but they will go back.

Building Official Law had no comments.

Public Works Director Tredik had no comments.

Vice Mayor England asked what he is doing regarding parking on the sidewalk on Mickler Boulevard.

Public Works Director Tredik advised that he is still looking into that. He explained that Tom Large is designing a conceptual plan and will be talking to SEPAC about it. He commented that if there is an agreement on the appropriate types of plants, he will bring it back to the Commission with what is being proposed.

Police Chief Hardwick thanked Mayor George for the last two years. He explained that he has had some candid disagreements over the years but appreciates Mayor George's commitment to the citizens of the City of St. Augustine Beach. He welcomed Mayor England and Vice Mayor Kostka in the coming year and said he looks forward to working with them.

Finance Director Douylliez advised she had no comments.

City Clerk Raddatz wished the residents, Commission, and the tourists in the City of St. Augustine Beach happy holidays and congratulated upcoming Mayor Margaret England and Vice Mayor Maggie Kostka.

City Attorney Wilson wished everyone a Merry Christmas and congratulations Mayor England and Vice Mayor Kostka. He advised that having women Mayors and Vice Mayors for the last two years has not happened in the history of the City before.

Mayor George wished everyone a Merry Christmas, Happy Hannukah, and a Happy New Year.

XV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

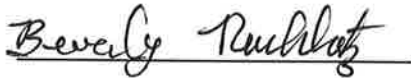
**Motion:** to adjourn. **Moved by** Mayor George, **Seconded by** Commissioner Samora. Motion passed unanimously.

Mayor George adjourned the meeting at 9:10 p.m.



Margaret England, Mayor

ATTEST:



Beverly Raddatz, City Clerk