



AGENDA

SPECIAL COMMISSION MEETING AND IMMEDIATELY FOLLOWING, THE REGULAR COMMISSION MEETING

MONDAY, MARCH 2, 2020 AT 5:00 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."

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. 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, hissing, or the use of intimidating body language are not permitted.
3. 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.

"Politeness costs so little." – ABRAHAM LINCOLN

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SELECTION OF CITY ATTORNEY
 - A. Review and Discussion of Candidates' Responses
 - B. Public Comment
 - C. Selection of City Attorney

AGENDA
REGULAR COMMISSION MEETING
IMMEDIATELY FOLLOWING THE SPECIAL COMMISSION MEETING

- I. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON FEBRUARY 3, 2020, SPECIAL COMMISSION MEETING ON FEBRUARY 10, 2020, AND COMMISSION AND COMPREHENSIVE PLANNING AND ZONING BOARD JOINT WORKSHOP
- II. ADDITIONS OR DELETIONS OF THE AGENDA
- III. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- IV. PRESENTATIONS
 - A. Interview of candidates for Two Alternates' Positions on the Comprehensive Planning and Zoning Board
 - 1) Mr. A. Victor Sarris
 - 2) Mr. John Tisdall
 - 3) Mr. Patrick Wilson
 - B. Audit Report for Fiscal Year 2019 (Presenter: James Halleran, CPA, of Audit Firm of James Moore & Co.)
- V. PUBLIC COMMENTS
- VI. COMMISSIONER COMMENTS
- VII. PUBLIC HEARINGS
 1. Ordinance 20-02, Second Public Hearing and Final Reading: to Adopt Changes to the Land Development Regulations (Presenter: Brian Law, Building Official)
 2. Ordinance 20-04, First Public Hearing and Second Reading: to Amend the Land Development Regulations by Establishing Section 5.06.00 for Dune Protection (Presenter: Brian Law, Building Official)
 3. Ordinance 20-05, Public Hearing and Final Reading: to Amend Chapter 10 of the City Code re: Garbage and Trash Service (Presenter: Bill Tredik, Public Works Director)
- VIII. CONSENT
 4. Code Enforcement Board: Re-Appointment to Three-Year Term of Regular Members Bill Genovese, Trish Gilpin, Edward Pritchett and Ernesto Torres
 5. Budget Resolution 20-01, to Amend the FY 20 General Fund Budget to Recognize Revenues from the Solid Waste Franchise Fees and Fee Permit, to Increase in Budget for the Other Post-Employment Benefit Report Mandated by Accounting Rule 75, and to Provide Money from Building Department Reserves for Various Expenditures

IX. OLD BUSINESS

6. Emotional Support Animals: Review of Recommendation to Amend the Land Development Regulations (Presenter: Brian Law, Building Official)
7. Resolution 20-04, to Amend Sections of the Personnel Manual for Policies Prohibiting Fraternization of Supervisory with Subordinate Employees and Prohibiting Animals Other Than Americans with Disabilities Act – Recognized Service Animals in City Buildings (Presenter: Beverly Raddatz, City Clerk/ HR Director)
8. Ordinance 20-06, First Reading: to Adopt Water Management District's Irrigation Regulations (Presenter: Bill Tredik, Public Works Director)
9. Solid Waste Collection for Business and Transient Rentals: Resolution 20-06, to Adopt Fees (Presenter: Bill Tredik, Public Works Director)
10. Public Parking: Discussion of Possible Improvements (Presenter: Vice Mayor Maggie Kostka; Max Royle, City Manager)

X. NEW BUSINESS

11. Use of City's Public Meeting Rooms: Consideration of New Policy (Presenter: Max Royle, City Manager)
12. Drinking Water at City Events: Review of Options and Costs (Presenter: Max Royle, City Manager)

XI. STAFF COMMENTS

XII. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **PRESIDENTIAL PREFERENCE PRIMARY ELECTION.** Early voting for it will start on Saturday, March 7, 2020, and will end Saturday, March 14th the times 9 a.m. to 6 p.m. Election day will be Tuesday, March 17th from 7 a.m. to 7 p.m. The polling site is the City Commission meeting room in city hall, 2200 A1A South, St. Augustine Beach, FL.
2. **BOOK SALE.** The Anastasia Island Branch Library will have a book sale on Friday, March 20, 2020, from 10 a.m. to 6 p.m., and on Saturday, March 21st, from 10 a.m. to 5 p.m. The location is 124 Seagrove Main Street in the Sea Gove subdivision, north of A Street and west of State Road A1A.
3. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, March 24, 2020, at 6:00 p.m. in the Commission meeting room. Topics on the agenda may include a. request to renew conditional use permit for outside serving consumption of food and beverages at Terra and Acqua in the Sea Grove subdivision; b. request to modify the Sea Colony final development plan ordinance for compliance with setback and impervious surface ratio requirements; and c. request for approval of two-story, 20,000 square foot mixed use development between 4th and 5th Streets, west of the Boulevard.
4. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** It will hold its monthly meeting on Wednesday, March 25, 2020, at 6:00 p.m. in the Commission meeting room at city hall.
5. **CITY E-NEWLETTER.** Persons interested in receiving the City's monthly e-newsletter should send their email address to Ms. Melinda Conlon, the City's Communications and Events Coordinator, at events@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, FEBRUARY 3, 2020 AT 6:00 P.M.

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

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor England led the Pledge of Allegiance.

III. ROLL CALL

Mayor England asked City Clerk Raddatz for roll call.

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

Mayor England moved on to Item IV, Approval of Minutes.

IV. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON JANUARY 6, 2020 AND SPECIAL COMMISSION MEETING ON JANUARY 13, 2020 AND CONTINUATION MEETING OF REGULAR COMMISSION MEETING ON JANUARY 14, 2020

Mayor England asked if there were any comments from the Commission regarding the minutes.

Commissioner Samora advised that there were minor corrections in the minutes, which he stated. He also requested that the exhibits be sent with the draft minutes to the Commission in the future.

Motion: to approve the minutes of the Regular Commission meeting on January 6, 2020 and the Special Commission and Continuation Regular Commission meeting on January 13, 2020 and the Continuation of the Regular Commission meeting on January 14, 2020 with proposed amendments. **Moved by** Commissioner Samora, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item V, Additions or Deletions of the Agenda.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor England asked if there were any additions or deletions on the agenda.

City Manager Royle advised that Item VII.A. should be deleted due to Ms. Wilson withdrawing her application because she felt that she would be unable to put the time in on the Sustainability and Environmental Planning Advisory Committee (SEPAC). He also advised that staff would like to reschedule Item 11 to the March 2, 2020, Regular Commission meeting.

It was the consensus of the Commission to delete Items VII.A and 11 from the agenda.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor England asked if there were any changes to the order of topics on the agenda.

City Attorney Wilson advised that he would like to have Item VII.B. changed to the end of the meeting.

It was the consensus of the Commission to change the order on Item VII.B.

VII. PRESENTATIONS

A. Interview of Ms. Jennifer Wilson for Position of Regular Member on the Sustainability and Environmental Planning Adversary Committee

This item was deleted from the agenda.

VIII. PUBLIC COMMENTS

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

Ann Palmquist, 213 10th Street, St. Augustine Beach, FL, congratulated the Commission on January's Commission meetings and advised there would be more participation from the citizens if live broadcasts would be done instead of delayed meetings on YouTube.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Ann Palmquist and asked to have live streaming of Commission meetings; requested public exit interviews with Attorney West and Ms. Sloan the former Chair and Vice Chair of the Comprehensive Planning and Zoning Board; thanked the Commission for not doing paid parking, no high rises on the beach, no micromobility scooters in the City, and not allowing to amend the sign codes to allow advertising on bus shelters; and City Manager Royle needs to be fired.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, thanked the Commission for moving forward on the lighting on State Road A1A; encouraged the Commission to discuss with St. Johns County Beach Services about adding a lifeguard stand near Ocean Hammock Park; and advising the Commission that they approved Anastasia Dunes buildings having a higher impervious surface. He explained that Lots 46 and 47 in Anastasia Dunes has a proposed 6,000 square foot home on those two lots. He remarked that in order to build what is proposed the ground would have to be raised, which may cause flooding to the surrounding area. He suggested that the Building Official and the Director of Public Works look at the stormwater flow from that property closely in order to prevent flooding to the surrounding residents.

John Leslie, President of the Vietnam Veterans Chapter 1084, 205 Bluebird Lane, St. Augustine Beach, FL, expressed his appreciation for allowing his non-profit organization to be a vendor at the Beach Blast Off for the last two years and thanked law enforcement, the special security from St. Augustine, and the first responders at the event. He remarked that this and other non-profit events allows, donations to be sent to deserving veteran programs yearly. He explained that last

year his Chapter sent \$25,000 to those in need. He explained that he is looking forward to next year's Beach Blast Off event.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, handed Exhibit 1 to the City Manager and asked that the Commission receive a copy. He said that there were two alarming issues that happened this month, which were the resignations of the Comprehensive Planning and Zoning Board Chair and Vice Chair and the taking of sand away from the dune at 2 12th Lane. He advised that both Chair and Vice Chair noted professional and personal concerns with the Building Official's actions. He explained that he related similar concerns with the City Manager and Mayor regarding the Building Official and had a meeting to remedy the situations. He requested the Commission rectify the situation with the Building Official and asked the Commission to hire a consultant or part-time City Planner to counterbalance the power structure and separate the Building Department from planning issues. He asked why a private owner could take public sand and use it as fill to raise his yard three to four feet. He advised that his neighbors are now subject to more flooding risks and asked why it was not reviewed by a qualified planner and why wasn't the Chair of the Comprehensive Planning and Zoning Board consult if the Building Official didn't have the expertise and why was Land Development Regulations Section 5.03.01 used to deny the request.

Mayor England asked to make sure the Commission receives Exhibit 1.

Mayor England closed the Public Comments section and then moved on to Item IX, Commissioner Comments.

IX. COMMISSIONER COMMENTS

Mayor England asked Commissioner Rumrell for his comments.

Commissioner Rumrell advised that he has already spoken to Commander Ashlock about the lifeguard for Ocean Hammock Park and Commander Ashlock advised that he is having a meeting next Thursday with St. Johns County Beach Services.

Mayor England advised that she and City Manager Royle had an informal meeting on January 22nd with Mayor Upchurch and City Manager Regan from the City of St. Augustine and they all agreed to work together on sustainability, flooding issues, and sea level rise. She commented that on January 24th, she and City Manager Royle met with Mr. Thomson and Dr. Sandy Bond, on what actions they are taking that Mr. Thomson mentioned.

Commissioner George asked if there will be further discussions about this at the Joint Commission and Comprehensive Planning and Zoning Board Workshop on February 10th.

Mayor England advised yes, that City Manager Royle will be sending an agenda out for that workshop tomorrow. She asked Commissioner George if she was interested in bringing up the parking issue again.

Commissioner George advised no, that she has not mentioned it to City Manager Royle; however, there was direction from the Commission that parking should be brought back on the March agenda.

Vice Mayor Kostka was pleased that there was a meeting with the City of St. Augustine Mayor and Manager. She asked if City Manager Royle has been able to reach out to Hunter Conrad from St. Johns County.

City Manager Royle advised no, he is busy getting his contract finalized and learning the ropes of his position, but Mr. Royle does intend to meet with him.

Vice Mayor Kostka advised that the City could benefit with a joint meeting with St. Johns County Board of Commissioners. She suggested to revisit the parking issues by placing it on a future agenda. She advised that the City needs to formulate some plans to increase the parking.

Commissioner George explained what the City of Durham in North Carolina did regarding bottled water by taking a formal vote via resolution to prohibit the City or County from purchasing bottled water or single use plastics. She advised that the City should set a standard and if the City is asking the legislature to change the law on it, they should follow what the Commission is requesting. She requested this item be placed on a future agenda to discuss. She remarked that the City instructed the Legislature not to violate the City's Home Rule and Mr. Thomas Bradford sent out another email chain this past month suggesting that the cities who adopted that resolution forward the resolutions with a letter from the Mayor directly to the State Representatives. She did forward the email to City Manager Royle and wanted to make sure that all the Commissioners were aware of it to send them a letter too.

Discussion ensued regarding whether staff receives bottle water from the City; purchasing bottle water for events; and boxed water is available instead of plastic bottles.

Mayor England asked the Commissioners to forward their thoughts on parking if they want it on the agenda.

Mayor England moved on to Item X, Public Hearings.

X. PUBLIC HEARINGS

1. Allowing Chickens by Exception: Appeal of Decision by the Comprehensive Planning and Zoning Board to Allow by Exception to Section 3.02.02.A.1 of the Land Development Code the Keeping of Chickens at 313 A Street (Lot 14, Block 49, Coquina Gables Subdivision, Ms. Pamela M.M. Holcombe, Appellate) (Presenter: Brian Law, Building Official)

Mayor England introduced Item 1.

Commissioner George explained that she was going to recuse herself because the appellant is an employee at her law firm and due to the appearance of bias, she feels that she should not vote. She discussed this with City Attorney Wilson, and he has agreed. She made it known that she did not necessary share the opinions of everyone who works at her law firm and that the appeal was not submitted by her or by her law firm. She explained that through the years as a Commissioner she has voted on and ruled on applications by friends or colleagues and has always been objective and done what was in the best interest of the City and its residents. She advised that in this instance because of the sake of perceptions and because of the economic entanglements, she will recuse herself (Exhibit 2, Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Offers).

Commissioner Kostka disclosed that Ms. Holcombe is her attorney representing her in a legal issue pertaining to her business.

Mayor England suggested Building Official Law give his report and then requested City Attorney Wilson to make his remarks.

Building Official Law advised that this property received a complaint about the alleged presence of chickens, so Code Enforcement investigated and found there were some hens in

the yard. He explained that in the Code it states the keeping, breeding, or raising of poultry is a prohibited use. He remarked that at staff's request the homeowner applied for a variance and went to the Comprehensive Planning and Zoning Board for their decision. Traditionally, there is not a mechanism to appeal a prohibited use and stated the definition of a variance for the record. He explained that the Board denied the variance but approved the use unanimously and did this with discussion of the attorney at the Board. He advised that it was not City Attorney Wilson but was Attorney Jeremiah Mulligan. Since the Board denied the variance and approved the use, the Code Enforcement process stopped. He explained that there was an appeal filed within a 30-day period to appeal the decision based on certain terms. At that point, staff did the paperwork and the application fee was paid.

Mayor England asked the Commission if they would like to ask how this case got here. Being none, Mayor England asked City Attorney Wilson for his comments.

City Attorney Wilson advised that he was not at the Board meeting because he was in Washington, DC that week. He explained that he read the minutes of the Board and discussed the case with Attorney Mulligan, who was there. He remarked that this case was not appropriate to be done in the variance process because it doesn't relate to land issues but relates to a personal matter involving the resident at this property. He explained that the variance was denied by the Board as it should have been but then the Board decided to allow the use anyway, which goes beyond their jurisdiction of the Board and it was inappropriate at the time. He understands how it happened and it is a complex issue under the ADA regulations, and he advised that he is not sure where this case should go from here. The alternative that the City would have is to change their Code and allow chickens within the City as the Commission seems fit or simply not to enforce a Code Enforcement action. He explained that the City is not forced to proceed with a Code Enforcement action even though there is a violation of the Code and explained that this would leave it up to the parties involved whether they would want a judge to decide what would be appropriate in this support animal situation. He advised that he didn't think that the City has any jurisdiction to do anything other than to set aside the Board's decision to allow the use and then have the parties seek other options. He explained that the appeal is inappropriate, and the Board's decision was inappropriate.

Mayor England asked the appellant to come forward.

Attorney Pamela Holcombe, 312 A Street, St. Augustine Beach, FL, explained that for the record, she has had no communication with Commissioner George on any issue of substance. She handed out Exhibit 3, which gives guidance on this issue and supports her arguments that she has made on the appeal. She explained that cities can and do make decisions on reasonable and customary accommodations on the Fair Housing Act regarding zoning. She advised that she would share her information with City Attorney Wilson.

He explained that the appropriate time and place to decide was not under the Board's jurisdiction.

She stated that she was sympathetic to the situation and explained that she loves animals and had chickens growing up on a country property. She explained that when a decision is made by motion instead of the analysis of the facts, sometimes it goes wrong. She commented that as a member of the Florida Bar and independent animal committee, it is hard not to be on the side of the animal. She explained that she wants the right decision because when the decision is wrong it can have consequences to those who have legitimate needs. She advised that the

Department of Transportation (DOT) has just come out two weeks ago that they are going to stop all support animals on planes, and they will only allow service dogs. She advised that City Attorney Wilson has already identified there were procedural issues with this and a lack of notice that didn't allow her to respond. She commented that the prescription of the doctor does not properly prescribe an emotional support animal. Emotional support animals must do things to support the person and the fact that the child is engaging in an activity that is therapeutic is not the purpose of an emotional support animal. It is to allow the disabled person to have equal use of the dwelling as a non-disabled person and that gets to the heart of the issue. She explained that the child is entitled to an equal use, not a preferential use. She commented that no other child in St. Augustine Beach can keep chickens and the chickens are not helping him use the dwellings, so it is a fatally flawed application in that respect.

Mayor England opened the Public Hearing section. The following addressed the Commission:

Patricia Able, 1333 Eisenhower Drive, St. Augustine, FL, explained that this is serious issue for the child, and she has been a volunteer in three different counties, public school systems with children including special needs. She explained that every child counts and if it is chickens that help a child, then they should have them and laws should be changed.

Lila Sleeper, 17 Ocean Woods Drive, St. Augustine Beach, FL, commented that she is a tutor for St. Johns County and has worked with hundreds of children with different needs and all children have different needs to become successful. She explained that if this helps the child having chickens, then the Commission should consider all the children of St. Augustine Beach and St. Johns County.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that the Board got it right to deny the appeal and suggested to have the City Attorney work on an ordinance that would implement 20 CFR Part 25 in this case. He commented that the City Manager years ago should have implemented the Fair Housing Act and ADA reasonable accommodations. HUD has administrative law judges to hear these cases and if there is legal action against the City, there could be \$300,000 compensatory penalties. He would like to know why the appellant filed this appeal.

Ann Palmquist, 213 10th Street, St. Augustine Beach, FL, advised that bees are not allowed either and they do no harm and asked the Commission to move very lightly because this is not their expertise. She asked the Commission to listen to the residents and the special needs community. She advised that there are at least four other properties that have chickens, and no one complains.

Jennifer Wildasin, 313 A Street, St. Augustine Beach, FL, explained that she comes to the Commission as a mom and is not an attorney who has fancy language to use. She explained that her son has special needs of different variations. She said that there are so many other things that should be on the news than her chickens in the backyard and she would not be here if it didn't dramatically help her son. She commented that she is humbled by the support she is receiving, and she is praying that God uses this for something even bigger. She wants the people to see the difference it makes in his life. She then read a letter from her son's school, Exhibit 4.

Heather Hall, 312 B Street, St. Augustine Beach, FL, explained that she is Ms. Wildasin's closest neighbor and has witnessed firsthand the effect the chickens have had on the family. She commented that the chickens have not impacted her family's quality of life and didn't even know they were there until her son was befriended Ms. Wildasin's son. She advised that her

son also has special needs and the chickens help both children. She remarked that she fully supports the family and them keeping their chickens.

Kevin Kincaid, 6 11th Street, St. Augustine Beach, FL, advised that he was a member of the Board and stated that there was some confusing regarding the Board's decision. He explained that there was strong and unanimous support on the Board to provide the relief that this child was looking for. He advised that the Board was frustrated that they were told that the Board was not allowed to consider this as a variance and the intent of the motion was to move it on to the Commission for a final decision because the Board was told they did not have the authority to grant the variance and there was no mechanism for the Board to handle it. This was approved by the Board to send this to the Commission with a strong recommendation to find a way to work this out. The Board wants to work with the citizens and to make life a better place in the City and it was frustrating that the Board could not assist the resident and didn't want the applicant to have them go on through another hurdle to get assistance. He said the Board fully supported the intent of the son's doctor's letter. He also advised that the Board wanted to refund their variance fee.

Jorge Ortega, 28 Magnolia Dunes Circle, St. Augustine Beach, FL, explained that he volunteers for the Florida Wildlife Conservation, specifically to the youth hunting program and the other camps in the Ocala Conservation Center. Our organization believes in what a young person obtains from being taught how to ethically treat animals by taking care of them, establish their wellbeing and leaves a mark on how to treat other people. This family has found a cure without medicines and therapy. They found a wholesome solution for their child and should be approved by the Commission and hoped that the appellant would have a heart and a soul to support this.

Mayor England closed the Public Comments section and asked City Attorney Wilson to comment.

City Attorney Wilson advised that the Board was trying to accommodate the wishes of the family and the Commission has the ability to do that by changing the Code or impose certain regulations if the Commission wants to allow this, but it could not be done through the Board. The Commission could resolve the issue without involving litigation. He explained that the HUD rules applies to HUD housing and the City does not have HUD housing. He commented that the City has its own regulations and do not have to follow HUD laws. He advised that the Commission has the right to do whatever they want to do for their own ordinances and make their own recommendations as necessary. That is what Home Rule is.

Mayor England advised that this is an appeal of the Board's decision to deny the variance. She explained that the Board approved a request and the Commission needs to see if there were grounds for the Board to grant the request.

City Attorney Wilson advised that the Board did not have the authority to grant the request and the Board is asking the Commission to make the decision. The Board's motion that they passed has no legal validity at all. He suggested to the Commission to grant the appeal and set aside the decision, but the Board wanted the Commission to find a way to grant the wishes of the mother and the child.

Mayor England advised that once the Commission decides on the appeal, then perhaps the Commission could talk about some alternatives. She advised that it is a Code Enforcement issue and the Commission could change the codes if they choose to.

City Attorney Wilson advised that it is not pending before the Code Enforcement Board, so it is a staff decision whether this goes to Code Enforcement at all.

Vice Mayor Kostka asked City Attorney Wilson how to make this work without changing the codes.

City Attorney Wilson said that the Commission could direct staff not to move forward on a Code Enforcement case, but the Commission could be running the risk that it is doing selective enforcement. The other alternative would be to create a way to have restrictions on how to keep these types of animals.

Vice Mayor Kostka asked if the Commission could add code language on how to bring support animals to the Commission for approval so it could be done case by case basis.

City Attorney Wilson advised yes; it could be regulated.

Vice Mayor Kostka explained that she was concerned about allowing it and instructing staff not to do anything about it because of others doing the same thing, but if the Commission agrees on adding codes for isolated instances on a case by case basis, that would give the Commission the knowledge of where it is within the community.

Mayor England advised that the Commission does not have all the information, and this is an unusual situation. She explained that the Commission has received testimony that there are federal and state laws that should be considered and suggested directing the Code Enforcement and the City staff to research this and then look at the ordinances to see if they need changes. She advised if there is no Code Enforcement case pending and the staff has time to research this issue, such as 90-days with an extension if necessary, then the Commission could learn more about what is under the federal and state laws.

Commissioner Samora agreed to have a mechanism in place in order to analyze each case, but feels that it is a slippery slope not to do any Code Enforcement and suggested researching the issue. He asked how long the process takes to modify an ordinance with public hearings.

City Attorney Wilson advised it would be two public hearings, which would be at least two months, but the Commission needs to explain what they want to do. He explained that it would be difficult for the City to get a Code Enforcement case prohibiting the chickens because of ADA circumstances and advised that he would have to research this further before it is brought up again. He commented that he hates to make law on one unique instance.

Commissioner Rumrell advised that St. Johns County allows only five chickens maximum and would the City have to follow that.

City Attorney Wilson advised that the City makes their own laws and doesn't have to abide by St. Johns County rules. The City has Home Rule. He explained that the best way to deal with this is to have something in the Code to permit this and put restrictions on it to protect the neighbors and ensure that everybody doesn't have a support chicken.

Mayor England made a motion and asked for a roll call vote.

Motion: to vacate the Comprehensive Planning and Zoning Board's decision based on the record and the advice of the City Attorney because of the lack of authority, lack of evidence on the record regarding at law. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Mayor England asked for a roll call vote.

City Clerk called the roll as follows:

MAYOR ENGLAND YES
VICE MAYOR KOSTKA YES
COMMISSIONER GEORGE RECUSED
COMMISSIONER RUMRELL YES
COMMISSIONER SAMORA YES

Motion passes 4 to 0.

Motion: to give guidance to the City's Code Enforcement to delay any Code Enforcement case on this issue and to give staff and the Code Enforcement Board adequate time to research the issue of reasonable accommodation under federal or state laws for a minimum of 90 days with perhaps an extension. **Moved by** Mayor England.

Commissioner Samora request to give them 120 days due to the change in the City Attorney.

Commissioner Kostka asked to request Building Official Law to develop the additional part of the Code.

Mayor England revised her motion.

Motion: to delay Code Enforcement for 120 days to give adequate time for research and to direct City staff to research any changes to our ordinances to accommodate emotional support animals. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Mayor England asked for a roll call vote.

City Clerk Raddatz called the vote as follows:

MAYOR ENGLAND YES
VICE MAYOR KOSTKA YES
COMMISSIONER GEORGE RECUSED
COMMISSIONER RUMRELL YES
COMMISSIONER SAMORA YES

Motion passes 4 to 0.

Mayor England recessed the meeting at 7:19 p.m. and reconvened the meeting at 7:26 p.m.

Mayor England moved on to Item 2.

2. Ordinance 20-01, Public Hearing and Final Reading: Restricting Micromobility Devices in Certain Areas and on Sidewalks (Presenter: James Wilson, City Attorney)

Mayor England introduced Item 2 and asked City Attorney Wilson for a staff report.

City Attorney Wilson advised that the Commission has discussed this issue for a couple of months, and he made some revisions that were requested by the Commission to be done

between first reading and this final reading. He summarized that the City is prohibiting the shared mobility devices from operating on sidewalks and they are restricted to motor vehicle traffic lanes. He explained this description would only apply to business related mobility devices, not other scooters and the City is prohibiting the shared mobility devices from operating in the City limits.

Mayor England asked for Commissioner comments or changes to the ordinance before approving.

Commissioner Samora advised on page 6, Section 19-66, subsection A, he was concerned over the language of (2) that this might be a conflict with the future River to Sea Loop where the paths are going to be eight feet wide and will be shared use paths. He asked if this ordinance accepts those shared use paths, which would be opened to motorized scooters.

City Attorney Wilson explained that the language designates the City Manager the authority for the shared path use. He advised that this is in the future and it is not applicable currently and could be addressed in the future when it comes to pass.

Commissioner Samora asked about page 6, Section 19-66, subsection A, (3) if the River to Sea Loop puts in a 12-foot wide sidewalk.

City Attorney Wilson advised it would be an exception to that language when the River to Sea Loop is done in the future.

Commissioner Samora asked to strike (3) out just in case.

City Attorney advised that would not be a problem if it is in the motion to do so. He then read the title of Ordinance 20-01.

Mayor England opened the Public Hearing. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised the Commission that they did good work on this issue and agrees with the Commission.

Mayor England closed the Public Hearing and asked for any further Commission comments. Being none, Mayor England asked for a motion

Motion: to approve Ordinance 20-01 subject to the amendment of removing subparagraph (3) of subparagraph A of Section 19-66. **Moved by** Commissioner George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor England moved on to Item 3.

3. Ordinance 20-02, First Public Hearing and Second Reading: to Adopt Changes to the Land Development Regulations (Presenter: Brian Law, Building Official)

Mayor England introduced Item 3 and asked Building Official Law for a staff report.

Building Official Law reported that last month the Commission saw the proposed changes from the Land Development Codes and went to the Comprehensive Planning and Zoning Board and recommended the ordinance as written.

Mayor England asked for Commissioner comments. Being none, Mayor England asked City Attorney Wilson to read the title of the ordinance.

City Attorney Wilson read the title of Ordinance 20-02.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing and asked for a motion.

Motion: to approve Ordinance 20-02. **Moved by** Commissioner George, **Seconded by** Mayor England. Motion passed unanimously.

Mayor England moved on to Item 4.

4. Ordinance 20-03, Public Hearing and Final Reading: to Adopt School Board's Five-Year District Facilities Workplan (Presenter: Max Royle, City Manager)

Mayor England introduced Item 4 and asked City Manager Royle for a staff report.

City Manager Royle advised this comes in front of the Commission every year and explained that by law the City must show support of the School Board's Five-Year District Facility Workplan.

Mayor England asked for Commissioner comments. Being none, City Attorney read the title of Ordinance 20-03.

Mayor England opened the Public Hearing. Being there were no public comments, Mayor England closed the Public Hearing and asked for a motion.

Motion: to approve Ordinance 20-03 as read. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item 5.

XI. CONSENT

5. Resolution 20-01, Having Canvassing and Certification of Vote-by-Mail Ballots Cast in the March 2020 Presidential Primary Done by the Supervisor of Elections and County Canvassing Board

Mayor England introduced Item 5 and asked City Manager Royle for his report.

City Manager Royle advised that this resolution gives the authority to the Supervisor of Elections and County Canvassing Board for the upcoming election.

Mayor England asked if there were any Commission discussion regarding the Consent Agenda. Being none, Mayor England asked for a motion.

Motion: to approve Resolution 20-01. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved on to Item 6.

XII. OLD BUSINESS

6. Legal Services: Review of Proposed Contract with Paul, Elkind, Branz & Paul of DeLand, Florida, for Legal Services as City Attorney (Presenter: James Wilson, City Attorney)

Mayor England introduced Item 6 and asked City Attorney Wilson for a staff report.

City Attorney Wilson reported he negotiated a new contract with Paul, Elkind, Branz & Paul and the only change they requested was to do 35 hours for the retainer for \$6,000 instead of 40 hours. He advised that the proposed contract is legally sufficient.

Mayor England asked for Commission discussion.

Commissioner George said that they seem to be backtracking by limiting the hours for the retainer. She explained that there were other applicants that were suggesting an hourly rate as opposed to the flat fee that the Commission requested. She commented that she discounted the points regarding the ranking of the applicants when they agreed to the flat rate. She said she was disappointed about the change.

City Attorney Wilson advised that it takes time going to the meetings and staff calls every day. He spoke to the firm about it, but they wanted the change. He commented that it takes him 40 hours, but they might be more efficient and can do the job in 35 hours. He explained that he anticipated changes on the contract when he spoke with them and advised that there are no term limits only a 30-day termination for either party of the contract.

Mayor England advised that the Commission can always renegotiate the terms after a year if the Commission feels they need to so.

Commissioner George advised that Attorney Groot could monitor his hours for a year with the Commission's proposed contract and then change the contract if he needs to after a year.

City Attorney Wilson advised that the Commission has always been responsive to his needs and has never had a problem with his billing. He explained that this firm is a reputable firm and they do a good job.

Commissioner Rumrell advised he reviewed the minutes and on page 6 they agreed to \$175 an hour and agreed to the revised request of the cap of the \$6,000 retainer. He asked about rollover time. He explained that if they don't bill us for time one month for all 40 hours, they could use it on a month that would be more time than 40 hours. He agreed that we need hard data of the time involved to see how much time it takes a month.

Mayor England asked if the Commission wants to go back to the firm to renegotiate.

Commissioner George advised that there was no limit of 40 hours on the retainer and she asked every applicant if they would agree to that, which they said they would. She commented that she would like a one-year cycle to what was agreed to because if they find after tracking the hours that they need more money, they have a 30-day notice to revise it. She suggested that the Commission reject the modification to paragraph B and play a hard bargain with the message that the Commission was negotiating for a flat rate to start out with a new firm and the Commission would be open to modifications when hard data is received.

Mayor England advised that if the attorney is tracking their time, the City may lose out on that.

Commissioner George advised that she doesn't want to lose them, but there were other applicants at the meeting that agreed to the terms provided.

Mayor England asked City Attorney Wilson if he would continue if this contract does not work out.

City Attorney Wilson advised that he would.

Commissioner George suggested approving the contract with the removal the modified language and resend it back to the law firm signed by Mayor England.

Commissioner Kostka advised that changing the terms after-the-fact is disingenuous. She asked who the primary attorney would be.

Commissioner George advised that Attorney Groot would be the primary attorney.

City Attorney Wilson advised that this was the proposal.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with the rejection of the contract and give a counteroffer. He suggested to go with Ralf Brookes, who was the second candidate that the Commission ranked.

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

Commissioner Samora asked if it would be in the Commission's scope to give the authority to the Mayor to negotiate the contract. He explained that he hates public negotiations and feels that it is almost impossible to do. He advised that he would not want to go back to the interviewing process again.

City Attorney Wilson advised that Commissioner Samora wants to make that part of the motion, he would let the firm know tomorrow morning and then if the firm rejects the counteroffer the Mayor could negotiate the terms. He advised that he would stay for the duration during the negotiations.

Mayor England agreed to sign the contract with the removal of the changes in Section B and send it back to them. She explained that the firm could start and if they are not happy with the number of hours, the firm can give their 30-days' notice or renegotiate the contract.

Commissioner Kostka asked if the firm does not agree with the contract, does the Commission have to go through the interview process again or can the Commission go to the second ranked firm.

City Attorney Wilson advised that the Commission can go to the second choice or the Commission could revote.

After discussion, Mayor England suggested to remove the changes in Section B and see if the firm will accept it.

Mayor England asked for a motion.

Motion: to approve the contract draft as presented subject to the modification of removing the language added to paragraph B's second paragraph starting the reference to see attached Exhibit B for regular scope of work. **Moved by** Commissioner George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor England moved on to Item 7.

7. Drainage Project to Pipe Alley between 2nd and 3rd Streets from 2nd Avenue to the Sea Oaks Subdivision: Award of Bid to Hassell Co Int of Orange Park, Florida, for \$119,999.00 (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 7 and asked Public Works Director Tredik to give a staff report.

Public Works Director Tredik showed PowerPoint presentation (Exhibit 5) to the Commission. He recommended Hassell Co. Int., LLC, which is the lowest bidder to do the drainage project to the Commission.

Discussion ensued regarding the Public Works Director reviewed the specifications of the contract to make sure that nothing was left out of the contract of change orders will be requested later; staff is using the City's standard contract; has language regarding penalties for any delays; staff checked the firm's references; and staff changing the contract on page 25, Article 3 to 120 days instead of 150 days.

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

Ann Palmquist, 213 10th Street, St. Augustine Beach, FL, was concerned over the flooding problems and sea level rise in the area and suggested that the City install outflows and not doing this piece meal.

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

Discussion ensued regarding piping having less maintenance than ditches; workers would be able to get into the pipes to clean as necessary; the need for a separation between the houses and ditches for safety reasons; some properties are concerned about their decks being afflicted; and what does the Master Plan have for open ditches.

Mayor England asked for a motion.

Motion: to approve the bid as recommended to staff Hassell Co. Int., LLC with correcting typos in the contract. **Moved by** Commissioner George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor England moved on to Item 8.

8. Ordinance 20-05, First Reading, to Amend Chapter 10 of the City Code re: Garbage and Trash Service (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 8 and asked Public Works Director Tredik for a staff report.

Public Works Director Tredik showed PowerPoint presentation (Exhibit 6) to the Commission. He explained the changes made to the ordinance since the discussion at the January 6th Regular Commission meeting. He recommended not keeping the language with non-ad valorem assessments for collection and disposal in this ordinance.

Mayor England asked if the ordinance could be changed to show definitions in Chapter 2 instead of the transient rental's definition in this ordinance so when the definitions change, the Commission would not have to research the full code of ordinances for all the definition changes.

Director Public Works Tredik advised that he could do that.

Mayor England requested to change on page 10, Section 10-4, (1) and (2), to say “either or” have four 32-gallon waste receptacles or two 65-gallon waste receptacles. On page 12, she requested to change the (e) to (f) and on page 16, (e) should be changed from the City’s Police Department to Code Enforcement or proper authority of the City.

Commissioner George requested to insert the word “be” before the word constructed on page 8. She advised that on page 17 she wanted to discuss the City purchasing receptacles. She suggested the City provide a decal so the businesses could use the ones they already have.

Discussion ensued regarding the receptacles having to be a certain quality; required special lids so animals cannot get into them; when the business owned receptacle needs replacing, the business would have to replace them with a City receptacle; having consistency with the receptacles; putting decals on cans instead of custom cans being made; having addresses on the cans so people will not take other people’s cans; implementing the purchasing of the cans in October; receptacles need to have locking mechanisms on the lids for transient rentals to keep animals out; writing in the ordinance that the receptacle must conform to the minimum requirements and be subject to the Public Works Director approval; and have language for a transition period for businesses using their own cans until the City have them available.

Commissioner Samora asked how many current customers will be affected by the six or more-unit criteria.

Public Works Director Tredik advised he would have to research that.

Finance Director Douylliez advised at last count it was 10 to 15 condominiums that were six or less units.

Commissioner Samora asked how many businesses will be affected with the discontinuation of services by those generating ten 32-gallon receptacles.

Public Works Director Tredik advised four.

Commissioner Samora requested on page 16, Section 10-15 (a), to include transient rental units with the hotels and motels language, since that is a significant change.

Public Works Director Tredik advised that he would make that change.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments Section and asked City Attorney Wilson to read the title of Ordinance 20-05.

City Attorney read the title of Ordinance 20-05.

Mayor England asked for a motion.

Motion: to approve Ordinance 20-05 with the amendments that have be stated including the insertion of the word “be” on page 8, correcting page 12 the labeling of subparagraph “e” to “f”, page 16, subparagraph (e) striking the reference to the city police department and inserting instead Code Enforcement, under Section 10-13 (a) on page 16 adding the word “transient rentals” in the list of hotels and motels and removing the reference to the non-ad valorem collection and disposal as recommended by the Public Works Director. **Moved by** Commissioner George, **Seconded by** Commissioner Samora. Motion passed unanimously.

XIII. NEW BUSINESS

9. Personnel Manual Changes: Consideration of Resolutions re: Additional Holidays, Overtime Pay and Compensation During a Declared Emergency (Presenter: Beverly Raddatz, City Clerk)

Mayor England introduced Item 9 and asked City Clerk Raddatz for a staff report.

City Clerk Raddatz reported that the first resolution, Resolution 20-02, adds Christmas Eve and Good Friday to the holiday listing. She advised that the employees do get a half a day off on Christmas Eve, but as in previous years, most residents or the public think that city hall is closed when St. Johns County and the City of St. Augustine are closed and staff does not have many requests or phone calls on that day. She also advised that it would make the benefits more competitive with neighboring government agencies.

Commissioner Kostka thought it was a good idea because when other offices and banks are closed it hinders employee work but recommended that the City follow the State of Florida holidays since the City is within the State of Florida.

After discussion the Commission agreed to leave the holidays that are proposed in Resolution 20-02; however, the Commission wanted the employees to know that employees can have the opportunity to take vacation days for other religious holidays.

Mayor George asked about Resolution 20-03 regarding exempt employees receiving overtime for declared emergencies.

City Clerk Raddatz advised that the City's Personnel Manual did not have guidelines on what to pay employees during a declared emergency. She explained that she was trying to uniformly follow the Fair Labor Standards Act (FLSA) regarding overtime pay. Currently the employee can receive overtime when taking vacation or compensation time. She requested that we follow the FLSA, which means that the employee would have to work 40 hours a week to get overtime and vacation or compensation time would not count as overtime but would be done as straight time if the employee did not work 40 hours. She explained during a declared emergency and with the City Manager or Chief of Police's authority, employees who work over 40 hours would get overtime. She included exempt employees who work during the emergency because it is mandated by the City. She advised that having a policy or guideline would also help in recovery of the FEMA funds after the emergency.

Mayor England advised that if the employee is exempt then they don't get overtime because it is not mandatory; however, if it is mandatory, then they should get paid overtime.

City Clerk Raddatz advised that it is only during a mandatory declared emergency when the City is closed.

Police Chief Hardwick advised that the Police Department become exempt employees during a declared emergency according to the FLSA. He explained that he managed the employees and sent them home as much as possible, but with three hurricanes in a row, that is difficult. He advised that the Police Department does not have a union because they trust the Commission to do the right thing for the employees.

Commissioner Rumrell advised that when St. Johns County Board of Commissioners declares an emergency then mandatory employees can get overtime, which is reimbursable through FEMA.

Police Chief Hardwick advised that his employees work 12-hour shifts and they will receive overtime if they must complete a report on an accident even though they took vacation during that week because they are subject to special exemptions as sworn police officers.

Finance Director Douylliez advised that federal law says standard employees must work 40 hours a week in order to get overtime. She explained that vacation time, sick time, and compensation time do not constitute hours worked. She advised that staff is trying to make it more standard with federal law. She explained that the City was shut down after the emergency and there were no guidelines that FEMA could go by to reimburse the City.

Police Chief Hardwick advised that when the state and county declares an emergency the City Manager and Police Chief have meetings to decide when to close city hall and they are very careful to wait until the last minute to allow city hall to be closed. After they agree, they close city hall and the employees who are not mandatory leave and the staff according to federal policy must pay the employees because it is out of the control of the employees.

Commissioner George asked to make the language more defined for when city hall is closed.

Mayor England suggested that Resolution 20-03 come back at the March Regular Commission meeting with more defined language.

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

Mayor England asked for a motion.

Motion: to approve Resolution 20-02. **Moved by** Mayor England, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item 10.

10. Ordinance 20-04, to Amend the Land Development Regulations by Establishing Section 5.06.00 for Dune Protection (Presenter: Brian Law, Building Official)

Mayor England introduced Item 10 and asked Building Official Law for a staff report.

Building Official Law reported that with the adoption of the Comprehensive Plan it has given staff direction to amend the Land Development Regulations. He explained that under Section 5.06.00 of the Comprehensive Plan it requires policies to be written and included that the City will not approve nor recommend development that modifies the undisturbed areas of the coastal dune system of the City of St. Augustine Beach. He inserted nor recommend and coastal. He asked for assistance from Florida Wildlife for technical assistance so language can be updated in Section 5.06.00.

Commissioner George asked what the intent means for undisturbed areas.

Building Official Law advised that if an individual modified a dune it would be disturbed but explained that once the modification was done then it would be undisturbed at that point.

Commissioner George asked if the word undisturbed could be removed.

Building Official Law advised that he would. He took the language of what the Comprehensive Plan said and moved it over.

Mayor England advised that Sea Colony or other areas that have dunes that are developed subdivisions explained that those are disturbed, so the Commission wouldn't want this to go that far.

Commissioner George advised that an applicant could come forward with a variance if there is a reason for it.

Building Official Law explained that an applicant would submit an application with an intent to modify a coastal dune, which requires a DEP permit. He commented with the Comprehensive Plan in place and the modified building codes it would be an automatic rejection for the Building and Zoning Department and give a zoning verification letter based on the Comprehensive Plan and the Land Development Code. Then the applicant could apply for a variance and the Comprehensive Building and Zoning Board could decide based on the facts of the case and if they still were not happy, they could appeal it to the circuit court.

Commissioner Samora advised that there are other areas west of A1A Beach Boulevard that have subdivisions next to Hammock Dunes Park that have the same dunes topography. Whispering Oaks homes are cut right into the dunes and they would be affected too.

Mayor England advised that there must be a way to handle a dune if a tree needs to come down in order to build a reasonable home.

Building Official Law advised that was why he included the word coastal.

Mayor England asked to create a definition of coastal dune.

Building Official Law could create a definition and define how far into the City this goes.

City Attorney Wilson asked Building Official Law if he wanted to define the coastal construction control line.

Building Official Law explained the coastal construction control line.

Commissioner George suggested language of ocean fronting coastal dune system. She also suggested coastal dunes system immediately adjacent to the public beach in the City of St. Augustine Beach.

Building Official Law agreed and will modify the language of the ordinance.

Commissioner George asked if this would affect beach renourishment.

Building Official Law advised that he thought about that and would meet with Fish and Wildlife to discuss that aspect.

Commissioner George asked to include in the ordinance the language "with exception to government work."

Building Official Law agreed to put language of beach renourishment under exceptions.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, suggested that the Commission contact Michael Shirley who is a scientist and would help draft the ordinance.

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

After request from Mayor England, City Attorney Wilson read the title of Ordinance 20-04.

Mayor England asked for a motion.

Motion: to approve Ordinance 20-04 with the following amendments: 1) removing the word “undisturbed”, 2) adding language defining the coastal dune system as being immediately adjacent to the public beach, 3) identifying exceptions including nourishment work. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved on to Item XIV, Staff Comments.

11. Changes to Zoning and Building Permit Fess: Consideration of Resolution 20-04 to Adopt (Presenter: Brian Law, Building Official)

This Item was rescheduled to March 2, 2020 at 6:00 p.m.

VII. PRESENTATIONS

B. Presentation by Mayor Margaret England of Plaque to Mr. James L. Wilson for Four Years of Service to the City as Its City Attorney

Mayor England presented City Attorney Wilson with a plaque for his four years of service. She thanked City Attorney Wilson for being so generous with his time.

City Attorney Wilson thanked the Commission and commented that it has been a pleasure to work with the Commission and it has been fun.

XIV. STAFF COMMENTS

Mayor England asked City Manager Royle to start staff comments.

Police Chief Hardwick advised he had no comments.

Finance Director Douylliez advised that interviews for the position of Communications and Events Coordinator were complete and an offer has been made so we may have an employee on staff shortly.

City Clerk Raddatz advised that she has been preparing the Request for Proposal (RFP) for the City’s insurances. She commented after speaking with other cities, they advised not to put the Request for Proposals (RFP) for medical and property insurances together in case there is a better bid for medical. Also, she remarked that medical insurance cannot be quoted before July 2020, but the property, auto, etc. RFP would be sent in March.

Public Works Director Tredik advised he submitted the Land and Water Conservation Program for Ocean Hammock Park and will submit for the district wide Cost Sharing Program for the weir project and will be bringing the amber street lighting project back to the Commission next month. He advised that he is still working out a few details before he brings it back.

Building Official Law advised that Jennifer Thompson, Permit Technician, is going to the Florida Association of Code Enforcement conference for training and will test next Saturday for her certification as a Code Enforcement Officer. She is also testing for permit technician certification before that.

City Manager Royle asked for a clarification for the topic of parking as it is not paid parking.

Commissioner Kostka advised that it would be for other parking issues that have not been addressed.

Mayor England asked Commissioner Kostka to get with staff for agenda items.

Mayor England asked if there were any Commissioner comments before adjournment. Being none, Mayor England moved on to Item XV, Adjournment.

XV. ADJOURNMENT

Mayor England asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 9:29 p.m.

Margaret England, Mayor

ATTEST:

Beverly Raddatz, City Clerk



MINUTES

SPECIAL COMMISSION MEETING

MONDAY, FEBRUARY 10, 2020 AT 5:30 P.M.

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

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor England led the Pledge of Allegiance.

III. ROLL CALL

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

Also present were: City Manager Royle, City Attorney Wilson, City Clerk Raddatz, Police Chief Hardwick, and Building Official Law.

IV. SECTION 1-5 OF THE CITY CHARTER: VOTE TO DETERMINE THAT MEETING IS AN EMERGENCY (Super Majority Vote Required)

Mayor England introduced Item IV and asked the Commission for a motion if they agree to the emergency meeting.

Motion: that this meeting complies with the requirements for emergency meeting. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. The motion was unanimous.

Mayor England then moved on to Item V.

V. IF AFFIRMATIVE, DISCUSSION AND DECISIONS RE: NEXT STEPS FOR SELECTING A CITY ATTORNEY

Mayor England introduced Item V and advised that five firms have been interviewed, a firm was selected, and negotiations failed. She advised that there were four other law firms that the Commission could consider. The names for the four firms were: Attorney Craig Sherar from Palatka; Attorney John Wallace from Jacksonville, who has left the firm he was at to establish his own law firm; Attorney Ralf Brookes; and Attorney Denise May from Marks Gray law firm.

City Manager Royle advised that Attorney Douglas would also like to be interviewed.

Mayor England added Attorney Douglas to the list of firms. She advised that a Special Commission meeting should be scheduled by the end of February.

Commissioner Rumrell suggested having City Attorney Wilson start negotiating with the standard proposed contract for all the firms so when the Commission know what the law firms prefer in order to prevent the same situation the Commission had previously.

City Attorney Wilson advised that he would send the proposed contract out to all the firms by tomorrow. He commented that he would maintain the position until another City Attorney is selected.

Commissioner Samora asked if Attorney May from Marks Gray apply the first time.

City Attorney Wilson advised yes, but Marks Gray firm didn't agree to the changed conditions. He explained that Ms. May was concerned about the driving time but has resolved that issue with her firm. He stated that that firm works with the City on insurance matters.

Commissioner George agreed with Commissioner Rumrell. She suggested that those who were already interviewed could only make additional comments to the Commission but not be interviewed from the beginning.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, explained that five firms did not honor the contract; however, Attorney Brookes already sent back a signed contract and the Commission could accept the contract right now. He commented that Attorney Brookes was second in the selection process and it is not fair that the other applicants who didn't want the position to be considered. He explained that Marks Gray's firm has a conflict of interest because the firm does the City's insurance.

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

City Attorney Wilson advised that several cities do their own defense work and represent cities. He commented it was not a conflict of interest and conflict of interest is defined by Bar rules and there is nothing in the Bar rules to prevent this.

Commissioner George asked if there was an issue whether the City could have another attorney review it.

City Attorney Wilson advised that firms always have teamwork. Insurance and city work are two separate types of work and explained that if the City picks a firm that does both types of work, both attorneys would have the day to day knowledge of the City.

Mayor England asked the Commission if it was ever said that Attorney Brookes would be hired if the negotiations failed.

All the Commissioners agreed that it was never mentioned that Attorney Brookes would get the contract if negotiations failed.

Commissioner George asked if there is any problem allowing new applicants to apply.

City Attorney Wilson advised no. He explained that the Commission could go back to the beginning if they want to and the Commission does not have to take the second-place applicant.

Commissioner George asked if Attorney Wallace had any written correspondence that he did not want to agree to the proposed language.

City Manager Royle and City Clerk Raddatz advised no.

Vice Mayor Kostka agreed to negotiated with all the firms by sending a contract to all five firms and see what they prefer.

City Manager Royle advised that the deadline to get the firm's contracts should be February 21, 2020, so he can print the contracts and give it in time for the Commission and the public to receive them.

Discussion ensued on what date to have the Special Commission meeting.

Motion: to schedule a Special Commission meeting on March 2, 2020, at 5:00 p.m. **Moved by** Commissioner George, **Seconded by** Commissioner Samora. The motion was unanimous.

Mayor England then moved on to Item V.

VI. ADJOURNMENT

Mayor England asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 6:52 p.m.

Margaret England, Mayor

ATTEST:

Beverly Raddatz, City Clerk



MINUTES

JOINT CITY COMMISSION AND COMPREHENSIVE PLANNING AND ZONING BOARD WORKSHOP

MONDAY, FEBRUARY 10, 2020 AT 6:00 P.M.

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

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor England led the Pledge of Allegiance.

III. ROLL CALL

Mayor England asked City Clerk Raddatz to do the roll call for the Commission and the Comprehensive Planning and Zoning Board.

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

Present: Chair Kincaid, Vice Chair Odom, Members: Hester Longstreet, Steve Mitherz, Chris Pranis, Dennis King, and Larry Einheuser.

Also present were: City Manager Royle, City Clerk Raddatz, Building Official Law, and Executive Assistant Miller.

IV. WELCOME BY MAYOR ENGLAND

Mayor England welcomed the Comprehensive Planning and Zoning Board members and advised that she hopes this is many of the first annual workshops with the Board. She explained that the Commission has wanted to meet with the Board for some time and even if more workshops need to be scheduled, the Commission would like that. She wants this workshop to be informal and if anyone has a comment, please raise it. She suggested at the end to give thoughts on what the Board members or the Commission really wants to see done.

Mayor England moved on to Item V.

V. TOPICS

- a. Expectations: What are Commission's expectations of the Planning Board, specifically related to what may the Board do to help the Commission do its work? (This was suggested by the Board's Chair, Kevin Kincaid.)
- b. Values: Discussion of values so that Board members can clearly understand the value they provide to the Commission. (Suggested by Mr. Kincaid)

Mayor England introduced Item V.a. and V. b. and advised that the topics came from the Commission and Chair Kincaid.

Discussion ensued regarding the Commission needs the Board to hold the meetings according to the code of ordinances and be formal with finding of facts and reasons for the Board's decisions on the cases they hear; requires the minutes of the Board before the Commission hears the case; wants the Board to feel valued and respected; Commission wants to help the Board do their job and if there is a problem to inform the Commission so it can be fixed; wants staff to provide all the tools and resources needed; wants to have a liaison to go to the City Commission meetings so that the Commission could ask questions on what happened at the Board meetings; encouraged Board members to take advantage of education opportunities; the Sunshine Law, Code of Ethics, and diversity training will be done by the new City Attorney for the Commission and Board members; City emails should be utilized because of the public records law and if you don't use it, please advise the IT Department so we don't spend the extra money for it and check with the IT Department to see if there could be an alternative of a different email address; the Commission appreciates and values the Board; a Board liaison is important to go to the Commission meetings because feedback from a Board member is priceless to the Commission in making decisions; Board motions should have the reasons in their motions; have more joint meetings instead of just once a year; be proactive in policies by giving recommendations to staff or the Commission for the community; the Board having the power to hold Special Comprehensive Planning and Zoning Board meetings when necessary; and the Commission not going to the Board's meetings because it might put pressure on the Board to vote a certain way and also because if more than one Commissioners come to the Board's meetings and participates, there could be a Sunshine Law violation because the case would have to go in front of the Commission eventually for approval or denial.

Mayor England moved on to Item V.c. and V.d.

- c. Principles: How may the principles of the Planning Board be aligned with the Commission's principles to better serve the City? (Also suggested by Mr. Kincaid)
- d. Communication: How can communication between the Board and the Commission be improved?

Mayor England introduced Item V.c. and V.d and explained that both the Commission and the Board need to communicate. She gave an example of conditional use permits changing from a residential zone to a business zone. She advised that the direction of the

Board and their consensus would be important to know for the Commission. She commented that direct communication would be the best.

Chair Kincaid commented that he would like to avoid the Board going in one direction when the Board is not aligned with the Commission. He explained that it has happened a couple of times on cases. He commented that if the Board and the Commission are going in separate directions, it affects both the Board and the Commission's credibility to the citizens. He would like to avoid that if possible, by communicating with one another.

Board Member Mitherz advised that both the Commission and the Board would have to be careful to avoid collusion and the Board should be autonomous.

Mayor England advised that each case is on its own merits and facts but if both the Board and the Commission stay with the principle, findings of facts and reasons for the Board's decisions, that would go a long way. She gave the example of previous Mayor George doing an awesome job with the motion for Embassy Suites' case for the waterslide and the City won the case because of her motion being so detailed and formal.

Discussion ensued regarding receiving feedback from the Commission on cases that the Board has heard; software that staff is using to help with the history of each case; having staff place a copy of the Commission minutes and a copy of the City Manager's Monthly Report in the Board's packets.

Mayor England asked Chair Kincaid to follow up with City Manager Royle on what specifically what the Board would like included in the Board's packets.

Commissioner George asked if the Board is receiving the Florida Planning and Zoning Association updates on what decisions have been made regarding case laws and asked if not, to please get that for the Board because it was very helpful.

Building Official Law advised that he would look into that and the costs.

Commissioner Kostka commented that communications work best when it is clear and effective and advised that the Commission, the Board, and staff are here for the pleasure of the community and to work together to accomplish great things.

Mayor England moved on to Item V.e.

- e. Variances and final development orders: Need for the Board to cite specific reasons for approval or denial. (Suggested by Commissioner Samora)

Mayor England introduced Item V.e. and explained that this topic has been discussed regarding the need for formality in the motion and giving the findings of facts and reasons for the approval or denial.

Commissioner Samora agreed with Mayor England.

Mayor England moved on to Items V.f. to V.j.

- f. Planner: Discussion of whether a City staff planner needed. If so, to do what in particular? Would a consultant planner be more cost effective for specific projects?
- g. Dealing with sea level rise, resiliency and sustainability issues: Discussion of the role of the Planning Board as the City's land planning agency to review proposals from residents and the Sustainability and Environmental Planning Advisory Committee and provide recommendations to the City Commission as to which proposals should be accepted and whether a consultant planner is needed to develop and help implement them.
- h. Training: When to schedule training by the City Attorney on the Sunshine Law and related matters.
- i. Joint Meetings: When to have them.
- j. Other issues that the Board and Commission may want to discuss.

Mayor England introduced Items V.f. – V.j. and explained that Building Official Law is a specialist in the building codes and the Building Department; however, there is a need for a planner with that expertise. She explained that a planner works on projects like the architectural designs on A1A Beach Boulevard, planning for more mixed uses, planning for commercial zonings, creating a Vision Plan, etc. She commented that she would like to invite more retail in the City and deal with the parking issues. She explained that the City is at a critical mass point on renovations of commercial properties on A1A Beach Boulevard.

Building Official Law explained that the Building Department funds cannot be utilized except in the Building Department; however, one-half of his salary is funded by the Planning account. He suggested having the Building Department pay for his full salary and hire a Planner with little experience and have Bonnie Miller, Executive Administrative Assistant become the Department Head for Planning and Zoning over the Planner in order to give her historical knowledge to the Planner for the City's Planning and Zoning Department until Ms. Miller retires in five years. Building Official Law explained that if a Planner was hired, then he would no longer be a source for planning questions.

Mayor England explained that no decision would be made at this meeting, but it is opened for discussion.

Chair Kincaid advised that he feels it is important for the overall vision of the City and what it becomes in the future. He explained that with turnover on the Board and Commission the vision of the City is lost for certain time periods. He agreed with having a direction to go through and a person to carry out that vision, which is long-term.

Board Member Longstreet advised that there is a Vision Plan, and nothing was done with it, which cost the City money to do. It is a shame that the citizens gave a lot of time and effort doing a Vision Plan in 2006 and nothing has been done on it.

Commissioner George advised that the Vision Plan has been used in various ways. She explained that the Commission has adopted the mixed-use ordinance, researched the roundabout roadways and were told they were not feasible at the time, angle parking, increased development on A1A Beach Boulevard which has more mixed-use and pedestrian friendly. She commented that the Vision Plan has been cherry-picked, but she is not sure why it was done that way because it was before she was on the Commission. She advised that the Commission used it for the Land Development Regulations and the Comprehensive Plan. She commented that underground utilities have not been done and she would like the Commission to move forward with that. She advised formally adopting the Vision Plan would not do much because it still needs to be implemented. She remarked that if there was someone on staff to do it, then it would be expected to be done.

Board Member Longstreet advised that she thought that the Commission and the Board were going to work on the Vision Plan together to get it done. She explained that only Commissioner George and Mayor England have been on the Board previous to becoming a Commissioner and it used to be an unwritten law that in order to be on the Commission, the resident needed to be on the Comprehensive Planning and Zoning Board, in order to understand the process.

Commissioner Rumrell advised that he has had 12 years of experience presenting Planning and Zoning Board information in Duval and St. Johns Counties and has brought public/private partnerships and gone through the beginning and the end of all projects including the Vilano Beach Publix, which he did himself.

Board Member Longstreet advised that Commissioner Rumrell has not been on the City of St. Augustine Beach's Comprehensive Planning and Zoning Board.

Commissioner Rumrell advised that he feels that his experiences have given him just as much if not more than being a member of the City's Comprehensive Planning and Zoning Board.

Board Member Longstreet advised that when the Commission is talking about expectations, values and principles, it would have been more beneficial if all the Commissioners were on the Comprehensive Planning and Zoning Board first because they would know why the Board made their decisions.

Mayor England advised that the Commission will try to allow more training in order to learn the duties of the Board and the Commission. She explained that there would be more joint workshops in the future.

Board Member Longstreet commented that in the past the three Boards, Beautification Advisory Committee, Comprehensive Planning and Zoning Board, and the Commission took the place of a Planner.

Board Member Mitherz commented that he is not opposed to a Planner but didn't know if it should be in-house or a consultant. He explained that he was on the Vision Committee that was done in 2006 but did not know if the goals are still the same after so many years.

He advised that he rather see a new Vision Plan to see where the City is right now than an old Vision Plan. The Vision Plan may not be able to be done in-house.

Mayor England remarked that City Manager Royle has started a draft of a new Vision Plan and Mission Statement that will be brought to the Commission on an upcoming agenda and will be shared with the Comprehensive Planning and Zoning Board.

Commissioner Kostka advised that providing the Commission minutes to the Board will help to keep them informed. She was concerned over Board Member Longstreet's comments that she would not understand because she was not on the Board prior to being elected to the Commission.

Board Member Longstreet advised that the Board feels that way.

Commissioner George advised that the Commission may be elected, but there are 12 representatives that have been appointed which includes the Board members. She explained that the Commission relies upon the Board to help the Commission with what the citizenry wants. She advised that it is okay if the Board doesn't agree with the decision of the Commission and the Commission does not hold that against the Board. She feels that the Commission does not always agree and don't have unanimous votes all the time but feels that the differences in opinions with the Board and the Commission was more in the past than now. She commented that it all comes back to communication, which is a two-way street.

Chair Kincaid advised having a liaison will help the Commission because the Board minutes don't accurately give you the full picture just like at the last Commission meeting. He stated that the Vision Plan should be done by staff, Commission, and all Boards. He explained that all the Board members want to do a good job and support the City and make the City a better place to live and enjoy life. He commented that more accurate and detailed minutes need to be done from the Board.

Commissioner Samora asked for more detail in the motion so the Commission can see the intent of the motion.

Commissioner George suggested to ask the City Attorney what facts should be built in the motion.

Mayor England asked the Commission and the Board to think about what the Planner could accomplish for the City, such as architectural design on A1A Beach Boulevard, increasing more retail in the City, parking, mixed-use, and enhance revenues.

Discussion ensued regarding whether the City should hire an in-house Planner or a consultant; costs for a Planner; long-term effects, such as sea level rise, ocean encroachment on land, beach renourishment, increased traffic ratio on A1A Beach Boulevard, and the old city hall.

Commissioner Rumrell advised that an in-house Planner would be cheaper than a consultant, even if the Planner is part-time. He likes having succession plans.

Discussion ensued regarding the 2006 Vision Plan; working on a new Vision Plan in the future; and whether to hire a consultant or have a Planner to do a new Vision Plan or have community workshops.

Board Member Odom commented that she would like an in-house Planner.

Commissioner Rumrell agreed because an in-house Planner would have to own their work.

Building Official Law suggested to get a new Planner to make the salary work and after Ms. Miller leaves the City, then the Planner would be in charge of the Planning and Zoning Department.

Discussion ensued regarding what the role would be for the Building Official after hiring a Planner; Building Official would do the flood insurance program, building code audit program, and will maintain authority over the Code Enforcement program; separating the Building Department into two departments as Building Department and Planning and Zoning Department; hiring an administrative assistant to work with the Planning and Zoning Department when Ms. Miller retires; whether a City this size should have two departments; what happens when building in the City slows down; the Building Official is authorized to charge whatever is necessary to run the Building Department; whether part of the funding come from the General Fund when hiring the Planner; money for the site plan reviews would be transferred to the General Fund if a Planner and Administrative Assistant hired; the Building Department would not review the site plans after the hiring of the Planner; and suggestions of increasing fees to pay for the employees for the Planning and Zoning Department.

Mayor England asked the Commission and the Board to send any questions about the hiring of the Planner to City Manager Royle to address, such as what the Planner would do, part-time or full-time position, and what alternatives are there.

Commissioner Kostka asked staff to reach out to the City of St. Augustine to see their Planning Department needs and expenses.

Mayor England advised that she has reached out to City Manager Regan of the City of St. Augustine to sit with their Planning Department and see what their planners do. She suggested that the Board be invited when the Commission discusses the Planner position as a critical topic.

Discussion ensued regarding when to have another joint workshop and that the Board can reach out to the Commission as needed.

Mayor England moved on to Item VI, Public Comment.

VI. PUBLIC COMMENT

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, commented about the Building Department's hostile working environment with the resigning of Attorney Jane West, Ms. Sloan, and him; complained that this meeting was in direct conflict with the City of St. Augustine's meeting; asked about Building Official's relationship with a subordinate employee and the lack of the City fraternization policy; asked for a public response to Attorney West and Ms. Sloan's resignation letter; Building Official Law not relaying information from the Comprehensive Planning and Zoning Board meetings to the Commission; Building Official Law is rude and crude and asked what City Manager Royle is doing about it; and is not satisfied on how this workshop has been conducted.

Ann Palmquist, 213 10th Street, St. Augustine Beach, FL, agrees with having more communication between the City's Boards and the Commission; Boards are valuable and are very important; and concerns over piping of water to sewer from septic tanks due to the costs.

Commissioner George asked Mayor England if there would be joint workshops with all the Boards.

Mayor England advised that it was not affirmed, but it could be done and asked Commissioner George to bring it up at the next Commission meeting.

Sandra Krempasky, 7 C Street, St. Augustine Beach, FL; advised that SEPAC takes their jobs very seriously; SEPAC is having documentary movies at the local library about sea level rise with speakers; and requested to invite the SEPAC members to the next joint meeting.

Mayor England advised that SEPAC was invited, and it might be better to meet with each Board separately but invite the other Board members to the joint workshops.

Commissioner George asked that the Vision Plan and other resources also be given to SEPAC.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, handed out Exhibit 1 to the Commission and Board members. He agreed with funding a Planner and allowing Ms. Miller to be the Director of the Planning and Zoning Department until she retires. He explained that the splitting of the departments speaks to the resignation letter and stated from language on Exhibit 1 regarding the Comprehensive Planning and Zoning Board.

Mayor England advised City Manager Royle would give any information that any Board needs. She advised that if anyone asked for a document, they should be able to ask for it and get it, but staff may not be able to get into long policy discussions at that time because they are busy. She advised that anyone is welcomed to discuss policy decisions with the Commission or the City Manager.

Commissioner George advised that she like to know if anyone has concerns over all the administration because she wants to know what is going on and wants to make sure any concerns are addressed. She explained that previously Boards were not getting information they requested, and she said that since there were staff changes, her understanding was that that has not continued, but then she saw the resignation letter. She asked for more information from the Boards if there are any concerns individually or as a whole. She advised that the Commission wants to know that the City Manager is doing his job.

Board Member Pranis advised that the resignations were not shared with the Board and he depends on staff to understand his new position as a member. He advised that he has not found that he has been receiving inaccurate or insufficient information from staff. He explained better communications from the Commission will help a lot and advised that the resignation letter was not shared with the Board members and doesn't know what the reasons for their leaving were.

Commissioner George advised that it would be up to the Board members to decide if they wanted to know why the other Board members left. She explained that there was frustration, whether it was from the Commission or the City Manager, the Commission should dig into the that and find out whether it was isolated instances or if there were accumulation of experiences and what the Commission could do to make it better.

Mayor England closed the Public Comments section and then moved on to Item VII, Closing Remarks.

VII. CLOSING REMARKS BY MAYOR ENGLAND AND CHAIR KINCAID

Mayor England introduced Item VII and asked for any closing remarks.

Chair Kincaid commented that he is happy and honored to be a part of this Board and feels that the Board does a very good job normally to work towards a better environment for the community and visitors. He explained the more communication and education, the better it will be to work towards the Board's mission.

Board Member Odom agreed with Chair Kincaid and likes more communication and transparency to be helpful to the community.

Mayor England advised that the Commission was going to have this joint meeting before the resignation letter. It was a shame that the resignations were done before the joint meeting.

Board Member Pranis advised that he would like some more knowledge of the codes so he could interpret the codes properly.

Mayor England asked to pass more resources along from the Commission to the Board.

Commissioner Samora commented that it was a productive meeting and looks forward to more joint workshops in the future.

Commissioner Rumrell thanked the Board members for all they do and advised that it is important to learn and understand the Board members' perspectives. He commented that we all are a team and come together for the community. He advised that his phone number is accessible, and he is happy to discuss any issue.

Commissioner Kostka advised that she does not want to have the dialog stop after tonight and the communication stay open. She asked for a joint workshop with all the Boards because everyone has a part to play in serving the community.

Discussion ensued regarding training of the Board.

VIII. ADJOURNMENT

Mayor England asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 7:52 p.m.

Margaret England, Mayor

ATTEST:

Beverly Raddatz, City Clerk

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 24, 2020

SUBJECT: Presentations:

- A. Interview of Candidates for Two Alternate Positions on the Comprehensive Planning and Zoning Board
- B. Audit Report for Fiscal Year 2019

ITEM A. INTERVIEWS

With the recent resignations of two regular members, the Planning Board's alternates have automatically moved up to be regular members. For the two vacant alternates' seats, the City is fortunate to have three citizens interested in serving. In alphabetical order, they are:

- 1) Mr. A. Victor Sarris
- 2) Mr. John Tisdall
- 3) Mr. Patrick Wilson

Attached is the application submitted by each. They have been invited to your March 2nd meeting for the customary interview. We suggest that you interview them in alphabetical order.

ITEM B. FISCAL YEAR 2019 AUDIT REPORT

The report is attached. Mr. James Halleran of James Moore, the City's auditing firm, will make a presentation to explain it to you. In advance of his explanation, we suggest you read the entire report and look at the following in particular:

- a. Page 6, which is the Statement of Activities and shows the difference between FY 2018 and FY 2019 in various categories of revenues and expenditures.
- b. Page 10 which shows the Statement of Activities as of the end of FY 2019 (September 30, 2019)
- c. Page 13, which provides an overview of revenues, expenditures and changes to the fund balance for FY 2019.
- d. Pages 23-25, which describe the City's long-term debt.

- e. Pages 25-26, which describe the transfer of money from the General Fund to the Road/Bridge Fund because dedicated revenue sources for the latter fund are insufficient each fiscal year to pay the costs of the fund's activities (the Road/Streets Department).
- f. Pages 34-35, which compares the amounts budgeted and actually earned or spent during the fiscal year.
- g. Pages 47-42, the auditor's report on internal controls.
- h. Pages 43-44, the auditor's Management Letter
- i. Page 45, the auditor's finding that the City has complied with the financial requirements for FY 2019.
- j. Page 47, the City management responses to the auditor's comments. Please note the last response, which concerns the Commission amending the City's budget regulations to give the Police Chief and the City Manager the authority to transfer appropriations between departments. At this time, any transfers in excess of \$1,500 must be approved by budget resolution by the City Commission.

Action Requested

It is that you have Mr. Halleran present the report and that you discuss its details with him.

In particular, we ask you to discuss a major finding, which is shown on page 44 under the title Fund Deficits. The City needs to strengthen its fund balance starting with the FY 2021 budget. The General Fund's unassigned fund balance is low. The auditor recommends that it be restored to acceptable levels in two years (FY 2021 and 2022).



**ST. AUGUSTINE BEACH CITY COMMISSION
BOARD AND COMMITTEE APPLICATION**

FOR APPOINTMENTS TO COMMITTEES INVOLVED IN LAND USE

Date received by City 1/28/2020

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: A. Victor Sarris

Address: 174 Spanish Oaks Ln. St. Aug. FL 32080

Phone #: 904/219-7592 E-Mail Address: Victor@avsbuildersinc.com

How long have you been a legal resident of the City of St. Augustine Beach? 15 yrs

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: State Certified
Contractor Lic # CBC 1252835

Educational background: Bachelor's Degree in Construction
Mgt Louisiana State Univ 1987 (LSU)

Past work experience: General Contractor For Over
30 yrs

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

1. NEFBA
2. YMCA Bd. of Directors
City of St. Aug. Beach

3. _____ 4. _____

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership: 124 Spanish Oaks Ln. 100' x 120'

#6 10th St. 60' x 90'

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.)

AUS Builders, Inc.

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. Evenings only ☒
- c. Anytime ☐

List three (3) personal or professional references:

- 1. Mike Davis 904/669-1522
- 2. Murk Bailey 904/669-1963
- 3. Lacey Finbowser 904/669-5584

You may use this space for a brief biographical profile or to list certain skills you possess that may be relevant to the appointment you are seeking. Please indicate whether you have had experience with the reading of blueprints, technical drawings or diagrams. (Indicate below if you are attaching a resume.)

I have extensive experience in the construction
industry from construction of Office Bldgs, Restaurants,
Homes, Subdivisions, Roads, Water & Sewer Lines, Restaurants

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 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

1/28/20

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!



**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: John Tisdall

Address: 732 Saltwater Circle

Phone # 262-492-1885 E-Mail Address: john.tisdall@watsonrealty.com

How long have you been a legal resident of the City of St. Augustine Beach? 04/01/2019

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: Florida Real Estate Broker
Leading RE Certified
Commercial Investment Broker

Educational background: 40 years Real Estate

Past work experience: Broker, Consultant, Sales

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

1. Saint Augustine Board of Realtors

3. _____ 4. _____

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership:

13.2 Saltwater Circle

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.)

None

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

- | | |
|--|-------------------------------------|
| 1. Code Enforcement Board | <input checked="" type="checkbox"/> |
| 2. Comprehensive Planning & Zoning Board | <input checked="" type="checkbox"/> |
| 3. Other | <input type="checkbox"/> |

I am available for meetings

- | | |
|------------------------|-------------------------------------|
| a. During the day only | <input type="checkbox"/> |
| b. Evenings only | <input type="checkbox"/> |
| c. Anytime | <input checked="" type="checkbox"/> |

List three (3) personal or professional references:

1. Beth Ruggeri - Watson Real Estate
2. Craig Crum - 11 11
3. Ed Richet - Seagrave HOA member

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.)

Real Estate, Builder, Commercial Painter
See linked in - Resume

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 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

2-5-2020
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!



**ST. AUGUSTINE BEACH CITY COMMISSION
BOARD AND COMMITTEE APPLICATION**

FOR APPOINTMENTS TO COMMITTEES INVOLVED IN LAND USE

Date received by City 1.31.20.

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: Patrick Wilson

Address: 904 Sandy Beach Circle

Phone #: 352-222-8079 E-Mail Address: Dubugue31@gmail.com

How long have you been a legal resident of the City of St. Augustine Beach? 5 YRS

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

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

List all active professional licenses and certifications: Certified General Contractor
1521778, OSHA 30 hour Certified

Educational background: BA - University of Florida Business Administration

Past work experience: PM Construction Superintendent for Single Family Home Builder

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

1. Police Athletic League (PAL)
2. Habitat for Humanity

3. Young life

4. Veritas Classical School - ^{Founding}
^{Family}
^{member}

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership: 1.904 Sandy Beach Circle 0.33 Acres

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

N/A

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

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

I am available for meetings

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

List three (3) personal or professional references:

1. Robert Miller FAIA 321-663-8862 (Architect)
2. David McDaniel 407-970-8383 (Land Broker)
3. Dominic Scine 410-271-3547 (CPA)

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.)

- Certified General Contractor CGC1521778
- Recently Work for a Multi Family CGC. My Daily Responsibilities Requires involvement With Government inspectors, Plan Review & technical Reading, Contract Negotiations and Owner meeting.
- Versed in Microsoft Project, excel, Word & Blue Beam

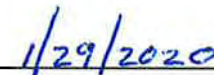
NOTE: All information provided will become a matter of public record and will be open to the public. If you require special accommodations because of a disability to participate in the application/selection process, you must notify the City Commission in advance. This application will be kept for one (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



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!

February 19, 2020

To the Honorable Mayor and City Commission Members,
City of St. Augustine Beach, Florida:

We have audited the financial statements of the City of St. Augustine Beach, Florida (the City) as of and for the year ended September 30, 2019, and have issued our report thereon dated February 19, 2020. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated August 10, 2018, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our findings regarding significant control deficiencies over financial reporting and other matters noted during our audit in a separate letter to you dated February 19, 2020.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, and our firm has complied with all relevant ethical requirements regarding independence.

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We have applied safeguards related to our preparation of the City's financial statements, including, but not limited to, an assessment of management's skills, knowledge, and experience, and by obtaining a completed financial statement disclosure checklist from management.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the City is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during the year. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the financial statements are:

Management's estimate of useful lives for depreciation was based on past history within each capital asset class. We evaluated the key factors and assumptions used to develop the useful lives in determining that it is reasonable in relation to the financial statements taken as a whole and in relation to the applicable opinion units.

Management's estimates of the net pension liability and total OPEB liability were based on actuarial factors and were calculated by actuaries independent of the City. We evaluated the key factors and assumptions used to develop the net pension liability and net OPEB obligation in determining that it is reasonable in relation to the financial statements taken as a whole and in relation to the applicable opinion units.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the City's financial statements relate to:

Note 4 summarizes the City's deposits and investments, including any risks or concentrations in investments held.

Notes 7 and 8 to the financial statements summarizes the City's long-term debt obligations, including future debt service payments.

Note 10 to the financial statements summarizes the basic information regarding the City's pension plans, the net pension liability, and the total OPEB liability.

Note 15 to the financial statements summarizes recently issued Governmental Accounting Standards Board pronouncements.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole and each applicable opinion unit. The following summarizes uncorrected financial statement misstatements, if any, whose effects in the current and prior periods, as determined by management, are immaterial, both individually and in the aggregate, to the financial statements taken as a whole and each applicable opinion unit. There were no such uncorrected misstatements in the current year.

In addition, professional standards require us to communicate to you all significant, corrected misstatements that were brought to the attention of management as a result of our audit procedures. The following significant misstatements that we identified as a result of our audit procedures were brought to the attention of, and corrected by, management:

- Approximately \$73,000 adjustment to recognize FEMA grant revenue and related accounts receivable in the Road and Bridge Fund for project costs incurred and obligated by the Florida Division of Emergency Management during the current year.
- Approximately \$112,500 adjustment to recognize the final month of FY2019 intergovernmental revenues and the related intergovernmental accounts receivable. Approximately \$70,000 is related to the General Fund and approximately \$42,000 is related to the Road and Bridge Fund.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the City's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested certain representations from management that are included in the management representation letter dated February 19, 2020.

To the Honorable Mayor and City Commission Members,
City of St. Augustine Beach, Florida
February 19, 2020
Page 4

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

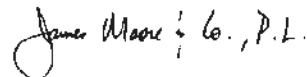
In the normal course of our professional association with the City, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the City's auditors.

Other Matters

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This report is intended solely for the information and use of the City Commission and management of the City of St. Augustine Beach, Florida and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

A handwritten signature in cursive script that reads "James Moore & Co., P.L.".

JAMES MOORE & CO., P.L.

**CITY OF ST. AUGUSTINE BEACH, FLORIDA
FINANCIAL STATEMENTS
SEPTEMBER 30, 2019**

**CITY OF ST. AUGUSTINE BEACH, FLORIDA
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SEPTEMBER 30, 2019**

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INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor, City Commission, and City Manager,
City of St. Augustine Beach, Florida:

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of St. Augustine Beach, Florida (the City), as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

The City's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

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Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City, as of September 30, 2019, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

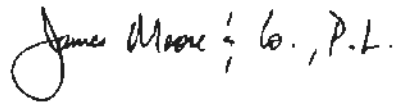
Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated February 19, 2020, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.



Daytona Beach, Florida
February 19, 2020

**CITY OF ST. AUGUSTINE BEACH
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2019**

As management of the City of St. Augustine Beach (the City), we offer readers of the City of St. Augustine Beach's financial statements this narrative overview and analysis of the finance activities of the City of St. Augustine Beach for the fiscal year ended September 30, 2019.

Financial Highlights

- The assets and deferred outflows of the City exceeded its liabilities and deferred inflows at the close of the most recent fiscal year by \$20,301,002 (net position). The governments' total net position decreased by \$45,455.
- As of the close of the current fiscal year, the City of St. Augustine Beach's governmental funds reported a combined ending fund balance of \$4,763,758 an increase of \$194,964. The unassigned General Fund balance available for spending at the City's discretion is \$1,103,533. However, the Road & Bridge Fund has a negative fund balance of \$539,894, which the General Fund will have to subsidize in the next reporting period

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements.

Government-wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the City of St. Augustine Beach's finances, in a manner similar to a private-sector business.

The Statement of Net Position presents information on all of the City's assets, deferred inflows, liabilities, and deferred outflows with the difference between the four reported as net position. Over time, increases and decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The Statement of Activities presents information showing how the City's net position has changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to change occurs, regardless of the timing of the related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

Both government-wide financial statements distinguish functions of the City that are principally supported by taxes, licenses and permits, and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City include general government, public safety, physical environment (solid waste), human services, transportation and culture recreation. The City currently does not have any functions that would be classified as business-type activities.

**CITY OF ST. AUGUSTINE BEACH
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2019**

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City of St. Augustine Beach, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund statements focus on the near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating the City's near-term financing requirements. Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances provide a reconciliation to facilitate this comparison between government funds and governmental activities.

The City maintains three major governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, road and bridge fund, debt service fund, and other government funds.

The City of St. Augustine Beach adopts annual appropriated budgets for all funds. Budgetary comparison schedules have been provided for these funds to demonstrate compliance with these budgets.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Government-Wide Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the City of St. Augustine Beach, assets exceeded liabilities by \$20,301,002 or a .22% decrease at the close of the most recent fiscal year. The following table reflects the condensed statement of net position for the current and prior years. For a more detail see the Statement of Net Position on page 9.

**CITY OF ST. AUGUSTINE BEACH
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2019**

Net Position

	2019	2018
Current and Other Assets	\$ 5,000,448	\$ 4,792,090
Capital Assets	29,279,396	28,917,483
Total Assets	<u>34,279,844</u>	<u>33,709,573</u>
Deferred Outflows of Resources	2,013,524	2,252,951
Long-term Liabilities Outstanding	15,176,945	14,814,227
Other Liabilities	352,865	347,443
Total Liabilities	<u>15,529,810</u>	<u>15,161,670</u>
Deferred Inflows of Resources	<u>(462,556)</u>	<u>(454,397)</u>
Net Position:		
Net Investment in Capital Assets	20,775,393	20,069,085
Restricted	1,726,560	1,391,114
Unrestricted	<u>(2,200,951)</u>	<u>(1,113,742)</u>
Total Net Position	<u>\$ 20,301,002</u>	<u>\$ 20,346,457</u>

At the end of the current fiscal year, the government's liabilities increased by \$368,140 or 2.4% which can be attributed to an increase in Long Term liabilities of \$362,718 comprised of an increase in Capital Leases \$146,915 and an increase in Net Pension Liability \$689,507, which was offset by other decreases in long-term liabilities such as Bonds and Notes Payable \$493,310.

One hundred and two percent (102%) of the City's net position reflect its investment in capital assets (e.g. land, buildings, improvements, infrastructure and equipment) less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City of St. Augustine Beach's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the City of St. Augustine Beach's net position represents resources that are subject to external restrictions on how they may be used. The remaining balance of Net Position is unrestricted and may be used to meet the government's ongoing obligations to citizens and creditors. The deficit unrestricted net position is result of the \$5,639,693 Net Pension Liability and \$681,891 Total OPEB Liability.

The government's net position decreased by \$45,455 in the current fiscal year. The following table reflects the condensed Statement of Activities for the current and prior years. See page 10 for more detail.

**CITY OF ST. AUGUSTINE BEACH
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2019**

Statement of Activities

	<u>2019</u>	<u>2018</u>
Revenues:		
Program Revenues:		
Charges for Services	\$ 950,235	\$ 768,381
Operating Grants and Contributions	603,452	1,803,385
Capital Grants and Contributions	196,733	119,142
General Revenues:		
Property Taxes	3,541,540	3,287,763
Other Taxes	2,448,338	2,419,716
Other	87,779	53,521
Total Revenues	<u>7,828,077</u>	<u>8,451,908</u>
Expenses:		
General Government	2,043,177	1,937,323
Public Safety	3,185,044	2,849,666
Physical Environment	1,242,677	1,253,746
Transportation	966,647	948,624
Economic Environment	250	-
Human Services	-	53
Culture and Recreation	178,318	128,634
Interest on Long-term Debt	257,419	284,003
Total Expenses	<u>7,873,532</u>	<u>7,402,049</u>
Change in Net Position	(45,455)	1,049,859
Net Position - October 1	20,346,457	19,296,598
Net Position - September 30	<u>\$ 20,301,002</u>	<u>\$ 20,346,457</u>

Financial Analysis of the Governmental Funds

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assess the City of St. Augustine Beach's financing requirements. Unassigned fund balance may serve as a useful measure of a City's net resources available for spending at the end of the fiscal year. As of September 30, 2019, fund balances were \$4,763,758 an increase of \$194,964 in comparison with the prior year. This includes \$1,103,533 in Unassigned Fund Balance for the General Fund which would be available for spending at the City's discretion, however, the Road & Bridge Fund has a negative fund balance of \$539,894 which the General Fund will have to subsidize in the next reporting period.

The General Fund's fund balance decreased by \$552,268 from \$3,290,190 to \$2,737,922. The decrease in fund balance is a result of a budget resolution to reduce the Parks & Recreation Assigned Fund Balance to aid in offsetting the revenue shortfall and increase in subsidy to the Road & Bridge Fund.

The Road and Bridge unassigned fund balance increased by \$199,974, from \$(739,868) to \$(539,894). Revenues were more than budgeted amounts and expenditures were less than budgeted amounts.

**CITY OF ST. AUGUSTINE BEACH
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2019**

The debt service fund has a fund balance of \$2,089,268. This is an increase of \$389,143 in comparison with the prior year. The revenues are generated from voted debt millage of 0.5 mills and also transfers from General Fund per the requirement to budget and appropriate funds for the 2016A, 2016B and 2016D revenue bonds. The voted debt millage is set to sunset in 2028 at which time a portion of the fund balance will satisfy the remaining debt service payments for 2009 and 2016C revenue bonds.

Budgetary Highlights

The City continues monitoring the status of intergovernmental revenues during the first quarter of the fiscal year. As is typical, the budget is reevaluated at the six-month mark and adjusted where necessary.

General Fund

A comparison of the budget versus actual for the General Fund can be found on page 34. The City received more than the overall budgeted amount for revenues and spent less than the budgeted amounts for expenditures. Revenues were primarily greater than budget due to increases in building permits, plan review/platt fees, and receipt of \$139,571 disaster relief grants. Expenditures were lower than budgeted primarily due to \$432,221 of capital outlay not expended during the year.

Changes between the original and final budget were primarily as of result of eliminating \$403,368 of parking fee revenue.

Road and Bridge Fund

A comparison of the budget versus actual for the Road and Bridge Fund can be found on page 35. The City received more than the overall budgeted amount for revenues which is related to the increase in impact fees collected. The Ridge subdivision, which is the newest subdivision in the City, continues grow. As of September 30, 2019, the City spent less than the budgeted amounts for expenditures in the Road and Bridge Fund.

Capital Assets

The City's investment in capital assets as of September 30, 2019, amounts to \$29,279,396 (net of accumulated depreciation). See Note 6 for details. Capital assets include land, buildings and improvements, machinery and equipment, and infrastructure. The total increase in the City's investment in capital assets net of depreciation for the current fiscal year was 1.25%.

Debt Administration

The City decreased its bond and loan payables during the current fiscal year by \$491,310, which is a decrease of 5.68% percent. See Note 8 for details.

Economic Factors

We are not currently aware of any conditions that are expected to have a significant effect on the City's financial position or results of operations.

**CITY OF ST. AUGUSTINE BEACH
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2019**

Request for Information

This financial report is designed to provide a general overview of the City's finances for all of those with an interest in the City's finances. Questions concerning any of the information provided in this report or requests for additional information should be addressed to Finance Director, 2200 A1A South, St. Augustine Beach, Florida 32080.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
STATEMENT OF NET POSITION
SEPTEMBER 30, 2019

	Governmental Activities
ASSETS	
Cash and cash equivalents	\$ 2,888,621
Investments	1,563,459
Receivables, net	164,293
Due from other governments	333,523
Inventories	3,770
Prepays	46,782
Capital assets:	
Non-depreciable capital assets	14,890,535
Other capital assets, net of depreciation	14,388,861
Total assets	<u>34,279,844</u>
DEFERRED OUTFLOWS OF RESOURCES	
Deferred outflows related to pensions	1,998,970
Deferred outflows related to OPEB	14,554
Total deferred outflows of resources	<u>2,013,524</u>
LIABILITIES	
Accounts payable	139,054
Accrued payroll and employee benefits	47,383
Customer deposits	600
Unearned revenue	7,784
Due to other governments	41,869
Accrued interest payable	116,175
Noncurrent liabilities:	
Due within one year:	
Bonds and notes payable	496,389
Capital leases	115,253
Compensated absences	52,704
Due in more than one year:	
Bonds and notes payable	7,659,601
Capital leases	232,760
Compensated absences	298,654
Total OPEB liability	681,891
Net pension liability	5,639,693
Total liabilities	<u>15,529,810</u>
DEFERRED INFLOWS OF RESOURCES	
Deferred inflows related to pensions	370,807
Deferred inflows related to OPEB	91,749
Total deferred inflows of resources	<u>462,556</u>
NET POSITION	
Net investment in capital assets	20,775,393
Restricted for:	
Impact fees	832,343
Police department - communications	12,083
Law enforcement - forfeiture and seizure	14,830
Building department	551,043
Debt service	316,261
Unrestricted	(2,200,951)
Total net position	<u>\$ 20,301,002</u>

The accompanying notes to financial statements
are an integral part of this statement.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2019

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	
Governmental activities:					
General government	\$ 2,043,177	\$ 62,780	\$ 153,865	\$ 35,634	\$ (1,790,898)
Public safety	3,185,044	440,741	13,689	6,972	(2,723,642)
Physical environment	1,242,677	389,191	331,937	-	(521,549)
Economic Environment	250	-	-	-	(250)
Human services	-	65	-	-	65
Transportation	966,647	50,138	20,000	143,654	(752,855)
Culture and recreation	178,318	7,320	83,961	10,473	(76,564)
Interest on long-term debt	257,419	-	-	-	(257,419)
Total governmental activities	<u>\$ 7,873,532</u>	<u>\$ 950,235</u>	<u>\$ 603,452</u>	<u>\$ 196,733</u>	<u>(6,123,112)</u>
General revenues:					
Property taxes					3,541,540
Sales and use taxes					1,080,140
Franchise and utility taxes					457,595
Public service taxes					672,457
Other taxes and fees					238,146
Investment earnings (loss)					62,492
Miscellaneous revenues					25,287
Total general revenues					<u>6,077,657</u>
Change in net position					(45,455)
Net position - beginning					20,346,457
Net position - ending					<u>\$ 20,301,002</u>

The accompanying notes to financial statements
are an integral part of this statement.

**CITY OF ST. AUGUSTINE BEACH, FLORIDA
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2019**

	General Fund	Road and Bridge	Debt Service	Other Governmental Funds	Total Governmental Funds
ASSETS					
Cash and cash equivalents	\$ 795,873	\$ 3,658	\$ 1,656,654	\$ -	\$ 2,456,185
Cash with fiscal agent	-	-	432,436	-	432,436
Investments	1,555,939	7,520	-	-	1,563,459
Receivables, net	164,293	-	-	-	164,293
Due from other governments	216,572	116,773	178	-	333,523
Due from other funds	138,675	-	-	-	138,675
Inventories	3,770	-	-	-	3,770
Prepaid items	46,782	-	-	-	46,782
Total assets	<u>\$ 2,921,904</u>	<u>\$ 127,951</u>	<u>\$ 2,089,268</u>	<u>\$ -</u>	<u>\$ 5,139,123</u>
LIABILITIES					
Accounts payable	\$ 86,346	\$ 52,708	\$ -	\$ -	\$ 139,054
Accrued liabilities	47,383	-	-	-	47,383
Unearned revenue	7,784	-	-	-	7,784
Due to other governments	41,869	-	-	-	41,869
Due to other funds	-	138,675	-	-	138,675
Customer deposits	600	-	-	-	600
Total liabilities	<u>183,982</u>	<u>191,383</u>	<u>-</u>	<u>-</u>	<u>375,365</u>
FUND BALANCES					
Nonspendable:					
Inventories	3,770	-	-	-	3,770
Prepaid items	46,782	-	-	-	46,782
Restricted for:					
Impact fees	355,881	476,462	-	-	832,343
Police department - communications	12,083	-	-	-	12,083
Law enforcement - forfeiture and seizure	14,830	-	-	-	14,830
Building department	551,043	-	-	-	551,043
Debt service	-	-	432,436	-	432,436
Assigned to:					
Capital projects	600,000	-	-	-	600,000
Emergencies and contingencies	50,000	-	-	-	50,000
Debt service	-	-	1,656,832	-	1,656,832
Unassigned	1,103,533	(539,894)	-	-	563,639
Total fund balances	<u>2,737,922</u>	<u>(63,432)</u>	<u>2,089,268</u>	<u>-</u>	<u>4,763,758</u>
Total liabilities and fund balances	<u><u>\$ 2,921,904</u></u>	<u><u>\$ 127,951</u></u>	<u><u>\$ 2,089,268</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 5,139,123</u></u>

The accompanying notes to financial statements
are an integral part of this statement.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2019

Fund balances - total governmental funds **\$ 4,763,758**

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds

Total governmental capital assets	36,642,798	
Less: accumulated depreciation	<u>(7,363,402)</u>	29,279,396

On the governmental fund statements, a net pension liability is not recorded until an amount is legally due and payable and the pension plan's fiduciary net position is not sufficient for payment of those benefits (no such liability exists at the end of the current fiscal year). On the Statement of Net Position, the City's net pension liability of the defined benefit pension plans is reported as a noncurrent liability. Additionally, deferred outflows and deferred inflows related to pensions are also reported.

Net pension liability	(5,639,693)	
Deferred outflows related to pensions	1,998,970	
Deferred inflows related to pensions	<u>(370,807)</u>	(4,011,530)

On the governmental fund statements, a total OPEB liability is not recorded unless an amount is due and payable (no such liability exists at the end of the current fiscal year). On the Statement of Net Position, the City's total OPEB liability is reported as a noncurrent liability. Additionally, deferred outflows and deferred inflows related to OPEB are also reported.

Total OPEB liability	(681,891)	
Deferred outflows related to OPEB	14,554	
Deferred inflows related to OPEB	<u>(91,749)</u>	(759,086)

Long-term liabilities, including bonds payable and notes payable, are not due and payable in the current period and, therefore, are not reported in the funds. These liabilities and other long-term liabilities consist of the following:

Bonds and notes payable	(8,155,990)	
Capital leases payable	(348,013)	
Accrued interest payable	(116,175)	
Compensated absences	<u>(351,358)</u>	(8,971,536)

Net position of governmental activities		<u>\$ 20,301,002</u>
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The accompanying notes to financial statements
are an integral part of this statement.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2019

	General	Road and Bridge	Debt Service	Nonmajor Governmental	Total Governmental Funds
Revenues					
Taxes	\$ 3,870,456	\$ 239,983	\$ 610,779	\$ -	\$ 4,721,218
Licenses and permits	861,289	143,654	-	-	1,004,943
Intergovernmental	999,124	400,024	-	-	1,399,148
Charges for services	488,919	50,138	-	-	539,057
Fines and forfeitures	36,349	-	-	-	36,349
Interest revenues (losses)	62,304	188	-	-	62,492
Miscellaneous	42,361	-	-	-	42,361
Total revenues	<u>6,360,802</u>	<u>833,987</u>	<u>610,779</u>	<u>-</u>	<u>7,805,568</u>
Expenditures					
Current:					
General government	1,585,137	-	-	-	1,585,137
Public safety	2,555,840	-	-	-	2,555,840
Physical environment	752,780	-	-	-	752,780
Economic environment	250	-	-	-	250
Transportation	-	837,632	-	-	837,632
Culture and recreation	146,020	-	-	-	146,020
Capital outlay	467,207	655,952	-	-	1,123,159
Debt service					
Principal	72,458	113,989	367,057	-	553,504
Interest and fiscal charges	6,149	53,376	216,757	-	276,282
Total expenditures	<u>5,585,841</u>	<u>1,660,949</u>	<u>583,814</u>	<u>-</u>	<u>7,830,604</u>
Excess (deficiency) of revenues over expenditures	<u>774,961</u>	<u>(826,962)</u>	<u>26,965</u>	<u>-</u>	<u>(25,036)</u>
Other financing sources (uses)					
Transfers in	-	1,174,347	362,178	16,746	1,553,271
Transfers out	(1,547,229)	(6,042)	-	-	(1,553,271)
Proceeds from issuance of debt	220,000	-	-	-	220,000
Total other financing sources (uses)	<u>(1,327,229)</u>	<u>1,168,305</u>	<u>362,178</u>	<u>16,746</u>	<u>220,000</u>
Net change in fund balances	<u>(552,268)</u>	<u>341,343</u>	<u>389,143</u>	<u>16,746</u>	<u>194,964</u>
Fund balances, beginning of year	3,290,190	(404,775)	1,700,125	(16,746)	4,568,794
Fund balances, end of year	<u>\$ 2,737,922</u>	<u>\$ (63,432)</u>	<u>\$ 2,089,268</u>	<u>\$ -</u>	<u>\$ 4,763,758</u>

The accompanying notes to financial statements
are an integral part of this statement.

**CITY OF ST. AUGUSTINE BEACH, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2019**

Net change in fund balances - total governmental funds **\$ 194,964**

Differences in amounts reported for governmental activities in the statement of activities are:

Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is depreciated over their estimated useful lives.

Capital outlay expenditures	1,123,159	
Depreciation expense	(783,755)	
Contributed capital assets	22,509	361,913

Bond and loan proceeds are reported as financing sources in the governmental funds. However, the issuance of debt is reported as long-term debt payable in the statement of net position. Repayment of bond and note principal is an expenditure in the governmental funds, but the repayment of debt principal reduces long-term liabilities in the statement of net position. These amounts are as follows:

Principal repayment of general long-term debt	553,504	
Amortization of debt premium	10,891	
Issuance of governmental long-term debt	(220,000)	344,395

Governmental funds report contributions to defined benefit pension plans as expenditures. However, in the Statement of Activities, the amount contributed to defined benefit pension plans reduces future net pension liability. Also included in pension expense in the Statement of Activities are amounts required to be amortized.

Change in net pension liability and deferred inflows/outflows related to pensions	(859,898)
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Under the modified accrual basis of accounting used in the governmental funds, expenditures are not recognized for transactions that are not normally paid with expendable available financial resources. In the statement of activities, however, which is presented on the accrual basis, expenses and liabilities are reported regardless of when financial resources are available.

These adjustments are as follows:

Change in accrued interest on long-term debt	7,972
Change in total OPEB liability	(98,394)
Change in compensated absences liability	3,593

Change in net position of governmental activities	\$ (45,455)
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The accompanying notes to financial statements
are an integral part of this statement.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(1) **Summary of Significant Accounting Policies:**

The financial statements of the City of St. Augustine Beach, Florida (the City), have been prepared in accordance with accounting principles generally accepted in the United States of America as applicable to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted body for promulgating governmental accounting and financial reporting principles. The following is a summary of the City's significant accounting policies:

(a) **Reporting entity**—The City was constituted a municipality on June 20, 1959, under the provisions of Chapter 59-1790, Laws of Florida, Acts of 1959. The City operates under a commission/manager form of government and provides the following services as authorized by its charter: law enforcement, planning and zoning, code enforcement, building inspection, solid waste collections, road and right-of-way maintenance, maintenance of City buildings, drainage and storm water management, and street lighting.

The accompanying financial statements present the financial position, results of operations, and cash flows of the applicable funds governed by the City Commission of the City, the reporting entity of government for which the City Commission is considered to be financially accountable. In evaluating the City as a reporting entity, management has addressed all potential component units that may or may not fall within the City's oversight and control, and thus, be included in the City's financial statements. No such entities or component units have been identified.

(b) **Government-wide and fund financial statements**—The basic financial statements include both government-wide (based on the City as a whole) and fund financial statements. Both the government-wide and fund financial statements (within the basic financial statements) categorize primary activities as either governmental or business-type. In the government-wide statement of net position, the governmental activities are presented on a consolidated basis and are reflected on a full accrual, economic resource basis, which incorporates long-term assets and receivables as well as long-term debt and obligations. The City has no business-type activities.

The government-wide statement of activities reflects both the gross and net costs per functional category (e.g., public safety, physical environment, etc.), which are otherwise being supported by general government revenues (e.g., property, sales taxes, certain intergovernmental revenues, etc.). The statement of activities reduces gross expenses (including depreciation) by the related program revenues, operating and capital grants. The program revenues must be directly associated with the function or a business-type activity. The operating grants include operating-specific and discretionary (either operating or capital) grants while the capital grants column reflects capital-specific grants.

The net cost (by function) is normally covered by general revenue (e.g., property, sales taxes, intergovernmental revenues, interest income, etc.). This government-wide focus is more on the sustainability of the City as an entity and the change in aggregate financial position resulting from the activities of the fiscal period. The fund financial statements emphasize the major funds of the City.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(1) **Summary of Significant Accounting Policies:** (Continued)

The governmental funds' major fund statements in the fund financial statements are presented on a current financial resource and modified accrual basis of accounting. This is the manner in which these funds are normally budgeted. This presentation is deemed most appropriate to demonstrate legal compliance and demonstrate how the City's actual experience conforms to the budgeted fiscal plan. Since the governmental fund statements are presented on a different measurement focus and basis of accounting than the government-wide statement, a reconciliation is presented on the page following the Balance Sheet – Governmental Funds and the Statement of Revenues, Expenditures, and Changes in Fund Balances – Governmental Funds, which briefly explains the adjustments necessary to transform the fund-based financial statements into the government-wide presentation.

As a general rule, the effect of interfund City activities has been eliminated from the government-wide financial statements.

(c) **Measurement focus and basis of accounting**—The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, as are the fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Taxes, intergovernmental revenue, licenses and permits, charges for services, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. All other revenue items are considered to be measurable and available only when cash is received by the government.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and pensions, are recorded only when payment is due.

(d) **Financial statement presentation**—The financial transactions of the City are recorded in individual funds. Each fund is accounted for by providing a separate set of self-balancing accounts that comprises its assets, deferred outflows, liabilities, deferred inflows, fund equity, revenues and expenditures/expenses. The various funds are reported by generic classification within the financial statements.

The GASB Codification sets forth minimum criteria (percentage of the assets, liabilities, revenues or expenditures/expenses of all funds combined) for the determination of major funds.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(1) **Summary of Significant Accounting Policies:** (Continued)

The City reports the following major governmental funds:

The **General Fund** accounts for all financial transactions not accounted for in other funds. The majority of current operating expenditures of the City are financed through revenues received by the General Fund.

The **Road and Bridge Fund** is used to account for and report activities of the Road and Bridge Department. Resources are primarily provided by gas taxes, impact fees, and intergovernmental revenue.

The **Debt Service Fund** is used to account for the accumulation of resources for, and payment of, general long-term debt principal, interest, and related costs. This fund type is used to provide for the debt service requirements of the City's governmental long-term debt.

(e) **Budgets and budgetary accounting**—Annual budgets for all governmental funds were adopted in compliance with Florida law. The basis on which the budgets are prepared is consistent with the basis of accounting utilized by the various fund types. The governmental funds' budgets are prepared on the modified accrual basis of accounting. The City uses the following procedures in establishing the budgetary data reflected in the accompanying financial statements:

- i. Prior to September 1st, the City Manager submits a preliminary budget to the City Commission for the ensuing fiscal year.
- ii. Budget workshop sessions are scheduled by the City Commission, as needed.
- iii. A general summary of the budget and notice of public hearing is published in a local newspaper.
- iv. Prior to October 1st, the budget is legally enacted through passage of an ordinance.
- v. The City Commission, by resolution, may make supplemental appropriations in excess of those estimated for the year up to the amount of available revenue. Prior to the end of the fiscal year, supplemental appropriations are made for unanticipated spending requirements by the Commission.
- vi. The City Manager may make transfers within a department as long as the total budget for the department is not increased, and the legal level of control is \$1,500. Transfers of appropriations between departments require the approval of the Commission. The City's Ordinance establishes the level at which expenditures may not exceed appropriations at the department level.
- vii. Every appropriation lapses at the close of the fiscal year.

The budgets for governmental funds that were either adopted or amended during the year by the City Commission were prepared using the modified accrual basis of accounting in accordance with generally accepted accounting principles. Each of the City's governmental funds have legally adopted budgets.

(f) **Use of estimates**—Management uses estimates and assumptions in preparing financial statements in accordance with generally accepted accounting principles. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenue and expenses. Actual results could vary from the estimates assumed in preparing the financial statements.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(1) **Summary of Significant Accounting Policies:** (Continued)

(g) **Cash deposits and investments**—The City's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

Investments are recorded at fair value. Accordingly, the change in fair value of investments is recognized as an increase or decrease to investment assets and investment income.

(h) **Receivables and payables**—Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds."

All trade and property tax receivables are reported net of an allowance for uncollectible accounts, which is based upon management's analysis of historical trends. All unpaid property taxes receivable at year end are at least 180 days past due, at which time the applicable property is subject to lien, and penalties and interest are assessed; therefore, these amounts are fully allowed for and no provision for taxes receivable has been made on the City's financial statements.

(i) **Capital assets**—Capital assets include property, plant, equipment and infrastructure assets. Capital assets are defined by the City as assets with an initial individual cost of \$5,000 or more and an estimated useful life of more than one year. Such assets are recorded at historical cost, if purchased or constructed. Contributed assets, including donations and easements or other intangible rights of use, are recorded at fair market value as of the date received. Additions, improvements, and other capital outlays that significantly extend the useful life of an asset are only capitalized if they meet the dollar threshold above for capitalization. Maintenance and repairs of capital assets are charged to operating expenses.

Depreciation is reported for the primary government using the straight-line method calculated on a service-life basis to amortize the cost of the asset over their estimated economic useful lives, which are as follows:

<u>Assets</u>	<u>Years</u>
Buildings and Improvements	10 - 40 years
Machinery Equipment	5 - 20 years
Infrastructure	40 - 70 years

(j) **Compensated absences**—Since the liability for employees' leave time will not be liquidated with expendable available financial resources, the liability has not been reported in the governmental funds. A liability for compensated absences is accrued when incurred in the government-wide financial statements.

(k) **Long-term obligations**—In the government-wide financial statements, long-term debt obligations are reported as liabilities, net of any outstanding premiums or discounts. Debt issuance costs are expensed when paid.

(l) **Inventory and prepaids**—Inventory is valued at cost under the first-in, first-out method and is accounted for using the consumption method. Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(1) **Summary of Significant Accounting Policies:** (Continued)

(m) **Deferred outflows/inflows of resources**—In addition to assets, the statement of financial position will, if required, report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. Currently, the only item in this category consisted of deferred amounts related to pensions and other post-employment benefits (OPEB), as discussed further in Note (10).

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position or fund balance that applies to future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. Currently, the only item in this category consisted of deferred amounts related to pensions and OPEB, as discussed further in Note (10).

(n) **Fund balance**—In the fund financial statements, governmental funds report fund balance classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. Those classifications are as follows:

Nonspendable – The nonspendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. The “not in spendable form” criterion includes items that are not expected to be converted to cash such as inventories and prepaid amounts. It also includes the long-term amount of loans and notes receivable, as well as property held for sale unless the use of the proceeds from the collection of those receivables or from the sale of those properties is restricted, committed, or assigned.

Restricted – Fund balance is reported as restricted when constraints placed on the use of resources are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or imposed by law through constitutional provisions or enabling legislation (i.e. when the government assesses, levies, charges, or otherwise mandates payment of resources from external resource providers) and includes a legally enforceable requirement that those resources be used only for the specific purposes stipulated in the legislation.

Committed – Fund balance amounts that can only be used for specific purposes pursuant to constraints imposed by ordinance of the City Commission are reported as committed fund balance. Those committed amounts cannot be used for any other purpose unless the City removes or changes the specified use by taking the same type of action it employed to previously commit those amounts.

Assigned – Fund balance amounts that are constrained by the government's intent to be used for specific purposes, but are neither restricted nor committed, are reported as assigned fund balance, except for stabilization arrangements. Assignments can be made by the City Commission or the City Manager.

Unassigned – Unassigned fund balance is the residual classification for the general fund. This classification represents fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(1) **Summary of Significant Accounting Policies:** (Continued)

For spendable resources, is the City's policy to use its resources in the following order as needed to fund expenses: restricted, committed, assigned, unassigned.

(o) **Net position flow assumption**—Sometimes the City will fund outlays for a particular purpose from both restricted and unrestricted resources. In order to determine amounts reported as restricted and unrestricted net position, it is the City's policy to consider restricted net position to have been used before unrestricted net position is applied.

(2) **Reconciliation of Government-Wide and Fund Financial Statement:**

(a) **Explanation of certain differences between the governmental fund balance sheet and the government-wide statement of net position**—Following the governmental fund balance sheet is a reconciliation between fund balance – total governmental funds and net position – governmental activities as reported in the government-wide statement of net position. A detailed explanation of these differences is provided in this reconciliation.

(b) **Explanation of certain differences between the governmental fund statement of revenues, expenditures, and changes in fund balances and the government-wide statement of activities**—Following the governmental fund statement of revenues, expenditures, and changes in fund balances, there is a reconciliation between net changes in fund balances - total governmental funds and changes in net position of governmental activities as reported in the government-wide statement of activities. A detailed explanation of these differences is provided in this reconciliation.

(3) **Property Tax Calendar:**

Under Florida law, the assessment of all properties and collection of all county, municipal and school board property taxes are consolidated in the offices of the County Property Appraiser. State laws regulating tax assessment are designed to ensure a consistent property valuation method statewide and permit municipalities to levy property taxes at a rate of up to 10 mills. For the fiscal year ended September 30, 2019, the millage rate assessed by the City was 2.3992 per \$1,000.

The City tax calendar is as follows:

Lien Date:	January 1
Levy Date:	October 1
Discount Period	November-February
Delinquent Date	April 1

(4) **Cash Deposits and Investments:**

The City maintains cash and investment accounts for various other purposes or to segregate cash balances for amounts which are restricted or held on behalf of others. The City's investment policy authorizes the City to invest excess funds in time deposits, mutual funds, obligations of, or obligations the principal and interest of which are unconditionally guaranteed by, the United States Government, repurchase agreements, intergovernmental investment pools, and/or the State Board of Administration (SBA) Local-Government Surplus Trust Fund Investment Pool (Florida PRIME).

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(4) Cash Deposits and Investments: (Continued)

As of September 30, 2019, all City cash deposits were held in qualified public depositories pursuant to Chapter 280, Florida Statutes, the *Florida Security for Public Deposits Act* (the Act), and, accordingly, are entirely insured by Federal Depository Insurance Corporation (FDIC) insurance or collateralized pursuant to the Act. The Act established guidelines for qualification and participation by banks and savings associations, procedures for administration of the collateral requirements and characteristics of eligible collateral. Under the Act, the qualified depository must pledge at least 50% of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance. Additional collateral, up to 125%, may be required if deemed necessary. Obligations pledged to secure deposits must be delivered to the State Treasurer or, with the approval of the State Treasurer, to a bank, savings association, or trust company provided a power of attorney. Under the Act, the City is authorized to deposit funds only in qualified public depositories.

The City invests temporarily idle resources in the Florida Prime Investment Pool (Florida PRIME), Florida Local Government Investment Trust (FLGIT) and Florida Safe Investment Pool (FLSAFE). Florida PRIME is administered by the Florida State Board of Administration (SBA), who provides regulatory oversight. Florida PRIME, FLGIT and FLSAFE are similar to money market funds in which units are owned in the fund rather than the underlying investments. These investments are reported at amortized cost and meet the requirements of GASB Statement No. 31, as amended by GASB Statement No. 79, *Certain External Investment Pools and Pool Participants*, which establishes criteria for an external investment pool to qualify for making the election to measure all of its investments at amortized cost for financial reporting purposes. There is no limitation or restrictions on withdrawals from Florida PRIME, FLGIT, or FLSAFE; although in the occurrence of an event that has a material impact on liquidity or operations of the trust fund, the funds' executive director may limit contributions to or withdrawals from the trust fund for a period of 48 hours.

As of September 30, 2019, the Florida PRIME, FLGIT and FLSAFE had weighted average maturities of 37 days, 30 days and 37 days, respectively. The City held no assets or investments carried at fair value at September 30, 2019, and subject to the required disclosures of GASB 72.

As of September 30, 2019, the City's governmental investment portfolio is composed of the following investments:

<u>Investment</u>	<u>Credit Quality Rating</u>	<u>Carrying Value</u>
Florida PRIME	AAAm (S&P)	\$ 490,859
FLGIT Day to Day	AAAm (Fitch)	\$ 52,705
FLSAFE	AAAm (S&P)	\$ 1,019,895

Interest Rate Risk: Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of investments. To limits its exposure to fair value losses arising from increases in interest rates, the City prohibits direct investment in U.S. government securities or repurchase agreements maturing more than seven years from the date of purchase and in time deposits maturing more than one year from the date of purchase. There were no investments in the City's portfolio that exceeded this maximum maturity at September 30, 2019.

Credit Risk: Credit risk is the risk that a debt issuer or other counter-party to an investment will not fulfill its obligations. The City's investment policy utilizes portfolio diversification in order to limit investments to governmental funds and securities backed by state and federal governments, and mutual funds with a minimum credit rating of AAAm by Standard & Poor's (S&P) or an equivalent. The City's portfolio is held entirely with public depositories and is invested in SBA, FLGIT and FLSAFE funds, as described above.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(4) Cash Deposits and Investments: (Continued)

Concentration of Credit Risk: Concentration of credit risk is the risk of loss attributed to the magnitude of an investment in a single issuer. The City's adopted investment policy follows the investment policies set forth in Florida Statutes, Chapter 218.

In addition to describing the credit risk of investments in the portfolio, governmental entities will need to disclose the concentration of credit risk with a single issuer, if 5 or more percent of the total assets of the portfolio are invested with one issuer. Investments issued or explicitly guaranteed by the U.S. government and investments in mutual funds, external investment pools and other pooled investments are excluded from the concentration of credit risk disclosure requirements.

Custodial Credit Risk: All demand deposits are held with qualified public depositories, as defined above. In the case of investments, this is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. As of September 30, 2019, the City's investment of \$490,859 in Florida PRIME funds, \$52,705 in FLGIT funds, and \$1,019,895 in FLSAFE funds are backed by the full faith and credit of the State of Florida, or explicitly guaranteed by the State of Florida.

(5) Accounts Receivable:

The City's receivables consists of \$164,293 at September 30, 2019, all of which was included in the general fund and governmental activities. There was no allowance for doubtful accounts at September 30, 2019.

(6) Capital Assets:

Capital asset activity for the fiscal year ended September 30, 2019, is as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities:				
Capital assets, not being depreciated –				
Land	\$ 14,297,130	\$ -	\$ -	\$ 14,297,130
Construction in progress	250,993	523,825	(181,413)	593,405
Total capital assets, not being depreciated	14,548,123	523,825	(181,413)	14,890,535
Capital assets, being depreciated –				
Machinery and equipment	3,686,394	423,212	(162,932)	3,946,674
Buildings and improvements	4,837,065	54,243	-	4,891,308
Infrastructure	12,588,480	325,801	-	12,914,281
Total capital assets, being depreciated	21,111,939	803,256	(162,932)	21,752,263
Less: accumulated depreciation	(6,742,579)	(783,755)	162,932	(7,363,402)
Total capital assets, being depreciated, net	14,369,360	19,501	-	14,388,861
Governmental activities capital assets, net	<u>\$ 28,917,483</u>	<u>\$ 543,326</u>	<u>\$ (181,413)</u>	<u>\$ 29,279,396</u>

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(6) Capital Assets: (Continued)

Depreciation expense was charged to functions/programs as follows:

Governmental activities:	
General governmental	\$ 172,449
Public safety	166,710
Physical environment	408,674
Transportation	3,624
Culture and recreation	32,298
Total depreciation expense - governmental activities	<u>\$ 783,755</u>

(7) Capital Leases:

The City has entered into certain lease agreements as a lessee for financing the acquisition of six police vehicles in the 2016 fiscal year, three police vehicles in the 2017 fiscal year and one garbage truck in the 2019 fiscal year. The lease agreements qualify as capital leases for accounting purposes, and therefore, have been recorded at the present value of their future minimum lease payments as of the inception date. The assets acquired through capital leases are as follows:

Asset:	
Vehicles and Accessories	\$ 580,698
Accumulated depreciation	<u>(244,213)</u>
Net book value of leased assets	<u>\$ 336,485</u>

The future minimum lease obligations and the net present value of these minimum lease payments were as follows:

<u>Year Ending September 30</u>	<u>Present Value of Net Minimum Payments</u>	<u>Amounts Representing Interest</u>	<u>Total Minimum Lease Payments</u>
2020	\$ 115,253	\$ 11,107	\$ 126,360
2021	69,149	7,510	76,659
2022	71,369	5,289	76,658
2023	45,384	2,998	48,382
2024	46,858	1,523	48,381
Total	<u>\$ 348,013</u>	<u>\$ 28,427</u>	<u>\$ 376,440</u>

(8) Long-Term Debt:

Notes and bonds payable at September 30, 2019, are comprised of the following:

\$5,350,000 Series 2009 Florida Municipal Loan Council Revenue Bonds, issued to purchase land at a fixed rate of interest of 5.37%. Interest payments are payable semiannually on January 1 and July 1. Principal payments are due annually on July 1 each year until final maturity on July 1, 2029. The bond issue is payable from and secured by certain ad valorem revenues and the approximate amount of the pledge is equal to the remaining principal and interest of \$658,178. During 2019, \$610,779 in ad valorem revenues were recognized and \$65,254 were paid for debt service.

\$ 499,694

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(8) Long-Term Debt: (Continued)

<p>\$1,460,000 Series 2016A Florida Municipal Loan Council Refunding and Improvement Bonds, issued for the purchase of land and capital improvements at interest rates ranging from 2.00% to 5.00%. Interest payments are payable semiannually on April 1 and October 1. Principal payments are due annually on October 1 each year until final maturity on October 1, 2046. The bond issue is payable from and secured by non-ad valorem revenues and the approximate amount of the pledge is equal to the remaining principal and interest of \$2,122,038. During 2019, \$4,286,537 in non-ad valorem revenues were recognized and \$75,000 were paid for debt service.</p>	<p>\$ 1,400,000</p>
<p>\$1,610,000 Series 2016B Florida Municipal Loan Council Refunding and Improvement Bonds, issued for the purchase of land and capital improvements at interest rates ranging from 2.00% to 4.00%. Interest payments are payable semiannually on April 1 and October 1. Principal payments are due annually on October 1 each year until final maturity on October 1, 2028. The bond issue is payable from and secured by certain ad valorem revenues and the approximate amount of the pledge is equal to the remaining principal and interest of \$1,565,700. During 2019, \$610,779 in ad valorem revenues were recognized and \$154,900 were paid for debt service.</p>	<p>1,380,000</p>
<p>\$1,920,000 Series 2016C Florida Municipal Loan Council Refunding and Improvement Bonds, issued for a current refunding of Series 2004A Florida Municipal Loan Council Revenue Bonds, at interest rates ranging from 2.00% to 5.00%. Interest payments are payable semiannually on April 1 and October 1. Principal payments are due annually on October 1 each year until final maturity on October 1, 2034. The bond issue is payable from and secured by non-ad valorem revenues and the approximate amount of the pledge is equal to the remaining principal and interest of \$2,237,475. During 2019, \$4,286,537 in non-ad valorem revenues were recognized and \$141,300 were paid for debt service.</p>	<p>1,755,000</p>
<p>\$1,430,000 Series 2016D Florida Municipal Loan Council Refunding and Improvement Bonds, issued for a current refunding of Series 2010AA Florida Municipal Loan Council Revenue Bonds, at interest rates ranging from 2.00% to 5.00%. Interest payments are payable semiannually on April 1 and October 1. Principal payments are due annually on October 1 each year until final maturity on October 1, 2029. The bond issue is payable from and secured by non-ad valorem revenues and the approximate amount of the pledge is equal to the remaining principal and interest of \$1,450,431. During 2019, \$4,286,537 in non-ad valorem revenues were recognized and \$138,613 were paid for debt service.</p>	<p>1,235,000</p>
<p>\$2,508,562 Department of Environmental Protection note payable, used to connect approximately 620 residential units to the St. Johns County Utility System, at an interest rate of 2.92%. Principal and interest payments of \$83,683 are payable semiannually on January 15 and July 15 through July 15, 2032. Repayment of loan balance is secured revenue received from St. Johns County equal to the semiannual debt service payment to the City as each payment becomes due. See Note (14) for further discussion of this activity.</p>	<p>1,742,260</p>
<p>Notes and bonds payable at September 30, 2019</p>	<p>8,011,954</p>
<p>Add: unamortized bond premiums</p>	<p>144,036</p>
<p>Less: current portion of bonds and notes payable</p>	<p>(496,389)</p>
<p>Total long-term debt, governmental activities</p>	<p><u>\$ 7,659,601</u></p>

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(8) Long-Term Debt: (Continued)

The City was in compliance with all applicable debt covenants as of and for the year ended September 30, 2019.

Annual debt service requirements to maturity for the City's notes and bonds payable are as follows:

<u>Year Ending September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2020	\$ 496,389	\$ 244,920	\$ 741,309
2021	517,564	227,246	744,810
2022	522,700	210,834	733,534
2023	538,685	192,224	730,909
2024	564,903	174,856	739,759
2025-2029	3,056,018	640,005	3,696,023
2030-2034	1,380,695	242,170	1,622,865
2035-2039	405,000	110,650	515,650
2040-2044	315,000	61,019	376,019
2045-2047	215,000	10,644	225,644
Total	<u>\$ 8,011,954</u>	<u>\$ 2,114,568</u>	<u>\$ 10,126,522</u>

For the fiscal year ended September 30, 2019, a summary of the long-term liability transactions for the City is as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
Governmental activities:					
Notes and bonds payable	\$ 8,492,373	\$ -	\$ (480,419)	\$ 8,011,954	\$ 496,389
Plus: Original issue premium	154,927	-	(10,891)	144,036	-
Total notes and bonds payable	8,647,300	-	(491,310)	8,155,990	496,389
Capital leases	201,098	220,000	(73,085)	348,013	115,253
Compensated absences	354,951	230,245	(233,838)	351,358	52,704
Governmental activities – Total long-term liabilities	<u>\$ 9,203,349</u>	<u>\$ 450,245</u>	<u>\$ (798,233)</u>	<u>\$ 8,855,361</u>	<u>\$ 664,346</u>

(9) Interfund Loans, Advances, Fees and Transfers:

The outstanding balances between funds are short-term loans to cover short-term cash flow needs and expected to be repaid in full over the course of the next fiscal year. Individual fund interfund receivables and payables for the primary government at September 30, 2019, are comprised of the following:

	<u>Due From Other Funds</u>	<u>Due to Other Funds</u>
Governmental Activities:		
General Fund	\$ 138,675	\$ -
Road and Bridge Fund	-	138,675
Total – All Funds	<u>\$ 138,675</u>	<u>\$ 138,675</u>

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(9) Interfund Loans, Advances, Fees and Transfers: (Continued)

For the year ended September 30, 2019, interfund transfers consisted of the following:

	<u>Transfer From</u>	<u>Transfer To</u>
Governmental Activities:		
General Fund	\$ 1,547,229	\$ -
Road and Bridge Fund	6,042	1,174,347
Debt Service Fund	-	362,178
Capital Projects Fund	-	16,746
Total – All Funds	<u>\$ 1,553,271</u>	<u>\$ 1,553,271</u>

The transfer from the general fund to the road and bridge fund represents funds for capital project outlay. The transfer from the general fund to the debt service fund represents the requirements for debt service payments. The transfers from the general fund and road and bridge fund represent the forgiveness of an unpaid interfund payable from the capital projects fund.

(10) Employees' Retirement Plans and Other-Postemployment Benefits:

A. Florida Retirement System

Plan Description and Administration

The City participates in the Florida Retirement System (FRS), a multiple-employer, cost sharing defined public employee retirement system which covers all of the City's full-time employees. The System is a noncontributory retirement plan, administered by the State of Florida, Department of Administration, Division of Retirement to provide retirement and survivor benefits to participating public employees. Provisions relating to the FRS are established by Chapters 121 and 122, Florida Statutes; Chapter 112, Part IV, Florida Statutes; Chapter 238, Florida Statutes; and FRS Rules, Chapter 60S, Florida Administrative Code; wherein eligibility, contributions, and benefits are defined and described in detail. The FRS is a single retirement system administered by the Department of Management Services, Division of Retirement, and consists of two cost-sharing, multiple-employer retirement plans and other nonintegrated programs. These include a defined-benefit pension plan (Plan), with a Deferred Retirement Option Program (DROP), and a defined-contribution plan, referred to as the FRS Investment Plan (Investment Plan).

In addition, all regular employees of the City are eligible to enroll as members of the Retiree Health Insurance Subsidy (HIS) Program. The HIS is a cost-sharing, multiple-employer defined benefit pension plan established and administered in accordance with section 112.363, Florida Statutes. The benefit is a monthly payment to assist retirees of the state-administered retirement systems in paying their health insurance costs. For the fiscal year ended September 30, 2019, eligible retirees and beneficiaries received a monthly HIS payment equal to the number of years of service credited at retirement multiplied by \$5. The minimum payment is \$30 and the maximum payment is \$150 per month, pursuant to section 112.363, Florida Statutes. To be eligible to receive a HIS benefit, a retiree under one of the state-administered retirement systems must provide proof of eligible health insurance coverage, which can include Medicare.

**CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019**

(10) Employees' Retirement Plans and Other-Postemployment Benefits: (Continued)

Benefits Provided and Employees Covered

Employees enrolled in the Plan prior to July 1, 2011, vest at six years of creditable service and employees enrolled in the Plan on or after July 1, 2011, vest at eight years of creditable service. All vested members, enrolled prior to July 1, 2011, are eligible for normal retirement benefits at age 62 or at any age after 30 years of service. All members enrolled in the Plan on or after July 1, 2011, once vested, are eligible for normal retirement benefits at age 65 or any time after 33 years of creditable service. Members of both Plans may include up to 4 years of credit for military service toward creditable service. The Plan also includes an early retirement provision; however, there is a benefit reduction for each year a member retires before his or her normal retirement date. The Plan provides retirement, disability, death benefits, and annual cost-of-living adjustments. Benefits under the Plan are computed on the basis of age and/or years of service, average final compensation, and service credit. Credit for each year of service is expressed as a percentage of the average final compensation. For members initially enrolled before July 1, 2011, the average final compensation is the average of the five highest fiscal years' earnings; for members initially enrolled on or after July 1, 2011, the average final compensation is the average of the eight highest fiscal years' earnings. The total percentage value of the benefit received is determined by calculating the total value of all service, which is based on the retirement plan and/or class to which the member belonged when the service credit was earned.

DROP, subject to provisions of Section 121.091, Florida Statutes, permits employees eligible for normal retirement under the Plan to defer receipt of monthly benefit payments while continuing employment with an FRS employer. An employee may participate in DROP for a period not to exceed 60 months after electing to participate, except that certain instructional personnel may participate for up to 96 months. During the period of DROP participation, deferred monthly benefits are held in the FRS Trust Fund and accrue interest.

Employees may elect to participate in the Investment Plan in lieu of the FRS defined-benefit plan. Employer and employee contributions are defined by law, but the ultimate benefit depends in part on the performance of investment funds. The Investment Plan is funded by employer and employee contributions that are based on salary and membership class (Regular, DROP, etc.). Contributions are directed to individual member accounts, and the individual members allocate contributions and account balances among various approved investment choices. Employees in the Investment Plan vest at one year of service.

Financial Statements

Financial statements and other supplementary information of the FRS are included in the State's Comprehensive Annual Financial Report, which is available from the Florida Department of Financial Services, Bureau of Financial Reporting Statewide Financial Reporting Section by mail at 200 E. Gaines Street, Tallahassee, Florida 32399-0364; by telephone at (850) 413-5511; or at the Department's Web site (www.myfloridacfo.com). An annual report on the FRS, which includes its financial statements, required supplementary information, actuarial report, and other relevant information, is available from:

Florida Department of Management Services
Division of Retirement, Research and Education Services
P.O. Box 9000
Tallahassee, FL 32315-9000
850-488-5706 or toll free at 877-377-1737

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(10) **Employees' Retirement Plans and Other-Postemployment Benefits:** (Continued)

Contributions

Employers may participate in certain classes of FRS membership. The employee contribution rate for eligible employees, other than those in DROP from ERS who are not required to contribute, is 3.0%. Each class has descriptions and employer contribution rates in effect during the fiscal year ended September 30, 2019, as follows (contribution rates are in agreement with the actuarially determined rates):

<u>FRS Membership Plan & Class</u>	<u>Through June 30, 2019</u>	<u>After June 30, 2019</u>
Regular Class	8.26%	8.47%
Elected Officer Class	48.70%	48.82%
Senior Management Service Class (SMSC)	24.06%	25.41%
Special Risk	24.50%	25.48%
DROP	14.03%	14.60%

Current-year employer HIS contributions were made at a rate of 1.66% of covered payroll, included in the above rates.

Actual contributions made for City employees participating in FRS and HIS for the plan year ended June 30, 2019, were as follows:

City Contributions – FRS	\$ 421,259
City Contributions – HIS	47,689
Employee Contributions – FRS	86,184

Net Pension Liability, Pension Expense, and Deferred Outflows and Inflows of Resources Related to Pensions

At September 30, 2019, the City reported a net pension liability related to FRS and HIS as follows:

FRS	\$ 4,678,777
HIS	960,916
Total	<u>\$ 5,639,693</u>

The net pension liability was measured as of June 30, 2019, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The employer proportion of the net pension liability was based on a projection of the organization's long-term share of contributions to the pension plan relative to the projected contributions of all participating governmental entities, as actuarially determined. At June 30, 2019 and 2018, the City's proportionate share of the FRS and HIS net pension liabilities were as follows:

<u>Plan</u>	<u>2019</u>	<u>2018</u>
FRS	0.013585849%	0.013403952%
HIS	0.008588042%	0.008624683%

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(10) Employees' Retirement Plans and Other-Postemployment Benefits: (Continued)

For the plan year ended June 30, 2019, pension expense was recognized related to the FRS and HIS plans as follows:

FRS	\$	1,237,534
HIS		96,216
Total	\$	<u>1,333,750</u>

Deferred outflows/inflows related to pensions:

At September 30, 2019, deferred outflows of resources and deferred inflows of resources related to pensions were recorded from the following sources:

	FRS		HIS	
	Deferred Outflows of Resources	Deferred Inflows of Resources	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 277,512	\$ (2,904)	\$ 11,671	\$ (1,177)
Changes of assumptions	1,201,711	-	111,265	(78,537)
Net difference between projected and actual investment earnings	-	(258,854)	620	-
Change in City's proportionate share	190,610	(26,061)	72,180	(3,274)
Contributions subsequent to measurement date	120,325	-	13,075	-
	<u>\$ 1,790,158</u>	<u>\$ (287,819)</u>	<u>\$ 208,811</u>	<u>\$ (82,988)</u>

The above amounts for deferred outflows of resources for contributions related to pensions resulting from employer contributions subsequent to the measurement date and will be recognized as a reduction of the net pension liability in the year ended September 30, 2020. Other amounts reported as deferred outflows and deferred inflows of resources related to pensions being amortized for a period of greater than one year will be recognized in pension expense in succeeding years as follows:

2020	\$	447,806
2021		415,889
2022		368,898
2023		180,555
2024		59,296
Thereafter		22,318
Total	\$	<u>1,494,762</u>

Actuarial assumptions:

The Actuarial assumptions for both defined benefit plans are reviewed annually by the Florida Retirement System Actuarial Assumptions Conference. The FRS has a valuation performed annually. The HIS Program has a valuation performed biennially that is updated for GASB reporting in the year a valuation is not performed. The most recent experience study for the FRS was completed in 2019 for the period July 1, 2013, through June 30, 2018. Because HIS is funded on a pay-as-you-go basis, no experience study has been completed.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(10) Employees' Retirement Plans and Other-Postemployment Benefits: (Continued)

The total pension liability for each of the defined benefit plans was determined by an actuarial valuation, using the entry age normal actuarial cost method. Inflation increases for both plans are assumed at 2.60%. Payroll growth, including inflation, for both plans is assumed at 3.25%. Both the discount rate and the long-term expected rate of return used for FRS investments are 6.90%. This rate decreased from the prior year rate, which was 7.00%. The plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the discount rate for calculating the total pension liability is equal to the long-term expected rate of return. Because HIS Program uses a pay-as-you-go funding structure, a municipal bond rate of 3.50% was used to determine the total pension for the program. This rate decreased from the prior year rate, which was 3.87%. Mortality assumptions for both plans were based on the Generational RP-2000 with Projection Scale BB tables.

Long-term expected rate of return:

To develop an analytical basis for the selection of the long-term expected rate of return assumption, in October 2019, the FRS Actuarial Assumptions conference reviewed long-term assumptions developed by both Milliman's capital market assumptions team and by a capital market assumptions team from Aon Hewitt Investment Consulting, which consults to the Florida State Board of Administration. The table below shows Milliman's assumptions for each of the asset classes in which the plan was invested at that time based on the long-term target asset allocation. The allocation policy's description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions, and includes an adjustment for the inflation assumption. These assumptions are not based on historical returns, but instead are based on a forward-looking capital market economic model.

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Arithmetic Expected Rate of Return</u>
Cash	1.0%	3.3%
Fixed income	18.0%	4.1%
Global equities	54.0%	8.0%
Real estate	10.0%	6.7%
Private equity	11.0%	11.2%
Strategic investments	6.0%	5.9%
Total	<u>100.0%</u>	

Sensitivity of the net pension liability to changes in the discount rate:

The following presents the proportionate shares of the FRS and HIS net pension liability of the City calculated using the current discount rates, as well as what the City's net pension liability would be if it were calculated using a discount rate that is 1% lower or 1% higher than the current rate:

<u>Plan</u>	<u>Current Discount Rate</u>	<u>NPL with 1% Decrease</u>	<u>NPL at Current Discount Rate</u>	<u>NPL with 1% Increase</u>
FRS	6.90%	\$ 8,088,048	\$ 4,678,777	\$ 1,831,460
HIS	3.50%	1,096,935	960,916	847,628

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(10) **Employees' Retirement Plans and Other-Postemployment Benefits:** (Continued)

B. Other Post-Employment Benefits (OPEB):

Plan Description

The City of St. Augustine Beach, Florida Post-Retirement Benefits Plan (the Plan) is a single-employer healthcare plan administered by the City. Pursuant to Section 112.0801, Florida Statutes, the City is required to permit participation in the Plan to retirees and their eligible dependents at a cost to the retiree that is no greater than the cost at which coverage is available for active employees. Eligible individuals include all regular employees who retire from active service. Under certain conditions, eligible individuals also include spouses and dependent children. The Plan does not issue a publicly available financial report.

Funding Policy

The contribution requirements of plan members are established by state statutes and may be amended by the state legislature. The required contribution is based on projected pay-as-you-go financing requirements and is subject to constant revision. The City has opted to not fund the total OPEB obligation or the resulting unfunded actuarial accrued liability on an annual basis. The City utilizes the general fund and road and bridge fund to liquidate the liability for the OPEB obligation from previous years.

Benefits Provided

The Other Post-Employment Benefits Plan is a single-employer benefit healthcare plan administered by the City. Retirees are charged whatever the insurance company charges for the type of coverage elected, however, the premiums charged by the insurance company are based on a blending of the experience among younger active employees and older retired employees. The older retirees actually have a higher cost which means the City is actually subsidizing the cost of the retiree coverage because it pays all or a significant portion of the premium on behalf of the active employee, known as the "implicit rate subsidy."

Plan Membership

At October 1, 2017, the date of the latest actuarial valuation, plan participation consisted of 57 covered individuals, including two inactive employees and beneficiaries and 55 active employees. Plan participation does not include any inactive employees entitled to but not yet receiving benefits.

Actuarial Assumptions and Other Inputs

The total OPEB liability in the October 1, 2017, actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods in the measurement, unless otherwise specified:

Discount rate	3.64%
Salary increases	3.00%
Healthcare cost trend rate	7.50% in 2018, downgraded 0.50% per year to 5.00% in 2023
Age-related morbidity	3.50% for each year of age
Retirees' share of benefit-related costs	100.00%

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(10) **Employees' Retirement Plans and Other-Postemployment Benefits:** (Continued)

The City does not have a dedicated Trust to pay retiree healthcare benefits. The discount rate was based on the S&P Municipal Bond 20-Year High Grade Rate Index as of September 30, 2018.

Mortality rates were based on the PUB-2010 Mortality Table (without income adjustment) for general and public safety employees, with full generational improvements in mortality using Scale MP-2017.

Total OPEB Liability

The City's total OPEB liability of \$681,891 was measured as of September 30, 2018, and was determined by an actuarial valuation as of October 1, 2017, utilizing the Alternative Measurement Method for small plans.

Changes in the OPEB liability for the fiscal year ended September 30, 2019, were as follows:

	Total OPEB Liability
Balance at September 30, 2018	\$ 660,692
Changes for a year:	
Service cost	79,706
Interest	26,938
Differences between expected and actual experience	-
Demographic experience	(100,753)
Changes of assumptions	15,982
Benefit payments – implicit rate subsidy	(674)
Other changes	-
Net changes	21,199
Balance at September 30, 2019	\$ 681,891

Sensitivity of the total OPEB liability to changes in the discount rate:

The following presents the total OPEB liability of the City calculated using the discount rate of 3.64%, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1% lower (2.64%) or 1% higher (4.64%) than the current rate:

	1% Decrease	Current Discount Rate	1% Increase
Total OPEB Liability	\$ 754,953	\$ 681,891	\$ 617,711

Sensitivity of the total OPEB liability to changes in the healthcare cost trend rate:

The following presents the total OPEB liability of the City as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1% lower (6.50%, decreasing to 4.00%) or 1% higher (8.50%, decreasing to 6.00%) than the current healthcare cost trend rates (7.50%, decreasing to 5.00%):

	1% Decrease	Current Trend Rates	1% Increase
Total OPEB Liability	\$ 592,027	\$ 681,891	\$ 790,948

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019

(11) Risk Management:

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters for which the City carries commercial insurance. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years. There were no significant reductions in coverage from the prior year.

The City is engaged in routine litigation incidental to the conduct of its municipal affairs. In the opinion of the City's legal counsel, no legal proceedings are pending which would have a material adverse effect on the financial position or results of operations of the City.

(12) Commitments and Contingencies:

The City is engaged in various liability claims incidental to the conduct of its general government operations at September 30, 2019. The outcomes of established claims are included in these financial statements. In the opinion of the City's legal counsel, no legal proceedings are pending or threatened against the City which are not covered by applicable insurance which would inhibit its ability to perform its operations or materially affect its financial condition.

(13) Fund Deficit:

As of September 30, 2019, the Road and Bridge Fund had a deficit fund balance of \$63,432.

(14) Interlocal Agreement:

Through the Department of Environmental Protection's State Revolving Loan Program, the City obtained funding in September 2009 to connect approximately 620 residential units in seven neighborhoods to the St. Johns County Utility System.

The City contracted with St. Johns County to extend their current utility system into these neighborhoods. The new lines are in place and will be both operated and maintained by St. Johns County. The City is the owner of the new utility lines until such time as the debt instrument that has been used to finance the project has been retired, upon which the ownership shall vest solely with St. Johns County. St. Johns County will share the revenues generated from the new utility connections with the City in an amount equal to the debt service on the City's loans not forgiven, as it becomes due and payable.

(15) Recent Accounting Pronouncements:

The Governmental Accounting Standards Board ("GASB") has issued several pronouncements that have effective dates that may impact future financial statements. Listed below are pronouncements with required implementation dates effective for subsequent fiscal years that have not yet been implemented. Management has not currently determined what, if any, impact implementation of the following will have on the City's financial statements:

GASB issued Statement No. 87, *Leases*, in June 2017. GASB 87 increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. The provisions in GASB 87 are effective for periods beginning after December 15, 2019.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2019

	<u>Budgeted Amounts</u>			<u>Variance with Final Budget - Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>	<u>Actual</u>	
REVENUES				
Taxes	\$ 3,783,171	\$ 3,813,171	\$ 3,870,456	\$ 57,285
Licenses and permits	737,200	737,200	861,289	124,089
Intergovernmental	910,597	935,597	999,124	63,527
Charges for services	825,937	429,569	488,919	59,350
Fines and forfeitures	11,700	18,200	36,349	18,149
Interest revenues	19,100	49,100	62,304	13,204
Miscellaneous	62,550	78,173	42,361	(35,812)
Total revenues	<u>6,350,255</u>	<u>6,061,010</u>	<u>6,360,802</u>	<u>299,792</u>
Expenditures				
Current:				
General government:				
Legislative	81,775	81,774	72,941	8,833
Executive	174,668	174,669	172,582	2,087
Finance	739,068	768,568	736,065	32,503
Comp planning	153,175	169,925	166,821	3,104
Other general government	669,018	654,724	509,092	145,632
Public safety:				
Police	2,420,378	2,420,378	2,390,362	30,016
Protective inspection	370,089	370,089	341,732	28,357
Physical environment	1,108,261	1,088,361	969,229	119,132
Transportation	81,081	-	-	-
Economic environment	250	250	250	-
Human services	55	55	-	55
Culture and recreation	346,850	347,550	148,160	199,390
Debt service:				
Principal	73,245	72,459	72,458	1
Interest and fiscal charges	5,363	6,149	6,149	-
Total expenditures	<u>6,223,276</u>	<u>6,154,951</u>	<u>5,585,841</u>	<u>569,110</u>
Excess (deficiency) of revenues over expenditures	<u>126,979</u>	<u>(93,941)</u>	<u>774,961</u>	<u>868,902</u>
Other financing sources (uses)				
Transfers out	(1,184,259)	(1,536,525)	(1,547,229)	(10,704)
Proceeds from sale of capital assets	10,000	10,000	-	(10,000)
Issuance of debt	250,000	250,000	220,000	(30,000)
Total other financing sources (uses)	<u>(924,259)</u>	<u>(1,276,525)</u>	<u>(1,327,229)</u>	<u>(50,704)</u>
Net change in fund balances	<u>(797,280)</u>	<u>(1,370,466)</u>	<u>(552,268)</u>	<u>818,198</u>
Fund balances, beginning of year	3,290,190	3,290,190	3,290,190	-
Fund balances, end of year	<u>\$ 2,492,910</u>	<u>\$ 1,919,724</u>	<u>\$ 2,737,922</u>	<u>\$ 818,198</u>

The accompanying notes to the required supplemental
information are an integral part of this schedule.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - ROAD AND BRIDGE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2019

	Budgeted Amounts			Variance with Final Budget - Positive (Negative)
	Original	Final	Actual	
REVENUES				
Taxes	\$ 247,968	\$ 247,968	\$ 239,983	\$ (7,985)
Licenses and permits	50,000	50,000	143,654	93,654
Intergovernmental	346,138	407,913	400,024	(7,889)
Charges for services	48,328	48,328	50,138	1,810
Interest revenues	810	810	188	(622)
Total revenues	<u>693,244</u>	<u>755,019</u>	<u>833,987</u>	<u>78,968</u>
Expenditures				
Current:				
Transportation	878,493	1,257,493	837,632	419,861
Capital outlay	769,465	804,506	655,952	148,554
Debt service:				
Principal	113,990	113,990	113,989	1
Interest and fiscal charges	53,377	53,377	53,376	1
Total expenditures	<u>1,815,325</u>	<u>2,229,366</u>	<u>1,660,949</u>	<u>568,417</u>
Excess (deficiency) of revenues over expenditures	<u>(1,122,081)</u>	<u>(1,474,347)</u>	<u>(826,962)</u>	<u>647,385</u>
Other financing sources (uses)				
Transfers in	822,081	1,174,347	1,174,347	-
Transfers out	-	-	(6,042)	(6,042)
Total other financing sources (uses)	<u>822,081</u>	<u>1,174,347</u>	<u>1,168,305</u>	<u>(6,042)</u>
Net change in fund balances	<u>(300,000)</u>	<u>(300,000)</u>	<u>341,343</u>	<u>641,343</u>
Fund balances (deficits), beginning of year	<u>(404,775)</u>	<u>(404,775)</u>	<u>(404,775)</u>	<u>-</u>
Fund balances (deficits), end of year	<u><u>\$ (704,775)</u></u>	<u><u>\$ (704,775)</u></u>	<u><u>\$ (63,432)</u></u>	<u><u>\$ 641,343</u></u>

The accompanying notes to the required supplemental
information are an integral part of this schedule.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY
LAST 10 FISCAL YEARS
(UNAUDITED)

	As of the Plan Year Ended June 30,					
	2019	2018	2017	2016	2015	2014
Florida Retirement System (FRS)						
Proportion of the net pension liability	0.013585849%	0.013403952%	0.013616542%	0.012974748%	0.011402375%	0.010951725%
Proportionate share of the net pension liability	\$ 4,678,777	\$ 4,037,340	\$ 4,029,064	\$ 3,276,134	\$ 1,472,770	\$ 668,216
Covered payroll	2,872,805	2,817,583	2,733,987	2,494,066	1,694,975	1,475,719
Proportionate share of the net pension liability as a percentage of covered payroll	162.86%	143.29%	147.37%	131.36%	86.89%	45.28%
Plan fiduciary net position as a percentage of the total pension liability	82.61%	84.26%	83.89%	84.88%	92.00%	96.09%
Health Insurance Subsidy Program (HIS)						
Proportion of the net pension liability	0.008588042%	0.008624684%	0.008575529%	0.008077334%	0.007360546%	0.007151006%
Proportionate share of the net pension liability	\$ 960,916	\$ 912,846	\$ 916,935	\$ 941,380	\$ 750,660	\$ 668,637
Covered payroll	2,872,805	2,817,583	2,733,987	2,494,066	1,694,975	1,475,719
Proportionate share of the net pension liability as a percentage of covered payroll	33.45%	32.40%	33.54%	37.74%	44.29%	45.31%
Plan fiduciary net position as a percentage of the total pension liability	2.63%	2.15%	1.64%	0.97%	0.50%	0.99%

* GASB 68 requires information for 10 years. However, until a full 10-year trend is compiled, information is presented for only those years for which information is available.

See accompanying notes to required supplementary information.

The accompanying notes to the required supplemental information are an integral part of this schedule.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
SCHEDULE OF CONTRIBUTIONS
LAST 10 FISCAL YEARS
(UNAUDITED)

	As of the Plan Year Ended June 30,					
	2019	2018	2017	2016	2015	2014
Florida Retirement System (FRS)						
Contractually required contribution	\$ 421,259	\$ 382,002	\$ 354,472	\$ 316,410	\$ 278,000	\$ 239,889
Contributions in relation to the contractually required contribution	421,259	382,002	354,472	316,410	278,000	239,889
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered payroll	\$ 2,872,805	\$ 2,817,583	\$ 2,733,987	\$ 2,494,066	\$ 1,694,975	\$ 1,475,719
Contributions as a percentage of covered payroll	14.66%	13.56%	12.97%	12.69%	16.40%	16.26%
Health Insurance Subsidy Program (HIS)						
Contractually required contribution	\$ 47,689	\$ 46,772	\$ 45,384	\$ 41,401	\$ 28,137	\$ 24,497
Contributions in relation to the contractually required contribution	47,689	46,772	45,384	41,401	28,137	24,497
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered payroll	\$ 2,872,805	\$ 2,817,583	\$ 2,733,987	\$ 2,494,066	\$ 1,694,975	\$ 1,475,719
Contributions as a percentage of covered payroll	1.66%	1.66%	1.66%	1.66%	1.66%	1.66%

* GASB 68 requires information for 10 years. However, until a full 10-year trend is compiled, information is presented for only those years for which information is available.

See accompanying notes to required supplementary information.

The accompanying notes to the required supplemental information are an integral part of this schedule.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY AND RELATED RATIOS
LAST 10 FISCAL YEARS
(UNAUDITED)

	<u>2019</u>	<u>2018</u>
Total OPEB Liability		
Service cost	\$ 79,706	\$ 78,300
Interest	26,938	21,426
Differences between expected and actual experience	-	-
Changes of assumptions	15,982	-
Benefit payments – implicit rate subsidy	(674)	(637)
Other changes	-	-
Demographic experience	(100,753)	-
Net change in total OPEB liability	<u>21,199</u>	<u>99,089</u>
Total OPEB liability – beginning	660,692	561,603
Total OPEB liability – ending	<u><u>\$ 681,891</u></u>	<u><u>\$ 660,692</u></u>
 Covered payroll	 \$ 2,656,223	 \$ 2,823,671
Total OPEB liability as a percentage of covered payroll	25.67%	23.40%
 Measurement date	 09/30/2018	 09/30/2017
Actuarial valuation date	10/01/2017	10/01/2016
 Discount rate	 3.64%	 3.35%

* GASB 75 requires information for 10 years. However, until a full 10-year trend is compiled, information is presented for only those years for which information is available.

See accompanying notes to required supplementary information.

The accompanying notes to the required supplemental
information are an integral part of this schedule.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
SEPTEMBER 30, 2019

(1) Budgetary Information:

Annual budgets for all governmental funds were adopted in compliance with Florida law. The basis on which the budgets are prepared is consistent with the basis of accounting utilized by the various fund types. The governmental funds' budgets are prepared on the modified accrual basis of accounting. The City uses the following procedures in establishing the budgetary data reflected in the accompanying financial statements:

- i. Prior to September 1st, the City Manager submits a preliminary budget to the City Commission for the ensuing fiscal year.
- ii. Budget workshop sessions are scheduled by the City Commission, as needed.
- iii. A general summary of the budget and notice of public hearing is published in a local newspaper.
- iv. Prior to October 1st, the budget is legally enacted through passage of an ordinance.
- v. The City Commission, by resolution, may make supplemental appropriations in excess of those estimated for the year up to the amount of available revenue. Prior to the end of the fiscal year, supplemental appropriations are made for unanticipated spending requirements by the Commission.
- vi. The City Manager may make transfers within a department as long as the total budget for the department is not increased, and the legal level of control is \$1,500. Transfers of appropriations between departments require the approval of the Commission. The City's Ordinance establishes the level at which expenditures may not exceed appropriations at the department level.
- vii. Every appropriation lapses at the close of the fiscal year.

The budgets for governmental funds that were either adopted or amended during the year by the City Commission were prepared using the modified accrual basis of accounting in accordance with generally accepted accounting principles. Each of the City's governmental funds have legally adopted budgets.

(2) Changes of Assumptions:

(a) **Florida Retirement System (FRS) Defined Benefit Pension Plan**—On the Schedule of Proportionate Share of the Net Pension Liability, the only significant actuarial assumption changes affecting the trend of the amount reported for total pension liability for the FRS Pension Plan were changes in the long-term expected rate of return and discount rate. These rates were decreased from 7.65% to 7.60% between September 30, 2015, and September 30, 2016. The rates were further decreased from 7.60% to 7.10% for the year ended September 30, 2017, and then 7.00% for the year ended September 30, 2018, and 6.90% for the year ended September 30, 2019. These decreases in rates were made to better align the rates with expected future investment returns.

CITY OF ST. AUGUSTINE BEACH, FLORIDA
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
SEPTEMBER 30, 2019

(2) **Changes of Assumptions:** (Continued)

(b) **Retiree Health Insurance Subsidy (HIS) Program Defined Benefit Pension Plan**—On the Schedule of Proportionate Share of the Net Pension Liability, the only significant actuarial assumption changes affecting the trend of the amount reported for total pension liability for the HIS Pension Plan were changes in the municipal bond rate and discount rate. These rates were decreased from 3.80% to 2.85% between September 30, 2015, and September 30, 2016. The rates were then increased from 2.85% to 3.58% for the year ended September 30, 2017, and then further increased to 3.87% for the year ended September 30, 2018, and 3.50% for the year ended September 30, 2019. These decreases in rates were made to better align the rates with expected future investment returns. For information on the actuarial methods and assumptions used in the July 1, 2019, funding valuation, refer to the valuation report dated December 3, 2019, located on the Publications page of the Division of Retirement's website at www.frs.myflorida.com.

(c) **Other Post-Employment Benefits (OPEB) Plan**—Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employments, mortality, and the healthcare cost trend. The OPEB Plan is funded on a pay-as-you-go basis; there are no assets accumulated in a trust to pay related benefits. No liability for retiree dental and vision benefits are reflected in the valuation.

(3) **Contribution Rates:**

(a) **Florida Retirement System (FRS) Defined Benefit Pension Plan**—For information on the actuarial methods and assumptions used in the July 1, 2019, funding valuation, refer to the valuation report dated December 3, 2019, located on the Publications page of the Division of Retirement's website at www.frs.myflorida.com.

(b) **Retiree Health Insurance Subsidy (HIS) Program Defined Benefit Pension Plan**—The HIS essentially uses "pay-as-you-go" funding structure. As of June 30, 2019, accumulated HIS assets constituted approximately seven months of projected benefit payments. The ability of the current statutory contribution rate to pay full HIS benefits is very sensitive to near-term demographic experience, particularly the volume and timing of retirements and the amount of payroll on which the statutory rate is charged.

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT
AUDITING STANDARDS***

To the Honorable Mayor, City Commission, and City Manager,
City of St. Augustine Beach, Florida:

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of St. Augustine Beach, Florida (the City), as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated February 19, 2020.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. We did identify certain deficiencies in internal control, described below as items 2019-001 through 2019-002, that we consider to be significant deficiencies.

2019-001 – Preparation of Financial Statements

Professional standards promulgated by the American Institute of Certified Public Accountants provide a system of internal control over financial reporting should allow the City to prepare financial statements, including note disclosures, in accordance with generally accepted accounting principles (GAAP). While auditors can assist with the preparation of financial statements and related footnotes, the financial statements are the responsibility of management. A control deficiency exists in instances where the City is not positioned to draft financial statements and all required disclosures. However, the outsourcing of these services is not unusual in governmental entities of similar budget and personnel size. For subsequent audits, management may wish to take an active role in the drafting of the financial statements and related disclosures.

2019-002 – Reconciliation of Account Balances

During testing of current year revenues, we noted approximately \$70,000 of general fund state revenues, \$42,000 of road and bridge state revenues, and \$73,000 of FEMA grant revenues in the road and bridge fund that were not accrued at year-end. We recommend the City review significant account balances at year-end, including full accrual-based reconciliations, for proper cutoff and completeness to ensure accuracy of all financial reporting.

Compliance and Other Matters

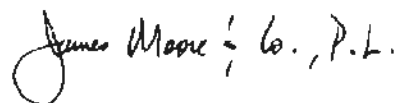
As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Management's Response to Findings

The City's response to the findings identified in our audit is described in the accompanying management's response to findings on page 47. The City's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Daytona Beach, Florida
February 19, 2020

**INDEPENDENT AUDITORS' MANAGEMENT LETTER REQUIRED
BY CHAPTER 10.550, RULES OF THE STATE OF FLORIDA
OFFICE OF THE AUDITOR GENERAL**

To the Honorable Mayor, City Commission, and City Manager,
City of St. Augustine Beach, Florida:

Report on the Financial Statements

We have audited the financial statements of the City of St. Augustine Beach, Florida, as of and for the fiscal year ended September 30, 2019, and have issued our report thereon dated February 19, 2020.

Auditors' Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; and Independent Accountants' Report on an examination conducted in accordance with AICPA Professional Standards, AT-C Section 601, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports and schedule, which are dated February 19, 2020, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. The recommendation in the preceding annual financial report numbered as 2018-001 has not been fully corrected and has been modified and repeated below as comment 2019-003. There were no such findings or recommendations in the second preceding annual financial audit report.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The legal authority for the primary government of the reporting entity is disclosed in Note (1)(a) of the basic financial statements.

Financial Condition

Sections 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require us to apply appropriate procedures and report the results of our determination as to whether or not the City has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the City did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

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Tallahassee, FL 32308-4386
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Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures for the City. It is management's responsibility to monitor the City's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we noted the following recommendation:

2019-003 – Fund Deficits (First Year Repeat)

During our analysis of fund balance classifications and amounts, we noted that the Road and Bridge Fund has a \$539,894 fund deficit balance. Based on recent year trends of related revenues and expenses, the General Fund will likely need to subsidize the Road and Bridge Fund, similar to what has been done in prior years. We recommend the appropriate transfers be approved in a timely manner to ensure positive fund balances are shown in subsequent years as necessary.

The City has a fund balance policy requiring unassigned fund balance of the General Fund to maintain a balance of at least 20% of General Fund expenditures. As of September 30, 2019, the General Fund unassigned fund balance of \$1,103,533 was 19.8% of General Fund expenditures. If the above transfer were to be completed with the current balances, the General Fund unassigned fund balance as a percentage of expenditures would become 10.1%. We recommend the City refer to their fund balance policy for plans to restore the unassigned fund balance to acceptable levels within two years.

2019-004 – Budgetary Legal Level of Control

During our audit of the City's budgetary compliance, we noted the budgetary legal level of control is \$1,500 for the City Manager to make intradepartmental transfers and transfers of appropriations between departments requires approval of the City Commission. To increase efficiency of staff and Commission time, we recommend the City consider amending the City Ordinances to increase the legal level of control to allow City Manager approval for any interdepartmental transfers of appropriation and City Commission approval for any changes in the total budget for a fund.

Additional Matters

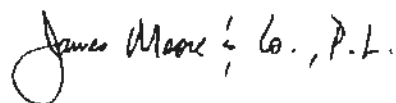
Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

City of St. Augustine Beach, Florida's Response to Findings

The City's responses to the finding identified in our audit are described starting on page 47. The City's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and State granting agencies, the City Commission, management, and others within the City, and is not intended to be and should not be used by anyone other than these specified parties.



Daytona Beach, Florida
February 19, 2020

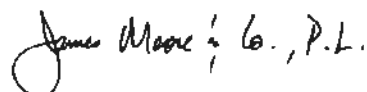
INDEPENDENT ACCOUNTANTS' EXAMINATION REPORT

To the Honorable Mayor, City Commission, and City Manager,
City of St. Augustine Beach, Florida

We have examined the City of St. Augustine Beach, Florida's (the City) compliance with Section 218.415, Florida Statutes, *Local Government Investment Policies*, for the year ended September 30, 2019. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on the City's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the City complied with Section 218.415, Florida Statutes, *Local Government Investment Policies*, for the year ended September 30, 2019, in all material respects. An examination involves performing procedures to obtain evidence about the City's compliance with those requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of risks of material noncompliance with those requirements, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

In our opinion, the City of St. Augustine Beach, Florida complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2019.



Daytona Beach, Florida
February 19, 2020

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Patricia Douylliez, who being duly sworn, deposes and says on oath that:

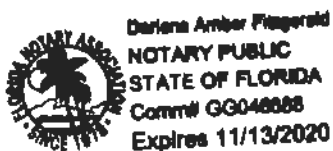
1. I am the Chief Financial Officer of the City of St. Augustine Beach which is a local governmental entity of the State of Florida;
2. The City of St. Augustine Beach entered into an interlocal agreement with the County of St. Johns on August 9, 2005, which allows the City to collect impact fees implemented by the County, adopted by County Ordinance No. 2005-27, as amended through County Ordinance 2018-16; and
3. The City of St. Augustine Beach has complied and, as of the date of this Affidavit, remains in compliance with Section 163.31801, Florida Statutes.

FURTHER AFFIANT SAYETH NAUGHT.


Patricia Douylliez, Finance Director

STATE OF FLORIDA
COUNTY OF ST JOHNS

SWORN TO AND SUBSCRIBED before me this 18th day of February, 2020.




NOTARY PUBLIC
Print Name Darlene Amber Fitzgerald

Personally known X or produced identification _____

Type of identification produced: _____

My Commission Expires:

11/13/2020



City of St. Augustine Beach

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

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

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

February 19, 2020

Management's Response to the Auditor's Comments

2019-001 – Preparation of Financial Statements

While it has been a practice of the City to have the auditing firm assist with the preparation of our financial statements, however, the City will move toward taking a more active role in the drafting of the financial statements and related disclosures through additional training for the Finance Director.

2019-002 – Reconciliation of Account Balances

The City has developed improved processes to ensure revenues are recognized in the correct fiscal year.

2019-003 – Fund Deficits (First Year Repeat)

The City continues to fund the Road and Bridge Fund expenses from the General Fund via Intrafund Transfers, however, the funding was not adequate to cover the balance of the expenses. The City will ensure transfers to the Road and Bridge Fund are approved in a timely manner so that the fund balance is positive in the future.

The City Manager will review the fund balance with the City Commission and develop a plan to ensure the reserves are increased to acceptable levels over the next two years.

2019-004 – Budgetary Legal Level of Control

The City agrees with giving the City Manager and Chief of Police the increased legal level of control for interdepartmental transfers and transfers of appropriations between departments within the approved annual budget. An amendment to its ordinance will be proposed to the City Commission to reflect this change.

MEMORANDUM

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

FROM: Max Royle, City Manager *df*

DATE: February 7, 2020

SUBJECT: Ordinance 20-02, Second Public Hearing and Final Reading: to Adopt Changes to the Land Development Regulations

You reviewed the proposed changes at your January 14th continuation meeting when you passed Ordinance 20-02 on first reading. At that meeting there were no public comments about the changes, and no questions or suggestions from the Commission.

The Comprehensive Planning & Zoning Board reviewed the Ordinance at its January 21, 2020, meeting, and recommended by a 7-0 vote that it be approved. The Board's motion and vote is stated in the attached memo from the Building Department's Executive Assistant, Ms. Bonnie Miller.

The Ordinance has its first public hearing at your February 3rd meeting, when you approved it on second reading. There are no comments or suggestions for changes.

Ordinance 20-02 has now been scheduled for its second public hearing and final reading at your March 2nd meeting.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Ordinance No. 20-02
Date: Wednesday, January 22, 2020

Please be advised at its regular monthly meeting held Tuesday, January 21, 2020, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of Ordinance No. 20-02 on final reading.

Passed on first reading by the City Commission at the continuation of its regular monthly meeting of January 6, 2020 continued to January 14, 2020, Ordinance No. 20-02 amends Section 3.02.02.01, Mixed Use Districts; Section 3.09.00, Transient Lodging Establishments Within Medium Density Land Use Districts; Section 4.00.06, Annual Report; Section 5.01.03, Replacement and Mitigation; Section 6.01.02, Impervious Surface Coverage; and Section 6.01.03.B, Building Setback Requirements, of the City of St. Augustine Beach Land Development Regulations (LDRs).

The motion to recommend the City Commission approve passage of Ordinance No. 20-02 as drafted was made by Ms. Odom, seconded by Mr. Einheuser, and passed 7-0 by the Board by unanimous voice-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: 12-23-2019
Re: Proposed Code Changes and Ordinance

Max

Please see the attached code changes that the City Commission reviewed at the December 2 meeting, included is the proposed ordinance. The code changes are still displaying the strike throughs for the Commissions review.

Sincerely

Brian Law

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

8. 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.

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.~~
-

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.~~

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)~~

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:
 - 1. City construction and capital improvements limited to Tree and landscaping costs including equipment, installation, and irrigation.
 - 2. Beautification limited to the cost of Trees, landscaping requirement and installation of the beautification project. Where funds are used to plant trees in the plazas or City road right of way, funds may also be used to fund design by a Registered Landscape Architect.
 - 3. Conservation or natural preserve protection.
 - 4. The construction and maintenance of structures and landscaping in city owned parks.

Sec. 6.01.02. - Impervious surface coverage.

D. Table of impervious surface ratios.

Land Use District	Maximum Impervious Surface Ratio ¹
Low density residential	0.40*
Medium density residential	0.50
High density residential	0.70
Commercial	0.70

¹ The maximum impervious surface ratio is given for each district, regardless of the type of use proposed and allowable pursuant to Article III.

* 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.

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 ~~twelve~~eight (12~~8~~) feet in height. 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) feet 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 ~~twelve~~nine (12~~9~~) feet in height 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.

ORDINANCE NO. 20 - 02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODES OF THE CITY AS CONTAINED WITHIN ARTICLE III, LAND USE TYPE, DENSITY, INTENSITY; ARTICLE IV, CONSISTENCY AND CONCURRENCY DETERMINATIONS; ARTICLE V, RESOURCE PROTECTION; ARTICLE VI, RELATING TO DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS; BUILDING SETBACK REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1 Article III of the Land Development Regulations of the City of St. Augustine Beach, Land Use Type, Density, Intensity, Section 3.02.02.01, Mixed Use Districts, is hereby amended as set forth in Exhibit 1, as attached hereto and incorporated into the Land Development Code herein by reference.

Section 2 Article III of the Land Development Regulations of the City of St. Augustine Beach, Land Use Type, Density, Intensity, Section 3.09.00, Transient lodging establishments within medium density land use districts, is hereby amended as set forth in Exhibit 1, as attached hereto and incorporated into the Land Development Code herein by reference.

Section 3 Article IV of the Land Development Regulations of the City of St. Augustine Beach, Consistency and Concurrence Determinations, Section 4.00.06 Annual Report, is hereby amended as set forth in Exhibit 1, as attached hereto and incorporated into the Land Development Code herein by reference.

Section 4 Article V, Resource Protection, of the Land Development Regulations of the City of St. Augustine Beach, Section 5.01.03, Replacement and Mitigation, is hereby amended as set forth in Exhibit 1 and incorporated into the Land Development Code herein by reference.

Section 5 Article VI of the Land Development Regulations of the City of St. Augustine Beach, Florida, Development Design and Improvement Standards, Sections 6.01.02, Impervious Surface Coverage and Sections 6.01.03 B., Building Setback Requirements are hereby amended as set forth in Exhibit 1, and incorporated into the Land Development Code herein by reference.

1
2 Section 6 SEVERABILITY. It is the intent of the City Commission of the City
3 of St. Augustine Beach, and is hereby provided, that if any section, subsection,
4 sentence, clause, phrase or provision of this Ordinance is held to be invalid or
5 unconstitutional by a court of competent jurisdiction, such invalidity or
6 unconstitutionality shall not be construed as to render invalid or
7 unconstitutional the remaining provisions of this Ordinance.
8

9 Section 7 CODIFICATION. This ordinance shall be incorporated into the
10 Code of the City of St. Augustine Beach and a copy hereof shall be maintained
11 in the office of the City Clerk.
12

13 Section 8 EFFECTIVE DATE. This ordinance shall take effect upon adoption.
14

15 **PASSED** by the City Commission of the City of St. Augustine Beach, Florida upon
16 Second Reading this _____ day of _____ 2020.
17

18 **CITY COMMISSION OF THE**
19 **CITY OF ST. AUGUSTINE BEACH**
20

21 **ATTEST:** _____

BY: _____

22 City Manager, Max Royle
23


Margaret England, Mayor

24 First Reading: January 14, 2020

25 Second Reading: _____
26
27
28

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 19, 2020

SUBJECT: Ordinance 20-04, First Public Hearing and Second Reading: to Amend the Land Development Regulations by Establishing Section 5.06.00 for Dune Protection

BACKGROUND

This Ordinance came from two amendments, CC.1.2.9 and CC.1.2.10, to the Conservation Coastal Management Element of the Comprehensive Plan to provide protection for coastal dunes. You reviewed the Ordinance at your February 3rd meeting, when you passed it on first reading.

The Comprehensive Planning and Zoning Board reviewed the Ordinance at its February 18, 2020, meeting, and made the following recommendations:

- That the Commission approve the Ordinance
- That dune walkovers, sand fencing, beach renourishment, and sea oats plantings be listed in the Ordinance as exceptions.
- That the Commission consider the suggestions from the Sustainability and Environmental Planning Advisory Committee.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-2. The minutes of the part of your February 3rd meeting when you discussed Ordinance 20-04 and passed it on first reading.
- b. Page 3, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she provides the recommendations made by the Planning Board at its February 18th meeting.
- c. Page 4, the suggestions from SEPAC.
- d. Page 5, a memo from the Building Official about the link between Ordinance 20-04 and two policies in the Comprehensive Plan.
- e. Page 6, a revised draft of Ordinance 20-04 that includes the Planning Board's recommendations.

ACTION REQUESTED

It is that you hold the public hearing and discuss the Planning Board's recommendations. If you approve them, then you can pass Ordinance 20-04 on second reading with the Board's recommendations as amendments to it.

The Ordinance will be scheduled for its second public hearing and final reading at your April 6th meeting.

MINUTES FROM CITY COMMISSION MEETING, FEBRUARY 3, 2020

9. Ordinance 20-04, to Amend the Land Development Regulations by Establishing Section 5.06.00 for Dune Protection (Presenter: Brian Law, Building Official)

Mayor England introduced Item 10 and asked Building Official Law for a staff report.

Building Official Law reported that with the adoption of the Comprehensive Plan it has given staff direction to amend the Land Development Regulations. He explained that under Section 5.06.00 of the Comprehensive Plan it requires policies to be written and included that the City will not approve nor recommend development that modifies the undisturbed areas of the coastal dune system of the City of St. Augustine Beach. He inserted nor recommend and coastal. He asked for assistance from Florida Wildlife for technical assistance so language can be updated in Section 5.06.00.

Commissioner George asked what the intent means for undisturbed areas.

Building Official Law advised that if an individual modified a dune it would be disturbed but explained that once the modification was done then it would be undisturbed at that point.

Commissioner George asked if the word undisturbed could be removed.

Building Official Law advised that he would. He took the language of what the Comprehensive Plan said and moved it over.

Mayor England advised that Sea Colony or other areas that have dunes that are developed subdivisions explained that those are disturbed, so the Commission wouldn't want this to go that far.

Commissioner George advised that an applicant could come forward with a variance if there is a reason for it.

Building Official Law explained that an applicant would submit an application with an intent to modify a coastal dune, which requires a DEP permit. He commented with the Comprehensive Plan in place and the modified building codes it would be an automatic rejection for the Building and Zoning Department and give a zoning verification letter based on the Comprehensive Plan and the Land Development Code. Then the applicant could apply for a variance and the Comprehensive Building and Zoning Board could decide based on the facts of the case and if they still were not happy, they could appeal it to the circuit court.

Commissioner Samora advised that there are other areas west of A1A Beach Boulevard that have subdivisions next to Hammock Dunes Park that have the same dunes topography. Whispering Oaks homes are cut right into the dunes and they would be affected too.

Mayor England advised that there must be a way to handle a dune if a tree needs to come down in order to build a reasonable home.

Building Official Law advised that was why he included the word coastal.

Mayor England asked to create a definition of coastal dune.

Building Official Law could create a definition and define how far into the City this goes.

City Attorney Wilson asked Building Official Law if he wanted to define the coastal construction control line.

Building Official Law explained the coastal construction control line.

Commissioner George suggested language of ocean fronting coastal dune system. She also suggested coastal dunes system immediately adjacent to the public beach in the City of St. Augustine Beach.

Building Official Law agreed and will modify the language of the ordinance.

Commissioner George asked if this would affect beach renourishment.

Building Official Law advised that he thought about that and would meet with Fish and Wildlife to discuss that aspect.

Commissioner George asked to include ordinance the language "with exception to government work."

Building Official Law agreed to put language of beach renourishment under exceptions.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, suggested that the Commission contact Michael Shirley who is a scientist and would help draft the ordinance.

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

After request from Mayor England, City Attorney Wilson read the title of Ordinance 20-04.

Mayor England asked for a motion.

Motion: to approve Ordinance 20-04 with the following amendments: 1) removing the word "undisturbed", 2) adding language defining the coastal dune system as being immediately adjacent to the public beach, 3) identifying exceptions including nourishment work. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Ordinance No. 20-04
Date: Wednesday, February 19, 2020

Please be advised at its regular monthly meeting held Tuesday, February 18, 2020, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of Ordinance No. 20-04 on final reading.

Passed on first reading by the City Commission at its regular monthly meeting held Tuesday, February 3, 2020, this proposed ordinance amends Article V of the City of St. Augustine Beach Land Development Regulations to establish Section 5.06.01, Protection of Dune Systems, to prevent the modification of undisturbed areas of the dune system with the exception of beach re-nourishments and the planting of sea oats.

The motion to recommend the City Commission approve passage of Ordinance No. 20-04 was made by Mr. Mitherz, with the addition of dune walkovers and sand fencing listed as exceptions along with beach re-nourishments and the planting of sea oats, and including for the Commission's consideration the suggestions made by the City's Sustainability & Environmental Planning Advisory Committee (SEPAC) emailed to staff by SEPAC Chairperson Sandra Krempasky on February 17, 2020. Mr. Mitherz's motion was seconded by Ms. Odom and passed 5-0 by the Board by unanimous voice-vote.

Along with the Planning and Zoning Board's addition of dune walkovers and sand fencing to the exceptions regarding modification of undisturbed areas of the dune system, Building Department staff has added to the list of exceptions "other exceptions approved by the Comprehensive Planning and Zoning Board" to the draft of Ordinance No. 20-04.

Bonnie Miller

From: Sandra Krempasky <sandra.krempasky@gmail.com>
Sent: Monday, February 17, 2020 9:50 AM
To: Beverly Raddatz; Bonnie Miller
Subject: Review of Dune Protection Ordinance

Beverly and Bonnie:

Good morning! Could you please forward these suggestions to the Commissioners and members of the PZB? Thank you.

Commissioners and PZB Members:

At our February 12th meeting, SEPAC discussed the strength of the proposed ordinance to further protect the City's dunes. We feel that the ordinance should include the following:

A statement of statutory authority;

A statement of purpose and intent, including support of the Comprehensive Plan Policy for protecting our natural resources and coastal wildlife habitats;

A statement of the flood protection provided by the coastal dune system;

This statement should reference the threats of ocean/wave action flooding and how inland properties would be affected by storm surge, wave wash over and wave scouring, and the unique nature and risks to our floodplain geography

A statement of the geographical area being protected;

This statement should include the primary, secondary and tertiary dune system. Consideration should be given to the natural migration of the coastal dune system. Consider identifying this area by easterly boundary of ocean high water mark and the westerly boundary as the Coastal Construction Control Line.

Addition of definitions and critical technical terms to Article II of the LDRs, if necessary.

Thank you for this consideration.

Sandra Krempasky
on behalf SEPAC

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

Agenda Item # 10

Meeting Date 2-3-20

To: Max Royle
From: Brian Law
CC:
Date: 1-15-2020
Re: Proposed LDR changes regarding Dune protection

Mr. Royle

The Building and Zoning Department is proposing this ordinance regarding modification of coastal dunes in the City of St. Augustine Beach for review by you and the City Commission. This ordinance is a result of the newly adopted comprehensive plan sections below.

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.

Sincerely

Brian Law

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

ORDINANCE NO. 20-04

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODES OF THE CITY AS CONTAINED WITHIN ARTICLE V. RELATING TO RESOURCE PROTECTION STANDARDS; ESTABLISHING SECTION 5.06.00 PROTECTION OF DUNE SYSTEM BY PREVENTING THE MODIFICATION OF UNDISTURBED AREAS OF THE DUNE SYSTEM.; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1 Article V Section 5.06.00 Protection of Dune Systems of the Land Development Regulations for the City of St. Augustine Beach, Florida is hereby created, which shall read as follows:

Sec. 5.06.00 Protection of Dune Systems

Sec 5.06.01. Generally

- A. The City shall not permit nor recommend development that modifies areas of the coastal dune system immediately adjacent to the public beach in the City of St. Augustine Beach.
 - 1. Exceptions:
 - a. Beach re-nourishments
 - b. Planting of sea oats
 - c. Dune walkovers
 - d. Sand Fencing
 - e. Other exceptions approved by the Comprehensive Planning and Zoning Board

Section 2 SEVERABILITY. It is the intent of the City Commission of the City of St. Augustine Beach, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 3 CODIFICATION. This ordinance shall be incorporated into the Code of the City of St. Augustine Beach and a copy hereof shall be maintained in the office of the City Clerk.

Section 4 EFFECTIVE DATE. This ordinance shall take effect upon its being adopted.

PASSED by the City Commission of the City of St. Augustine Beach, Florida upon Third Reading this 6th day of April 2020

CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH

ATTEST: _____

BY: _____

City Manager, Max Royle

Margaret England, Mayor

First Reading: 2/3/2020 Second Reading: 3-2-2020 Third Reading: _____

City of St. Augustine Beach

Land Development Code

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: March 2, 2020

SUBJECT: Ordinance 20-05, Public Hearing and Second Reading, to amend, revise and restate Chapter 10 – Garbage and Trash of the City code

INTRODUCTION

City staff presented a proposal at the January 6, 2020 City Commission meeting to change from the existing “can count” method to a simpler and less labor-intensive method of tabulating and billing commercial solid waste collection and disposal fees. Staff presented a comparison between the City of St Augustine Beach and the City of St. Augustine commercial solid waste collection and disposal fee schedules and made recommendations for commercial solid waste collection fees. The City Commission directed staff to proceed with the preparation of an ordinance reflecting these recommendations with consideration of the following:

- Incentivize large waste producers to utilize licensed private solid waste haulers
- Condominiums with six or more residences should utilize licensed private solid waste haulers.
- Create a tiered fee schedule which was fair and equitable to all customers
- Ensure businesses pay at least the same as residential properties
- Allow mixed-use buildings to utilize a shared solid waste collection area
- Bill transient rentals monthly, as with other commercial properties

Staff prepared Ordinance 20-05, based upon the feedback from the January 6th meeting and presented it for first reading at the February 3, 2020 City Commission meeting. On February 3, 2020 the City Commission approved Ordinance 20-05 on first reading with comments.

DISCUSSION

Staff has reviewed City Commission comments from the February 3, 2020 meeting and presents, for second reading, attached Ordinance 20-05, amending, revising and restating Chapter 10 – Garbage and Trash of the City code. The second reading of Ordinance 20-05 includes the following changes discussed at first reading:

- Transient lodging definition has been modified to refer to the specific section of the city code where it is defined.
- Grammatical error corrected in section 10-3 (b)
- Sections 10-4 (a), (1) and (2) were combined and clarified.
- Subsection numeration error corrected in Section 10-4
- Section 10-12 (e) was revised to Building Department enforcement
- Section 10-13 (a) was revised to specifically include transient rentals
- Changes to Section 10-100 were eliminated as discussed at first reading

The February 3, 2020 City Commission discussion of Ordinance 20-05 also included the option of allowing commercial service premises to provide their own City approved waste cart(s), provided they purchase a label from the City which identifies the container as a City authorized trash cart. This change is not in the current draft of Ordinance 20-05 as upon further investigation, a label/sticker system has several disadvantages over permanently stamped carts, including:

- Potential for label tearing and peeling – Severely damaged or missing labels may prevent the cart from being properly identified as “city authorized,” and may result in additional fees to the customer. Missing labels will also lead to increased staff logging of unauthorized containers, reducing the benefit of the new system.
- Theft potential – If labels are missing carts are subject to an increased risk of theft.
- Inconsistent appearance – Carts with an inconsistent appearance are more likely to be misidentified as not “city authorized,” particularly if labels are damaged or missing. Carts of consistent color and shape will result in reduced misidentification.
- Inconsistent materials – Different vendors construct carts from different materials, resulting in variance in durability. Poorer quality carts are more likely to be damaged during normal operations, resulting in increased customer dissatisfaction and more frequent requests for City replacement of damaged carts.

- Cost – Due to the volume ordered, it is likely that the City can obtain a high quality, durable cart at a lower price than an individual consumer. Carts will be sold to the customer at cost.
- Staff time – Increased staff time will be incurred inspecting and researching customer supplied waste carts for compliance with City requirements. Much of the product information may be difficult to obtain and verify if not provided from a known manufacturer. Disagreements are likely to arise related to a customer provided cart's compliance with City standards.

Upon further review, manufacturer stamped or painted identification of the waste carts appears to offer the best way to mitigate the challenges discussed above. City purchased carts would be of consistent design and color and would be durable enough to not be easily damaged by routine operations. Additionally, many manufactures offer color options which could differentiate the City's carts from neighboring jurisdictions' carts, thus reducing theft potential.

If the City Commission desires to include an option for customers to provide their own carts, the following language could be inserted at the end of Sec. 10-13 (c) (1):

"In lieu of purchasing a waste cart from the city, commercial service premises may provide their own waste carts. Commercial service premises which opt to provide their own waste carts must purchase a label from the city identifying the cart as city authorized. Carts which cannot be identified by city collector as city authorized, due to damaged or missing labels, or other reason, will be logged as unauthorized containers; be assessed additional collection fees as set by resolution of the City Commission; and be subject to corrective action as set forth in this ordinance. All city authorized waste carts not purchased from the city must be wheeled plastic containers with a volume between sixty-four (64) and ninety-six (96) 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. Authorized waste carts not purchased from the city must be of equivalent or greater strength as those offered for purchase from the city and are subject to approval of the Public Works Director upon review of the manufacturer's product specifications."

Other changes to Ordinance 20-05 not discussed at the First Reading include:

- Changes to size requirements due to slightly different sizes available from different manufacturers (e.g. 64 or 65 gallon or 95 or 96 gallon). The new language is designed to prevent size discrepancies based upon the selected vendor.
- Short term rental definition was removed as it was not referenced elsewhere in the ordinance
- “Residential waste receptacle” definition was modified to “Waste receptacle” for consistency with the language elsewhere in the ordinance
- Removed relic reference to Appendix A which is no longer applicable.
- Added “or trash” to 10-4 (a) (7) as trash pickup was not discussed in this section though it is uniquely defined.
- Minor numeration corrections
- Modification to 10-13 (k)
 - Reduced additional weekly collections to 1 additional collection per week. (No current customers have more than 2 collections per week)
 - Added City Holidays as when dates when no garbage or refuse is to be collected
 - Removed language tying additional collection fees to County agreement
- Sec. 10-104 – changed “yard” trash to “garden” trash for consistency with other references in the ordinance

ACTION REQUESTED

Hold a public meeting and pass Ordinance 20-05 on second reading. A revised solid waste fee schedule will be adopted separately by resolution.

6. Ordinance 20-05, First Reading, to Amend Chapter 10 of the City Code re: Garbage and Trash Service (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 8 and asked Public Works Director Tredik for a staff report.

Public Works Director Tredik showed PowerPoint presentation (Exhibit 6) to the Commission. He explained the changes made to the ordinance since the discussion at the January 6th Regular Commission meeting. He recommended not keeping the language with non-ad valorem assessments for collection and disposal in this ordinance.

Mayor England asked if the ordinance could be changed to show definitions in Chapter 2 instead of the transient rental's definition in this ordinance so when the definitions change, the Commission would not have to research the full code of ordinances for all the definition changes.

Director Public Works Tredik advised that he could do that.

Mayor England requested to change on page 10, Section 10-4, (1) and (2), to say "either or" have four 32-gallon waste receptacles or two 65-gallon waste receptacles. On page 12, she requested to change the (e) to (f) and on page 16, (e) should be changed from the City's Police Department to Code Enforcement or proper authority of the City.

Commissioner George requested to insert the word "be" before the word constructed on page 8. She advised that on page 17 she wanted to discuss the City purchasing receptacles. She suggested the City provide a decal so the businesses could use the ones they already have.

Discussion ensued regarding the receptacles having to be a certain quality; required special lids so animals cannot get into them; when the business owned receptacle needs replacing, the business would have to replace them with a City receptacle; having consistency with the receptacles; putting decals on cans instead of custom cans being made; having addresses on the cans so people will not take other peoples cans; implementing the purchasing of the cans in October; receptacles need to have locking mechanisms on the lids for transient rentals to keep animals out; writing in the ordinance that the receptacle must conform to the minimum requirements and be subject to the Public Works Director approval; and have language for a transition period for businesses using their own cans until the City have them available.

Commissioner Samora asked how many current customers will be affected by the six or more-unit criteria.

Public Works Director Tredik advised he would have to research that.

Finance Director Douylliez advised at last count it was 10 to 15 condominiums that were six or less units.

Commissioner Samora asked how many businesses will be affected with the discontinuation of services by those generating ten 32-gallon receptacles.

Public Works Director Tredik advised four.

Commissioner Samora requested on page 16, Section 10-15 (a), to include transient rental units with the hotels and motels language, since that is a significant change.

Public Works Director Tredik advised that he would make that change.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments Section and asked City Attorney Wilson to read the title of Ordinance 20-05.

City Attorney read the title of Ordinance 20-05.

Mayor England asked for a motion.

Motion: to approve Ordinance 20-05 with the amendments that have be stated including the insertion of the word "be" on page 8, correcting page 12 the labeling of subparagraph "e" to "f", page 16, subparagraph (e) striking the reference to the city police department and inserting instead code enforcement, under Section 10-13 (a) on page 16 adding the word "transient rentals" in the list of hotels and motels and removing the reference to the non-ad valorem collection and disposal as recommended by the Public Works Director. **Moved by** Commissioner George, **Seconded by** Commissioner Samora. Motion passed unanimously.

ORDINANCE NO: 45-0920-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, RELATING TO GARBAGE AND TRASH; AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE BEACH, CHAPTER 10, GARBAGE AND TRASH, TO AMEND, REVISE AND RESTATE THE ENTIRE CHAPTER 10 OF THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Chapter 10 of the Code of the City of St. Augustine Beach

be, and the same is, hereby amended, revised and restated to read:

Chapter 10 - GARBAGE AND TRASH

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, transient rentals, 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 wheeled waste cart purchased from the City ~~receptacle larger than the standard waste receptacle, such as a waste~~

~~cart with a volume between sixty-four (64) and ninety-six (96) 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. ,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.~~

Commented [BT1]: Minor change for clarity since exact cart sizes will depend upon the manufacturer

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, leak proof, 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.

Mixed use building: A structure containing a mix of commercial and residential uses, one (1) floor devoted for commercial use, the other floor devoted to residential use.

Owner means a person owning, occupying or leasing (not including transient leases) 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, nor transient rentals.

Rubbish means every accumulation of waste material of a relatively small or light weight 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.

Commented [BT2]: Deleted previous definition of short-term rental dwelling unit (shown in 1st reading version) as it is not otherwise referenced in this ordinance

Transient Lodging Establishments —Any unit, group of units, dwelling, building, group of buildings within a single complex of buildings, or any similar place, as defined in the City Code, Appendix A – Land Development Regulations, Article II. -Definitions, Section 2.00.00.

Commented [BT3]: Changed per City Commission comments at 1st reading

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.

Commented [BT4]: Took out the word "Residential" for clarity and consistency

Waste cart means a wheeled plastic container with a volume between sixty-four (64) and ninety-six (96) of sixty-five 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.

Commented [BT5]: Minor change for clarity since exact cart sizes will depend upon the manufacturer

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.

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 or designee. The city manager or designee 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.

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 or 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

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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 ~~as set by resolution of the City Commission 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.

Commented [B76]: Cleaned up relic reference to Appendix A

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 ($\frac{3}{4}$) 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. Dumpster or commercial trash areas shall be constructed of impervious materials and shall be of sufficient size to fully contain the volume of solid waste generated from a commercial service premises, and to prevent any waste from being transported to outside the enclosure area via wind, water or other natural occurrences. Runoff from dumpster and commercial trash areas shall be conveyed to on-site stormwater treatment areas and shall not be allowed to leave the site untreated.

Commented [BT7]: Corrected per City Commission Comments at 1st reading

- (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 one hundred fifty dollar (~~\$50~~100.00) 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

Commented [BT8]: Corrected paragraph letters

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 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.

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) ~~Once a week pickup of up to four~~~~Five~~ (54) thirty-two (32) gallon waste receptacles of garbage and rubbish with a maximum weight limit of forty (40) pounds ~~per receptacle, or for once a week pickup;~~

~~Once a week pickup of up to two~~ (2) sixty-~~four~~~~five~~ (645) gallon ~~through or~~ ninety-~~six~~~~five~~ (965) gallon waste carts of garbage and rubbish for once a week pickup.

Commented [BT9]: Revised per City Commission comments at 1st reading

- (2) Two (2) cubic yards of uncontainrized 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, mailboxes, electrical transformers or communication risers (pedestals)
- (3) 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;

- (4) 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.
- (5) 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
- (6) Two (2) recycling containers holding recyclable material for each once a week pickup.
- (7) Two (2) cubic yards of residential construction debris or trash, 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.)

Commented [BT10]: Did not have a reference to trash as defined above

- (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 residential service premises contained within a mixed-use building may utilize the commercial dumpster or commercial trash area associated with the mixed-use building, upon filing of permission from the commercial services premises in the mixed-use building. When a residential service premises within a mixed-use building elects to utilize the commercial dumpster or commercial trash area associated with the mixed-use building, the residential service premises may request exemption from the solid waste non-ad valorem special assessment, and all solid waste collection and disposal fees for the mixed-use building will be the responsibility of the commercial services premises. The owner or owners of the commercial service premises in the mixed use building must provide a notarized affidavit indicating their authority and agreement to allow the residential services

premises within the mixed-use building to utilize the commercial dumpster or commercial trash area on the mixed-use building property.

~~(b)(d) Beginning October 1, 2020, 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 not be eligible for solid waste collection and disposal service by the city and must secure private collection and disposal services. 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)(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.

(e) (f) The city will not collect residential waste contained in a garbage dumpster from any service premises.

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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.

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.

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.

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.

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.

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.

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.

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 ~~building and zoning~~ 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 (18) 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 (18) 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 ensuing fiscal year.

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Sec. 10-13. - Commercial waste.

- (a) Every commercial service premises, including but not limited to hotels and motels ~~and transient rentals~~, shall pay to the city for the collection and 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)~~ ~~Commercial services premises which generate, or have historically generated more than an average of ten (10) 32-gallon waste receptacles (or equivalent volume) of solid waste per week will not be eligible for city solid waste collection services and must a secure private hauler for solid waste collection and disposal services, provided the hauler is duly franchised and authorized to collect solid waste within the city~~
- ~~(b)(c)~~ Authorized Equivalent commercial containers; collection.

Commented [BT12]: Added per City Commission comments at 1st reading

(1) Commercial service premises shall purchase, from the city, waste carts with a volume between sixty-four (64) and ninety-six (96) gallons for use in city solid waste collection. The number /- total volume of waste carts to be purchased shall be based upon historic can count information for each commercial services premises. In cases where historic can count information is unavailable, the business owner will coordinate with the public works director to determine the appropriate "starting solid waste volume" based upon similar businesses. Carts purchased from the city will be uniquely identified, and will be picked up during normal solid waste collection schedules without the assessment of additional fees, provided the carts are placed appropriately per Sec. 10-3. - Placement, are in proper working order, and are not overfilled so that the lids do not completely close. Cart purchase prices will be adjusted annually by the City Manager, based upon actual material and labor costs.

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(+)(2) For the disposal of garbage, rubbish, and trash contained in ~~thirty-two~~ ^{sixty-four (64)} ~~through ninety-six (96)~~ gallon waste receptacles carts 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 authorized equivalent waste cart container purchased from the city, collected in the preceding month as determined pursuant to subsection (h) hereof. Monthly charges for waste carts will be established by resolution.

Commented [BT14]: Minor change for clarity since exact cart sizes will depend upon the manufacturer

(3) Unauthorized receptacles. Solid waste in unauthorized cans, carts, bags or other containers will be logged and assessed additional pickup fees as established by resolution. The volume of any solid waste collected from unauthorized receptacles will be measured and logged. If a commercial service premises utilizes unauthorized receptacles more than six (6) times in a twelve (12) month period, the commercial service premise will be required to purchase additional waste carts of sufficient volume so as to avoid future solid waste overages. An authorized receptacle which is overstuffed so that the lid does not completely close, or not placed per Sec. 10-3. - Placement, will be deemed an unauthorized receptacle, and will be logged and assessed an additional pickup fee.

(4) Uncontainerized solid waste. Uncontainerized solid waste will be charged additional pickup fees, depending upon the quantity, volume and type of material collected. A fee schedule for uncontainerized solid waste will be set by resolution.

(5) Change in commercial solid waste volume. If a business undergoes changes resulting in the reduction of solid waste generation, they may request an adjustment of the mandated number / volume of solid waste carts. The

business must submit, in writing, to the City Manager's office, a request for a revaluation of solid waste fee. Upon receipt, the Public Works Department will conduct a random audit of the business's solid waste volume, to determine if a fee reduction is warranted. The random audit will be conducted within a six (6) month period to account for seasonal variation. If it is determined that a fee reduction is warranted, the business must return the appropriate number of waste carts to the city, and the monthly cart fee will be adjusted accordingly. A business may request a reduction of the mandated number / volume of solid waste carts a maximum of once per 12-month time period.

~~(2)(6)~~ 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 and -rubbish which a commercial services premises may place for collection is limited to that which will fit within the business's purchased authorized commercial receptacles. The quantity of -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. Quantities in excess of the maximum quantities will be assessed an additional pickup fee as set by resolution.
- (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)one (1)~~ 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 ~~or City holidays~~. 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

Commented [BT15]: Adjusted down one since no current business have more than 2 collections per week.

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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

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.

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.

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.

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.

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.

Sec. 10-103. - Interlocal agreement.

The city commission is authorized to enter into an interlocal agreement with St. Johns County in connection herewith.

Sec. 10-104. - Franchise required for businesses conducting private collection and disposal of commercial, construction and demolition debris.

- (a) It shall be unlawful for any person or other legal entity not holding a valid and appropriate franchise issued by the city and which allows such person or entity to engage in the business of, or to receive compensation or consideration for, the performance of the following: collecting, hauling or transporting commercial, construction and demolition debris by containerized motor vehicles, roll-offs, compactor containers or dumpsters from any property within the city. These provisions shall not apply to (1) the collection, hauling or transporting of land clearing debris; hazardous, radiological and biohazardous waste; wrecked, scrapped, ruined or dismantled motor vehicles, boats or motor vehicle parts; or yard-garden trash or (2) when the collecting, hauling or transporting of commercial, construction and demolition debris is clearly subordinate and incidental to the services for which compensation is paid.
- (b) The city manager, or his or her designee, may enter into a franchise agreement with qualified applicants for the non-exclusive right to collect and transport commercial, construction and demolition debris from any property within the city limits when the city manager, or his or her designee, has received satisfactory evidence of the following and when the applicant covenants as follows:
- (1) The application is made in good faith
 - (2) The applicant has the means and resources to carry out the collection and transportation service required by the franchise.
 - (3) The applicant demonstrates the ability to maintain insurance in the form and amount prescribed by the city, including liability coverage, and to indemnify the city.
 - (4) The applicant has complied, or demonstrates its capacity and willingness

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to comply, with all applicable federal, state and local laws and ordinances, rules and regulations, including required permitting.

- (5) The applicant demonstrates the ability to provide a bond in the amount of five thousand dollars (\$5,000.00) or other surety for the applicant's faithful payment under this ordinance and the franchise.
 - (6) The applicant shall maintain an office located in St. Johns County.
- (c) The city manager shall prescribe forms for franchise applications, and said forms may require (i) certified copies of all corporate, partnership or other documents reflecting the applicant's owners, shareholders, partners, officers or agents; (ii) bonds; (iii) insurance; (iv) a proposed schedule of rates, fees and charges and (v) any other relevant information deemed necessary to fully advise the city commission of the applicant's qualifications and ability to perform under a franchise agreement. The city manager shall not require submittal of proprietary information if such information is exempt or confidential as defined by the Florida Public Records Act, F.S. Ch. 119.
- (1) Initial application for non-exclusive franchise for the collection, transportation and disposal of construction and demolition debris shall be submitted on a form provided by the city.
 - (2) Any non-exclusive franchise granted shall be for a three (3) year period beginning November 1 and ending October 31st of the third year.
 - (3) Thereafter, renewal applications shall be submitted between July 1 and August 1 of the third year, unless otherwise provided by resolution of the city commission.
 - (4) Failure to submit applications as provided above shall result in a forfeiture of an applicant's ability to obtain a non-exclusive franchise.
- (d) The following franchise fees shall be paid to the city for non-exclusive franchises:
- (1) The franchisee or authorized collector shall pay franchise fees to the city for the privilege of using the public rights-of-way and other thoroughfares of the city for the collection and transportation of construction and demolition debris which originates within the city limits.
 - (2) The franchise fee schedule is as follows:
 - a. The franchisee's fee for commercial, construction and demolition debris shall be equal to ten (10) percent of the franchisee's gross revenue

- collected for collection, transportation, processing and/or disposal of commercial, construction and demolition debris.
- b. Haulers shall pay three hundred dollars (\$300.00) fee for the term of the franchise and for each subsequent renewal.
- (3) Franchise fees shall be paid to the city on a time schedule as determined in the franchise agreement, or if not provided in the franchise agreement, as determined in writing by the city manager or his or her designee.
- (4) The franchise fee amount or percentage may be amended by resolution of the city commission following public hearing.
- (c) *Regulations applicable to franchise holders.* Non-exclusive franchisees collecting, transporting and/or disposing of commercial, construction and demolition debris shall comply with the following requirements:
- (1) When collecting, transporting and/or disposing of commercial, construction and demolition debris, each of the franchisee's employees shall wear a company shirt or uniform which shall have the franchisee's name or logo on a conspicuous place.
- (2) All trucks used by the franchisee for the collection of commercial, construction and demolition debris shall be marked with the name and telephone number of the franchisee in plainly visible letters. Each container placed on a commercial site shall be labeled with the name of the franchisee on the side.
- (3) All franchisee containers for hauling shall be totally enclosed or securely covered when transporting within the city.
- (4) All vehicles used by the franchisee for transporting shall be maintained in good, clean and safe operating condition. Each franchisee shall have all vehicles used as part of the franchise agreement inspected at least once a year by a properly licensed professional mechanic and shall provide a written inspection report to the city public works department solid waste division.
- (5) The franchisee shall provide the city with a current list of vehicles used under the franchise agreement and shall further provide the vehicle identification number and current license plate number of each vehicle.
- (6) The franchisee immediately shall clean and properly dispose of any waste materials or products dropped or spilled by the franchisee. Upon completion of the clean-up, the franchisee shall timely report to the city solid waste division in writing the location, type of drop or spill and the

corrective procedure conducted.

- (7) All commercial, construction and demolition debris collected by the franchisee or collector shall be processed or disposed of at a properly permitted or licensed facility.
 - (8) For the purpose of verifying the amount of any franchise fee payable to the city pursuant to this ordinance, or for the purpose of verifying the items, reports and information provided by the franchisee pursuant to this ordinance, the city shall have access at all reasonable hours to the franchisee's places of business and its statistical, customer service and other records relating to the accumulation, collection, transportation and disposal of commercial, construction and demolition debris from properties within the city during the preceding year and such other information as the city may require in support of same.
 - (9) All reports, audits and payments shall be timely made by each franchisee and failure therein shall be a default in the franchise agreement. Any late payments of franchise fees due under the franchise shall bear interest at the maximum rate allowed by law.
- (f) If the city manager deems a franchisee to be in violation of its franchise agreement, or in violation of this ordinance or resolutions, rules or regulations promulgated hereunder, the city manager shall notify the franchisee by certified mail of the reasons why the franchisee is considered to be in violation and shall provide ten (10) days for the franchisee to review the violation and to comply with the terms of the franchise agreement. Failure by the franchisee to comply in the specified time may result in termination of the franchise.

Section 2. Any Section or Sections of the Code of the City of St.

Augustine Beach not specifically modified herein shall survive in full force and effect and remain unchanged unless a conflict arises in which case this Ordinance shall control.

Section 3. Other than Section 1 hereof, this Ordinance shall not be codified, but a copy of this Ordinance shall be maintained in the offices

of the City Manager and the Director of Public Works.

Section 4. This ordinance shall take effect ten days following passage.

PASSED by the City Commission of the City of St. Augustine Beach, Florida, upon Second Reading this ~~37th~~ day of ~~March~~ January, 2020~~15~~15.

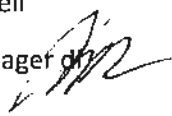
**CITY COMMISSION OF THE CITY OF
ST. AUGUSTINE BEACH**

ATTEST: _____
City Manager

By: Margaret England, Mayor

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 7, 2020

SUBJECT: Code Enforcement Board: Re-appointment to Three-Year Term of Regular Members Bill Genovese, Trish Gilpin, Edward Prichett, and Ernesto Torres

The Code Enforcement Board has seven regular members and two alternates. The three-year terms of the four regular members listed above are up in April. Each member has said they want to be reappointed and continue their service to the City.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: BUDGET RESOLUTIONS 20-01
DATE: 2/14/2020

The above referenced budget resolution is necessary to complete some minor housekeeping items on the budget.

Budget Resolution 20-01

This amends the General Fund Budget as follows:

- Recognize revenues from the Solid Waste Franchise Fees and Franchise Fee Permit, which was implemented effective November 1, 2019.
- Increase the budget for the cost of the OPEB report, as required by GASB75.
- Reduce Building Department Reserves for purchases identified by the Building Official as necessary to continue to perform the duties in the department. The equipment is listed as an attachment to this memo.

Please let me know if more information is needed.

BUDGET RESOLUTION 20-01

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

**RE: TO AMEND THE FY2020
GENERAL FUND BUDGET**

The City Commission does hereby approve the transfer and appropriation from within the Fiscal Year 2019-2020 General Fund Budget as follows:

DECREASE: Account 001-281-7550 (Restricted Fund Bal-Bldg Dept Carryover) in the amount of \$71,602.36 which will decrease the appropriation in this account to \$295,076.64.

INCREASE: Account 001-2400-524-5230 (Prot Inspections-Small Tools & Equipment) in the amount of \$5,102.36 which will increase the appropriation in this account to \$6,102.36.

INCREASE: Account 001-2400-524-6200 (Prot Inspections-Buildings) in the amount of \$12,500 which will increase the appropriation in this account to \$12,500.

INCREASE: Account 001-2400-524-6410 (Prot Inspections-Vehicles) in the amount of \$36,000 which will increase the appropriation in this account to \$36,000.

INCREASE: Account 001-2400-524-6430 (Prot Inspections-Office Equipment) in the amount of \$18,000 which will increase the appropriation in this account to \$33,000.

INCREASE: Account 001-322-700 (Solid Waste Franchise Fee Permit) in the amount of \$3,000 which will increase the appropriation in this account to \$3,000.

INCREASE: Account 001-323-700 (Franchise Fees-Solid Waste) in the amount of \$6,000 which will increase the appropriation in this account to \$6,000.

INCREASE: Account 001-1300-513-3400 (Finance-Other Contractual Services) in the amount of \$9,000 which will increase the appropriation in this account to \$9,000.

RESOLVED AND DONE, this 2nd day of March 2020 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

Mayor – Commissioner

ATTEST:

City Manager

BUILDING AND ZONING DEPARTMENT

(1) LARGE FORMAT SCANNER/PRINTER	\$18,000.00
(1) 11 X 17 DESK TOP SCANNER	\$1,500.00
(1) VERTICAL LIFT DESK FOR PLAN REVIEW	\$702.36
(1) 2020 FORD EXPLORER	\$36,000.00
(1) 8.5 X 11 DESK TOP SCANNER	\$1,500.00
(1) FRONT COUNTER REMODEL	\$12,500.00
(2) 4 DRAWER LATERAL FILING CABINETS	\$1,400.00

TOTAL

\$71,602.36

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 19, 2020

SUBJECT: Emotional Support Animals: Review of Recommendation to Amend the Land Development Regulations

BACKGROUND

This topic is the result of the discussion at your February 3rd meeting, when you reviewed the Planning Board's approval of an exception to allow chickens as emotional support animals at 313 A Street. Under the City's current regulations, poultry and a number of other types of animals are prohibited by the City's Land Development Regulations. Your decision at the February 3rd meeting was to vacate the Planning Board's approval and to delay for a minimum of 90 days any code enforcement action concerning the chickens at 313 A Street to give the City staff and Code Enforcement Board "...adequate time to research the issue of reasonable accommodation under federal or state laws...." (from the minutes of the February 3rd meeting).

The topic was brought to the Comprehensive Planning and Zoning Board for review at its February 18th meeting. The Board recommended the following:

- To define emotional support animals as animals that provide a sense of safety, companionship, and comfort to those with psychiatric or emotional disabilities or conditions.
- To amend Section 3.02.02 of the Land Development Regulations to allow emotional support animals by conditional use permit in all residential and commercial land use districts in the City.

ATTACHMENTS

Attached is the following information:

- a. Page 1, a memo from the Building Department's Executive Assistant Ms. Bonnie Miller, in which she states the recommendations from the Planning Board.
- b. Pages 2-23, the information that was provided to the Board for its February 18th meeting. Pages 3-23 is information that Ms. Pamela Holcombe of 312 A Street asked to be provided to the Board. She is the resident who appealed the Planning Board's decision to grant an exception to allow the residents at 313 A Street to have chickens as emotional support animals. Her information concerns regulations for animals for the disabled in federally administered housing.

ACTION REQUESTED

It is that you discuss the Planning Board's two recommendations. If you agree with them, then we ask that you have the City Attorney prepare an ordinance to amend the definitions section and Table 3.02.02 of the Land Development Regulations in accordance with page 2 (attached).

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Definition and regulations for emotional support animals
Date: Wednesday, February 19, 2020

Please be advised at its regular monthly meeting held Tuesday, February 18, 2020, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted to recommend the City Commission approve a proposed definition and regulations for emotional support animals.

The proposed definition for emotional support animals amends Section 2.00.00, Definitions, of the City's Land Development Regulations (LDRs), to add the definition of "emotional support animals" as "animals that provide a sense of safety, companionship, and comfort to those with psychiatric or emotional disabilities or conditions," and amend Section 3.02.02 of the LDRs to allow emotional support animals by conditional use permit in all residential and commercial land use districts in the City upon application and approval, on a case-by-case basis, by the City Commission after public hearing and recommendation of the Planning and Zoning Board regarding the conditional use application.

The motion to recommend the City Commission approve the proposed definition and regulations for emotional support animals per conditional use permit was made by Ms. Odom, seconded by Mr. Mitherz, and passed 4-1 by voice-vote, with Mr. Einheuser, Mr. Kincaid, Mr. Mitherz, and Ms. Odom assenting, and Mr. King dissenting.

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: Bonnie Miller
Date: 02-10-2020
Re: Emotional Support Animals

Max

Below is the proposal for the regulation of emotional support animals.

Sec. 2.00.00. Definitions as used in this Appendix

Terms in the LDC shall have the following definitions.

Emotional Support Animals--- Animals that provide a sense of safety, companionship, and comfort to those with psychiatric or emotional disabilities or conditions. Although these animals often have therapeutic benefits, they are not individually trained to perform specific tasks for their handlers.

Table 3.02.02
Table of Uses by Land Use District

Legend: P=Permitted; C=Conditional Use; X=Prohibited

Uses	Land Use District							
	L	ML	M	H	CO	I	R	CN
Emotional Support Animals	C	C	C	C	C	X	X	X

Sincerely

Brian Law

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

Pamela M.M. Holcombe
312 A Street
St. Augustine Beach, Florida 32080

February 10, 2020
(Via email to jpwilson@cityofsub.org)

Jim Wilson, Esq.
City of St. Augustine Beach
2200 SR AIA South
St. Augustine, FL 32080

RE: Variance File No. V 2019 -16
Applicability of Fair Housing Act to Cities and Zoning Ordinances
Procedure for Assessing Emotional Support Animal Accommodation Requests

Dear Mr. Wilson,

I write to correct the erroneous information provided to the City Commissioners at the February 3, 2020 Commission meeting that the Fair Housing Act ("FHA") does not apply to cities and that it only applies to HUD housing. Please be advised, therefore, the Commission does not need to create a new mechanism for evaluating such Emotion Support Animal ("ESA") requests as the FHA provides the legally required test. The law is clear that:

1. The FHA does apply to municipalities and zoning ordinances¹;
2. The FHA applies to all housing private and public and has since 1968²; and
3. The FHA provides an established procedure for evaluating reasonable accommodation requests.

In short, the FHA requires an accommodation for persons with handicaps if the accommodation is (1) reasonable and (2) necessary (3) to afford handicapped persons equal opportunity to use and enjoy housing. *See* 42 U.S.C. § 3604(f)(3). Courts reviewing such matters have held that the applicant bears the burden of proving each of these three elements by a preponderance of the evidence. *See Elderhaven, Inc. v. City of Lubbock*, 98 F.3d 175, 178 (5th Cir. 1996).

As a result, there is no need for the City to create any new process or modify any existing ordinance, the City need only to apply the established test. Furthermore, the FHA contemplates "an interactive process in which the [City] and the requester discuss the requester's disability-related need

¹ See e.g., *Anderson v. City of Blue Ash*, 798 F.3d 338 (6th Cir. 2105) (applying FHA and ADA claims to livestock zoning ordinance); *Bryant Woods Inn v. Howard County*, 124 F.3d 597 (4th Cir. 1997) (detailed discussion of rationale for applying FHA to zoning ordinances).

² See 42 U.S.C. 3603(a)(1)(2)(b). The limited exceptions include private clubs (42 U.S.C. 3607), owner occupied complexes of four units or less and single-family homes rented by the owner without the assistance of a realtor (42 U.S.C. 3603(b)).

for the requested accommodation and possible alternative accommodations that is helpful to all concerned...³

To make the process more understandable, HUD provided detailed guidance on January 28, 2020, for evaluating ESA reasonable accommodation requests, that even includes a detailed set of questions to aid in making such determinations. A copy of the most recent guidance is again provided herewith for ease of reference.⁴ I would welcome the opportunity to inform, educate, and discuss in detail the legal standards or procedure for making such an evaluation, and would offer to meet with or make a presentation to the Commission or Planning and Zoning. I would also be willing to assist in any way possible an interactive process in the case at hand to attempt to come to a resolution that is both legally supportable and compassionate.

As I stated at the meeting, the public interest in fairly and correctly applying the carefully crafted protections of the federal and Florida FHA, goes far beyond the current variance request, not only to future such requests to this City, but to public perception of the value and validity of ESA's in general. Public approbation has already resulted in a soon to be finalized curtailment of rights to travel with an ESA, and ESA's in housing have suffered from numerous wrongful denials of requests as well as rampant internet ESA certificate fraud, both of which served as impetus for the new HUD guidance.

Thank you for your courtesy in and attention to this matter and please do not hesitate to contact me with any questions or concerns.

Very truly yours,

/s/ Pamela M.M. Holcombe
Pamela M.M. Holcombe

Encl: January 29, 2020 HUD Guidance
Cc: Mr. Max Royal, City Manager
(via hand delivery)
All City Commissioners:
commengland@cityofsab.org
commkostka@cityofsab.org
comdsamora@cityofsab.org
comdrumrell@cityofsab.org
comugcorge@cityofsab.org
Brian Law, Planning and Zoning Board
(via hand delivery)
All Planning and Zoning Board members
pzkkincaid@cityofsab.org
pzrodoni@cityofsab.org
pzsmitherz@cityofsab.org
pzhlongstreet@cityofsab.org
pzcpranis@cityofsab.org
pzdking@cityofsab.org

³ See Joint Statement of the Department of Housing and Urban Development and the Department of Justice - Reasonable Accommodations Under the Fair Housing Act, May 17, 2004.

⁴ A copy of the 2020 HUD guidance on "Assessing a Person's Request to have an Animal as a Reasonable Accommodation under the Fair Housing Act" was previously provided at the February 3, 2020 Commission meeting.



OFFICE OF FAIR HOUSING
AND EQUAL OPPORTUNITY

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

SPECIAL ATTENTION OF:

HUD Regional and Field Office Directors of
Public and Indian Housing (PIH); Housing;
Community Planning and Development
(CPD); Fair Housing and Equal Opportunity;
and Regional Counsel; CPD, PIH, and
Housing Program Providers

FHEO Notice: **FHEO-2020-01**
Issued: January 28, 2020
Expires: Effective until Amended,
Superseded, or Rescinded.

Subject: Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act

- 1. Purpose:** This notice explains certain obligations of housing providers under the Fair Housing Act (FHA) with respect to animals that individuals with disabilities may request as reasonable accommodations. There are two types of assistance animals: (1) service animals, and (2) other trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to in this guidance as a "support animal"). Persons with disabilities may request a reasonable accommodation for service animals and other types of assistance animals, including support animals, under the FHA. This guidance provides housing providers with a set of best practices for complying with the FHA when assessing requests for reasonable accommodations to keep animals in housing, including the information that a housing provider may need to know from a health care professional about an individual's need for an assistance animal in housing. This guidance replaces HUD's prior guidance, FHEO-2013-01, on housing providers' obligations regarding service animals and assistance animals. In particular, this guidance provides a set of best practices regarding the type and amount of documentation a housing provider may ask an individual with a disability to provide in support of an accommodation request for a support animal, including documentation of a disability (that is, physical or mental impairments that substantially limit at least one major life activity) or a disability-related need for a support animal when the disability or disability-related need for the animal is non-obvious and not known to the housing provider. By providing greater clarity through this guidance, HUD seeks to provide housing providers with a tool they may use to reduce burdens that they may face when they are uncertain about the type and amount of documentation they may need and may be permitted to request when an individual seeks to keep a support animal in housing. Housing providers may be subject to the requirements of several civil rights laws, including but not limited to the FHA, Section 504 of the Rehabilitation Act (Section 504), and the Americans with Disabilities Act (ADA). This guidance does not address how HUD will process complaints against housing providers under Section 504 or the ADA.

2. **Applicability:** This notice applies to all housing providers covered by the FHA.¹
3. **Organization:** There are two sections to this notice. The first, "Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act," recommends a set of best practices for complying with the FHA when assessing accommodation requests involving animals to assist housing providers and help them avoid violations of the FHA. The second section to this notice, "Guidance on Documenting an Individual's Need for Assistance Animals in Housing," provides guidance on information that an individual seeking a reasonable accommodation for an assistance animal may need to provide to a housing provider about his or her disability-related need for the requested accommodation, including supporting information from a health care professional.

Questions regarding this notice may be directed to the HUD Office of Fair Housing and Equal Opportunity, Office of the Deputy Assistant Secretary for Enforcement and Programs, or your local HUD Office of Fair Housing and Equal Opportunity.

Anna María Fariás, Assistant Secretary for
Fair Housing and Equal Opportunity

¹ The Fair Housing Act covers virtually all types of housing, including privately owned housing and federally assisted housing, with a few limited exceptions.

Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act²

The Fair Housing Act (FHA) makes it unlawful for a housing provider³ to refuse to make a reasonable accommodation that a person with a disability may need in order to have equal opportunity to enjoy and use a dwelling.⁴ One common request housing providers receive is for a reasonable accommodation to providers' pet or no animal policies so that individuals with disabilities are permitted to use assistance animals in housing,⁵ including public and common use areas.

Assistance animals are not pets. They are animals that do work, perform tasks, assist, and/or provide therapeutic emotional support for individuals with disabilities.⁶ There are two types of assistance animals: (1) service animals, and (2) other animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to in this guidance as a "support animal").⁷ An animal that does not qualify as a service animal or other type of assistance animal is a pet for purposes of the FHA and may be treated as a pet for purposes of the lease and the housing provider's rules and policies. A housing provider may exclude or charge a fee or deposit for pets in its discretion and subject to local law but not for service animals or other assistance animals.⁸

² This document is an integral part of U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity Notice FHEO-2020-01, dated January 28, 2020 (sometimes referred to as the "Assistance Animal Notice").

³ The term "housing provider" refers to any person or entity engaging in conduct covered by the FHA. Courts have applied the FHA to individuals, corporations, partnerships, associations, property owners, housing managers, homeowners and condominium associations, cooperatives, lenders, insurers, real estate agents, brokerage services, state and local governments, colleges and universities, as well as others involved in the provision of housing, residential lending, and other real estate-related services.

⁴ 42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204. Unless otherwise specified, all citations refer to those authorities effective as of the date of the publication of this guidance.

⁵ For purposes of this guidance, the term "housing" refers to all housing covered by the Fair Housing Act, including apartments, condominiums, cooperatives, single family homes, nursing homes, assisted living facilities, group homes, domestic violence shelters, emergency shelters, homeless shelters, dormitories, and other types of housing covered by the FHA.

⁶ See 24 C.F.R. § 5.303(a).

⁷ Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. See 24 C.F.R. § 100.201.

⁸ See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act ("Joint Statement"), Q and A 11 (May 17, 2004), at <https://www.hud.gov/sites/documents/hud DOJstatement.pdf>; *Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt.*, 778 F. Supp. 2d 1028 (D.N.D. 2011). HUD views the Joint Statement as well-reasoned guidance on some of the topics addressed in this guidance. The Joint Statement, available to the public since 2004, has been cited from time to time by courts. See, e.g., *Bhogaita v. Altamonte Heights Condo. Ass'n*, 765 F.3d 1277, 1286 (11th Cir. 2014); *Sinisgallo*

As of the date of the issuance of this guidance, FHA complaints concerning denial of reasonable accommodations and disability access comprise almost 60% of all FHA complaints and those involving requests for reasonable accommodations for assistance animals are significantly increasing. In fact, such complaints are one of the most common types of fair housing complaints that HUD receives. In addition, most HUD charges of discrimination against a housing provider following a full investigation involve the denial of a reasonable accommodation to a person who has a physical or mental disability that the housing provider cannot readily observe.⁹

HUD is providing this guidance to help housing providers distinguish between a person with a non-obvious disability who has a legitimate need for an assistance animal and a person without a disability who simply wants to have a pet or avoid the costs and limitations imposed by housing providers' pet policies, such as pet fees or deposits. The guidance may also help persons with a disability who request a reasonable accommodation to use an assistance animal in housing.

While most requests for reasonable accommodations involve one animal, requests sometimes involve more than one animal (for example, a person has a disability-related need for both animals, or two people living together each have a disability-related need for a separate assistance animal).

~~The decision-making process in this guidance can be used for all requests for exceptions or~~
modifications to housing providers' rules, policies, practices, and/or procedures so persons with disabilities can have assistance animals in the housing where they reside.

This guidance is provided as a tool for housing providers and persons with a disability to use at their discretion and provides a set of best practices for addressing requests for reasonable accommodations to keep animals in housing where individuals with disabilities reside or seek to reside. It should be read together with HUD's regulations prohibiting discrimination under the FHA¹⁰—with which housing providers must comply—and the HUD/Department of Justice (DOJ) Joint Statement on Reasonable Accommodation under the Fair Housing Act, available at <https://www.hud.gov/sites/documents/huddojstatement.pdf>. A housing provider may also be subject to the Americans with Disabilities Act (ADA) and therefore should also refer to DOJ's regulations implementing Title II and Title III of the ADA at 28 C.F.R. parts 35 and 36, and DOJ's guidance on service animals, *Frequently Asked Questions about Service Animals and the ADA* at https://www.ada.gov/regs2010/service_animal_qa.html and *ADA Requirements: Service Animals* at https://www.ada.gov/service_animals_2010.html. This guidance replaces HUD's prior guidance on housing providers' obligations regarding service animals and assistance animals.¹¹ Housing

v. Town of Islip Hous. Auth., 865 F. Supp. 2d 307, 336-42 (E.D.N.Y. 2012). However, HUD does not intend to imply that the Joint Statement is independently binding statutory or regulatory authority. HUD understands it to be subject to applicable limitations on the use of guidance. See "Treatment as a Guidance Document" on p.5 for a citation of authorities on permissible use of guidance.

⁹ See, e.g., *HUD v. Castillo Condominium Ass'n*, No. 12-M-034-FH-9, 2014 HUD ALJ LEXIS 2 (HUD Sec'y, October 02, 2014) aff'd, 821 F.3d 92 (1st Cir. 2016); *HUD v. Riverbay*, No. 11-F-052-FH-18, 2012 HUD ALJ LEXIS 15 (HUD ALJ, May 07, 2012), aff'd, 2012 ALJ LEXIS 19 (HUD Sec'y June 06, 2012).

¹⁰ 24 C.F.R. Part 100.

¹¹ FHEO-2013-01.

providers should not reassess requests for reasonable accommodations that were granted prior to the issuance of this guidance in compliance with the FHA.

Treatment as a Guidance Document

As a guidance document, this document does not expand or alter housing providers' obligations under the Fair Housing Act or HUD's implementing regulations. It should be construed consistently with Executive Order 13891 of October 9, 2019 entitled "Promoting the Rule of Law Through Improved Agency Guidance Documents," Executive Order 13892 of October 9, 2019 entitled "Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication," the Office of Management and Budget Memorandum M-20-02 entitled "Guidance Implementing Executive Order 13891, Titled 'Promoting the Rule of Law Through Improved Agency Guidance Documents,'" the Department of Justice Memorandum of January 25, 2018 entitled "Limiting Use of Agency Guidance Documents in Affirmative Civil Enforcement Cases," and the Department of Justice Memorandum of November 16, 2017 entitled "Prohibition on Improper Guidance Documents."

Part I: Service Animals

The FHA requires housing providers to modify or make exceptions to policies governing animals when it may be necessary to permit persons with disabilities to utilize animals.¹² Because HUD interprets the FHA to require access for individuals who use service animals, housing providers should initially follow the analysis that DOJ has determined is used for assessing whether an animal is a service animal under the ADA.¹³ The Department of Justice's ADA regulations generally require state and local governments and public accommodations to permit the use of service animals by an individual with a disability.¹⁴ For support animals and other assistance animals that may be necessary in housing, although the ADA does not provide for access, housing providers must comply with the FHA, which does provide for access.¹⁵

¹² 42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204. See also Pet Ownership for the Elderly and Persons with Disabilities – Final Rule, 73 Fed. Reg. 63833 (Oct. 27, 2008).

¹³ 24 C.F.R. § 100.204(b).

¹⁴ 28 C.F.R. §§ 35.136(g); 36.302(c)(7).

¹⁵ Specifically, under the Fair Housing Act, housing providers are obligated to permit, as a reasonable accommodation, the use of animals that work, provide assistance, or perform tasks that benefit persons with disabilities, or provide emotional support to alleviate a symptom or effect of a disability. Separate regulations govern airlines and other common carriers, which are outside the scope of this guidance.

What is a service animal?

Under the ADA, "*service animal* means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability."¹⁶

As a best practice, housing providers may use the following questions to help them determine if an animal is a service animal under the ADA.¹⁷

1. Is the animal a dog?

- If "yes," proceed to the next question.
- If "no," the animal is not a service animal but may be another type of assistance animal for which a reasonable accommodation is needed.¹⁸ Proceed to Part II below.

2. Is it readily apparent that the dog is trained to do work or perform tasks for the benefit of an individual with a disability?

- If "yes," further inquiries are unnecessary and inappropriate because the animal is a service animal.¹⁹
- If "no," proceed to the next question.

It is *readily apparent* when the dog is observed:

- guiding an individual who is blind or has low vision
- pulling a wheelchair
- providing assistance with stability or balance to an individual with an observable mobility disability²⁰

3. It is advisable for the housing provider to limit its inquiries to the following two questions:

- The housing provider may ask in substance: (1) "Is the animal required because of a

¹⁶ 28 C.F.R. §§ 35.104; 36.104 (emphasis added).

¹⁷ 28 C.F.R. §§ 35.136; 36.302(c).

¹⁸ Although a miniature horse is not a service animal, DOJ has determined that the same type of analysis is applied to determine whether a miniature horse should be provided access, although additional considerations, beyond the scope of this guidance, apply. See 28 C.F.R. §§ 35.136(i); 36.302(c)(9).

¹⁹ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

²⁰ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

disability?" and (2) "What work or task has the animal been trained to perform?"²¹ Do not ask about the nature or extent of the person's disability, and do not ask for documentation. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.

- If the answer to question (1) is "yes" and work or a task is identified in response to question (2), grant the requested accommodation, if otherwise reasonable, because the animal qualifies as a service animal.
- If the answer to either question is "no" or "none," the animal does not qualify as a service animal under federal law but may be a support animal or other type of assistance animal that needs to be accommodated. HUD offers guidance to housing providers on this in Part II.

Performing "work or tasks" means that the dog is trained to take a specific action when needed to assist the person with a disability.

- If the individual identifies at least one action the dog is trained to take which is helpful to the disability other than emotional support, the dog should be considered a service animal and permitted in housing, including public and common use areas. Housing providers should not make further inquiries.
- If no specific work or task is identified, the dog should not be considered a service animal but may be another type of animal for which a reasonable accommodation may be required. Emotional support, comfort, well-being, and companionship are not a specific work or task for purposes of analysis under the ADA.

For more information, refer to the ADA rules and service animal guidance on DOJ's ADA Home Page at www.ada.gov²² or call the ADA Information Line at 1-800-514-0301.

Part II: Analysis of reasonable accommodation requests under the Fair Housing Act for assistance animals other than service animals

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a dwelling, including public and common use spaces.

Remember: While it is not necessary to submit a written request or to use the words "reasonable accommodation," "assistance animal," or any other special words to request a reasonable accommodation under the FHA, persons making a request are encouraged to do so in order to avoid

²¹ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

²² See *Frequently Asked Questions About Service Animals and the ADA* at https://www.ada.gov/regs2010/service_animal_qa.html; *ADA Requirements: Service Animals* at https://www.ada.gov/service_animals_2010.htm.

miscommunication.²³ Persons with disabilities may also want to keep a copy of their reasonable accommodation requests and supporting documentation in case there is a later dispute about when or whether a reasonable accommodation request was made. Likewise, housing providers may find it helpful to have a consistently maintained list of reasonable accommodation requests.²⁴

A resident may request a reasonable accommodation either before or after acquiring the assistance animal.²⁵ An accommodation also may be requested after a housing provider seeks to terminate the resident's lease or tenancy because of the animal's presence, although such timing may create an inference against good faith on the part of the person seeking a reasonable accommodation. However, under the FHA, a person with a disability may make a reasonable accommodation request at any time, and the housing provider must consider the reasonable accommodation request even if the resident made the request after bringing the animal into the housing.²⁶

As a best practice, housing providers may use the following questions to help them make a decision when the animal does not meet the definition of service animal.²⁷

4. Has the individual requested a reasonable accommodation — that is, asked to get or keep an ~~animal in connection with a physical or mental impairment or disability?~~
-

Note: The request for a reasonable accommodation with respect to an assistance animal may be oral or written. It may be made by others on behalf of the individual, including a person legally residing in the unit with the requesting individual or a legal guardian or authorized representative.²⁸

- If “yes,” proceed to Part III.
- If “no,” the housing provider is not required to grant a reasonable accommodation that has not been requested.

Part III: Criteria for assessing whether to grant the requested accommodation

As a best practice, housing providers may use the following questions to help them assess whether

²³ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²⁴ See Joint Statement, Q and A 13 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²⁵ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²⁶ See 24 C.F.R. § 100.204(a).

²⁷ See *Janush v. Charities Hous. Dev. Corp.*, 169 F.Supp.2d 1133, 1136-37 (N.D. Cal., 2000) (rejecting an argument that a definition of “service dog” should be read into the Fair Housing Act to create a rule that accommodation of animals other than service dogs is per se unreasonable, instead finding that “the law imposes on defendants the obligation to consider each request individually and to grant requests that are reasonable.”).

²⁸ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

to grant the requested accommodation.

5. Does the person have an observable disability or does the housing provider (or agent making the determination for the housing provider) already have information giving them reason to believe that the person has a disability?
 - If “yes,” skip to question #7 to determine if there is a connection between the person’s disability and the animal.
 - If “no,” continue to the next question.

Observable and Non-Observable Disabilities

Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. While some impairments may seem invisible, others can be readily observed. Observable impairments include blindness or low vision, deafness or being hard of hearing, mobility limitations, and other types of impairments with observable symptoms or effects, such as intellectual impairments (including some types of autism), neurological impairments (*e.g.*, stroke, Parkinson’s disease, cerebral palsy, epilepsy, or brain injury), mental illness, or other diseases or conditions that affect major life activities or bodily functions.²⁹ Observable impairments generally tend to be obvious and would not be reasonably attributable to non-medical causes by a lay person.

Certain impairments, however, especially including impairments that may form the basis for a request for an emotional support animal, may not be observable. In those instances, a housing provider may request information regarding both the disability and the disability-related need for the animal. Housing providers are not entitled to know an individual’s diagnosis.

6. Has the person requesting the accommodation provided information that reasonably supports that the person seeking the accommodation has a disability?³⁰
 - If “yes,” proceed to question #7. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.
 - If “no,” the housing provider is not required to grant the accommodation unless this information is provided but may not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so.³¹ To assist the person requesting the

²⁹ See 24 C.F.R. § 100.201.

³⁰ See Joint Statement, Q and A 17 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

³¹ This would not permit the housing provider to require any independent evaluation or diagnosis specifically obtained for the housing provider or for the housing provider to engage in its own direct

accommodation to understand what information the housing provider is seeking, the housing provider is encouraged to direct the requester to the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. Referring the requester to that Guidance will also help ensure that the housing provider receives the disability-related information that is actually needed to make a reasonable accommodation decision.

Information About Disability May Include . . .

- A determination of disability from a federal, state, or local government agency.
- Receipt of disability benefits or services (Social Security Disability Income (SSDI), Medicare or Supplemental Security Income (SSI) for a person under age 65, veterans' disability benefits, services from a vocational rehabilitation agency, or disability benefits or services from another federal, state, or local agency.
- Eligibility for housing assistance or a housing voucher received because of disability.
- Information confirming disability from a health care professional – e.g., physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse.

Note that a determination that an individual does not qualify as having a disability for purposes of a benefit or other program does not necessarily mean the individual does not have a disability for purposes of the FHA, Section 504, or the ADA.³²

Disability Determination

Note that under DOJ's regulations implementing the ADA Amendments Act of 2008, which HUD considers instructive when determining whether a person has a disability under the FHA, some types of impairments will, in virtually all cases, be found to impose a substantial limitation on a major life activity resulting in a determination of a disability.³³ Examples include deafness, blindness, intellectual disabilities, partially or completely missing limbs or mobility impairments requiring the use of a wheelchair, autism, cancer, cerebral palsy, diabetes, epilepsy, muscular dystrophy, multiple sclerosis, Human Immunodeficiency Virus (HIV) infection, major depressive disorder, bipolar disorder, post-traumatic stress disorder, traumatic brain injury, obsessive compulsive disorder, and schizophrenia.³⁴ This does not mean that other conditions are not disabilities. It simply means that in virtually all cases these conditions will be covered as disabilities. While housing providers will be unable to observe or identify some of these impairments, individuals with disabilities sometimes voluntarily provide more details about their disability than the housing provider actually needs to make decisions on accommodation requests. When this information is provided, housing providers should consider it.

evaluation. See Joint Statement, Q and A 17-18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

³² See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

³³ See 28 C.F.R. §§ 35.108(d)(2); 36.105(d)(2).

³⁴ See 28 C.F.R. §§ 35.108(d)(2)(iii); 36.105(d)(2)(iii).

Documentation from the Internet

Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known.³⁵ In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal.

By contrast, many legitimate, licensed health care professionals deliver services remotely, including over the internet. One reliable form of documentation is a note from a person's health care professional that confirms a person's disability and/or need for an animal when the provider has personal knowledge of the individual.

7. Has the person requesting the accommodation provided information which reasonably supports that the animal does work, performs tasks, provides assistance, and/or provides therapeutic emotional support with respect to the individual's disability?³⁶
 - If "yes," proceed to Part IV. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.
 - If "no," the housing provider is not required to grant the accommodation unless this information is provided but may not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so. To assist the person requesting the accommodation to understand what information the housing provider is seeking, the housing provider is encouraged to direct the requester to the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. Referring the requester to that Guidance will also help ensure that the housing provider receives the disability-related information that is actually needed to make a reasonable accommodation decision.

³⁵ See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

³⁶ See *Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt.*, 778 F. Supp. 2d 1028 (D.N.D. 2011) (determining that, in housing, a broader variety of assistance animals may be necessary as a reasonable accommodation, regardless of specific training).

**Information Confirming Disability-Related Need
for an Assistance Animal. . .**

- Reasonably supporting information often consists of information from a licensed health care professional – e.g., physician, optometrist, psychiatrist, psychologist, physician’s assistant, nurse practitioner, or nurse – general to the condition but specific as to the individual with a disability and the assistance or therapeutic emotional support provided by the animal.
- A relationship or connection between the disability and the need for the assistance animal must be provided. This is particularly the case where the disability is non-observable, and/or the animal provides therapeutic emotional support.
- For non-observable disabilities and animals that provide therapeutic emotional support, a housing provider may ask for information that is consistent with that identified in the Guidance on Documenting an Individual’s Need for Assistance Animals in Housing (*see Questions 6 and 7) in order to conduct an individualized assessment of whether it must provide the accommodation under the Fair Housing Act. The lack of such documentation in many cases may be reasonable grounds for denying a requested accommodation.

Part IV: Type of Animal

8. Is the animal commonly kept in households?

- If “yes,” the reasonable accommodation should be provided under the FHA unless the general exceptions described below exist.³⁷
- If “no,” a reasonable accommodation need not be provided, but note the very rare circumstances described below.

Animals commonly kept in households. If the animal is a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, then the reasonable accommodation should be granted because the requestor has provided information confirming that there is a disability-related need for the animal.³⁸ For purposes of this assessment, reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals.

Unique animals. If the individual is requesting to keep a unique type of animal that is not commonly kept in households as described above, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal. The individual is encouraged to submit documentation from a health care professional confirming the need for this animal, which includes information of the type set out in the Guidance on Documenting an Individual’s Need for Assistance Animals in Housing. While this guidance

³⁷ See, e.g., *Majors v. Hous. Auth. of the Cnty. of DeKalb Georgia*, 652 F.2d 454, 457 (5th Cir. 1981) (enforcing a “no pets” rule against an individual with a disability who needs an animal as a reasonable accommodation effectively deprives the individual of the benefits of the housing).

³⁸ See 24 C.F.R. § 100.204(a).

does not establish any type of new documentary threshold, the lack of such documentation in many cases may be reasonable grounds for denying a requested accommodation. If the housing provider enforces a “no pets” policy or a policy prohibiting the type of animal the individual seeks to have, the housing provider may take reasonable steps to enforce the policy if the requester obtains the animal before submitting reliable documentation from a health care provider that reasonably supports the requestor’s disability-related need for the animal. As a best practice, the housing provider should make a determination promptly, generally within 10 days of receiving documentation.³⁹

Reasonable accommodations may be necessary when the need for a unique animal involves unique circumstances ...

Examples:

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a health care professional confirms that:
 - Allergies prevent the person from using a dog; or
 - Without the animal, the symptoms or effects of the person’s disability will be significantly increased.
- The individual seeks to keep the animal outdoors at a house with a fenced yard where the animal can be appropriately maintained.

Example: A Unique Type of Support Animal

An individually trained capuchin monkey performs tasks for a person with paralysis caused by a spinal cord injury. The monkey has been trained to retrieve a bottle of water from the refrigerator, unscrew the cap, insert a straw, and place the bottle in a holder so the individual can get a drink of water. The monkey is also trained to switch lights on and off and retrieve requested items from inside cabinets. The individual has a disability-related need for this specific type of animal because the monkey can use its hands to perform manual tasks that a service dog cannot perform.

Part V: General Considerations

- The FHA does not require a dwelling to be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.⁴⁰ A housing provider may, therefore, refuse a reasonable accommodation for an assistance animal if the specific animal poses a direct threat that cannot be eliminated or reduced to an acceptable level through actions the individual takes to maintain or control the animal (e.g., keeping the

³⁹ See Joint Statement, Q and A 15 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁴⁰ See 24 C.F.R. § 100.202(d).

animal in a secure enclosure).⁴¹

- A reasonable accommodation may include a reasonable accommodation to a land use and zoning law, Homeowners Association (HOA) rule, or co-op rule.⁴²
- A housing provider may not charge a fee for processing a reasonable accommodation request.⁴³
- Pet rules do not apply to service animals and support animals. Thus, housing providers may not limit the breed or size of a dog used as a service animal or support animal just because of the size or breed⁴⁴ but can, as noted, limit based on specific issues with the animal's conduct because it poses a direct threat or a fundamental alteration.⁴⁵
- A housing provider may not charge a deposit, fee, or surcharge for an assistance animal. A housing provider, however, may charge a tenant for damage an assistance animal causes if it is the provider's usual practice to charge for damage caused by tenants (or deduct it from the standard security deposits imposed on all tenants).
- A person with a disability is responsible for feeding, maintaining, providing veterinary care, and controlling his or her assistance animal. The individual may do this on his or her own or with the assistance of family, friends, volunteers, or service providers.
- Individuals with disabilities and housing providers may reference the best practices provided in this guidance in making and responding to reasonable accommodation requests within the scope of this guidance for as long as it remains in effect. HUD strongly encourages individuals with disabilities and housing providers to give careful attention to this guidance when making reasonable accommodation requests and decisions relating to animals.
- Failure to adhere to this guidance does not necessarily constitute a violation by housing providers of the FHA or regulations promulgated thereunder.⁴⁶
- Before denying a reasonable accommodation request due to lack of information confirming an individual's disability or disability-related need for an animal, the housing provider is encouraged to engage in a good-faith dialogue with the requestor called the "interactive process."⁴⁷ The housing provider may not insist on specific types of evidence if the information which is provided or actually known to the housing provider meets the requirements of this guidance (except as provided above). Disclosure of details about the diagnosis or severity of a disability or medical records or a medical examination cannot be required.

⁴¹ See Joint Statement Q and A 4 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁴² See *Warren v. Delvista Towers Condo. Ass'n*, 49 F. Supp. 3d 1082 (S.D. Fla. 2014).

⁴³ See Joint Statement, Q and A 11 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>; *Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt.*, 778 F. Supp. 2d 1028 (D.N.D. 2011).

⁴⁴ See, e.g., *Bhogaita v. Altamonte Heights Condo. Ass'n*, 765 F.3d 1277 (11th Cir. 2014) (reasonable accommodation to a housing provider's rule that all dogs must be under 25 pounds).

⁴⁵ See 24 C.F.R. § 100.202(d); Joint Statement, Q and A's 5 & 7 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁴⁶ See "Treatment as a Guidance Document" on p.5 for a citation of authorities on permissible use of guidance.

⁴⁷ See Joint Statement, Q and A 7 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

If a reasonable accommodation request, provided under the framework of this guidance, is denied because it would impose a fundamental alteration to the nature of the provider's operations or impose an undue financial and administrative burden, the housing provider should engage in the interactive process to discuss whether an alternative accommodation may be effective in meeting the individual's disability-related needs.⁴⁸

⁴⁸ For guidance on what constitutes a fundamental alteration or an undue financial and administrative burden, refer to the HUD/DOJ Joint Statement on Reasonable Accommodation under the Fair Housing Act, available at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

Guidance on Documenting an Individual's Need for Assistance Animals in Housing

This section provides best practices for documenting an individual's need for assistance animals in housing. It offers a summary of information that a housing provider may need to know from a health care professional about an individual's need for an assistance animal in housing. It is intended to help individuals with disabilities explain to their health care professionals the type of information that housing providers may need to help them make sometimes difficult legal decisions under fair housing laws. It also will help an individual with a disability and their health care provider understand what information may be needed to support an accommodation request when the disability or disability-related need for an accommodation is not readily observable or known by the housing provider. Housing providers may not require a health care professional to use a specific form (including this document), to provide notarized statements, to make statements under penalty of perjury, or to provide an individual's diagnosis or other detailed information about a person's physical or mental impairments.⁴⁹ Housing providers and the U.S. Department of Housing and Urban Development rely on professionals to provide accurate information to the best of their personal knowledge, consistent with their professional obligations. This document only provides assistance on the type of information that may be needed under the Fair Housing Act (FHA). The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Further, this document does not create any obligation to provide health-care information and does not authorize or solicit the collection of any information not otherwise permitted by the FHA.⁵⁰

The Appendix to this Guide answers some commonly asked questions about terms and issues below. An understanding of the terms and issues is helpful to providing this information.

When providing this information, health care professionals should use personal knowledge of their patient/client – *i.e.*, the knowledge used to diagnose, advise, counsel, treat, or provide health care or other disability-related services to their patient/client. **Information relating to an individual's disability and health conditions must be kept confidential and cannot be shared with other**

⁴⁹ See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act ("Joint Statement"), Q and A's 13, 16-18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁵⁰ This guidance does not expand on the obligations under the FHA or HUD's regulations and should be construed consistently with Executive Order 13891 of October 9, 2019 entitled "Promoting the Rule of Law Through Improved Agency Guidance Documents," Executive Order 13892 of October 9, 2019 entitled "Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication," the Department of Justice Memorandum of January 25, 2018 entitled "Limiting Use of Agency Guidance Documents in Affirmative Civil Enforcement Cases," and the Department of Justice Memorandum of November 16, 2017 entitled "Prohibition on Improper Guidance Documents."

persons unless the information is needed for evaluating whether to grant or deny a reasonable accommodation request or unless disclosure is required by law.⁵¹

As a best practice, documentation contemplated in certain circumstances by the Assistance Animals Guidance is recommended to include the following general information:

- The patient's name,
- Whether the health care professional has a professional relationship with that patient/client involving the provision of health care or disability-related services, and
- The type of animal(s) for which the reasonable accommodation is sought (i.e., dog, cat, bird, rabbit, hamster, gerbil, other rodent, fish, turtle, other specified type of domesticated animal, or other specified unique animal).⁵²

Disability-related information. A disability for purposes of fair housing laws exists when a person has a physical or mental impairment that substantially limits one or more major life activities.⁵³ Addiction caused by current, illegal use of a controlled substance does not qualify as a disability.⁵⁴ As a best practice, it is recommended that individuals seeking reasonable accommodations for support animals ask health care professionals to provide information related to the following:

- Whether the patient has a physical or mental impairment,
- Whether the patient's impairment(s) substantially limit at least one major life activity or major bodily function, and
- Whether the patient needs the animal(s) (because it does work, provides assistance, or performs at least one task that benefits the patient because of his or her disability, or because it provides therapeutic emotional support to alleviate a symptom or effect of the disability of the patient/client, and not merely as a pet).

Additionally, if the animal is not a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, it may be helpful for patients to ask health care professionals to provide the following additional information:

- The date of the last consultation with the patient,
- Any unique circumstances justifying the patient's need for the particular animal (if already owned or identified by the individual) or particular type of animal(s), and
- Whether the health care professional has reliable information about this specific animal or

⁵¹ See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁵² See, e.g., *Jamush v. Charities Housing Development Corporation*, 169 F.Supp.2d 1133, 1136-37 (N.D. Cal. 2000) (rejecting an argument that a definition of "service dog" should be read into the Fair Housing Act to create a rule that accommodation of animals other than service dogs is per se unreasonable, finding that "the law imposes on defendants the obligation to consider each request individually and to grant requests that are reasonable.").

⁵³ 24 C.F.R. § 100.201.

⁵⁴ 24 C.F.R. § 100.201.

whether they specifically recommended this type of animal.

It is also recommended that the health care professional sign and date any documentation provided and provide contact information and any professional licensing information.

Appendix

What are assistance animals?

Assistance animals do work, perform tasks, provide assistance, or provide emotional support for a person with a physical or mental impairment that substantially limits at least one major life activity or bodily function.⁵⁵

What are physical or mental impairments?

Physical or mental impairments include: any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability; or

Diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.⁵⁶

What are major life activities or major bodily functions?

They are: seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, and working.⁵⁷

Other impairments – based on specific facts in individual cases -- may also substantially limit at least one major life activity or bodily function.⁵⁸

What are Some Examples of Work, Tasks, Assistance, and Emotional Support?

⁵⁵ See 24 C.F.R. §§ 5.303; 960.705.

⁵⁶ See 24 C.F.R. § 100.201.

⁵⁷ See 24 C.F.R. § 100.201(b).

⁵⁸ See 24 C.F.R. § 100.201.

Some examples of work and tasks that are commonly performed by service dogs include⁵⁹:

- Assisting individuals who are blind or have low vision with navigation and other tasks.
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds.
- Providing non-violent protection or rescue work.
- Pulling a wheelchair.
- Alerting a person with epilepsy to an upcoming seizure and assisting the individual during the seizure.
- Alerting individuals to the presence of allergens.
- Retrieving the telephone or summoning emergency assistance, or
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities.

Some other examples of work, tasks or other types of assistance provided by animals include:⁶⁰

- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
- Reminding a person with mental illness to take prescribed medication.
- Alerting a person with diabetes when blood sugar is high or low.
- Taking an action to calm a person with post-traumatic stress disorder (PTSD) during an anxiety attack.
- Assisting the person in dealing with disability-related stress or pain.
- Assisting a person with mental illness to leave the isolation of home or to interact with others.
- Enabling a person to deal with the symptoms or effects of major depression by providing a reason to live, or
- Providing emotional support that alleviates at least one identified symptom or effect of a physical or mental impairment.

What are examples of a patient's need for a unique animal or unique circumstances?⁶¹

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a health care professional confirms that:
 - Allergies prevent the person from using a dog, or
 - Without the animal, the symptoms or effects of the person's disability will be significantly increased.
- The individual seeks a reasonable accommodation to a land use and zoning law, Homeowners Association (HOA) rule, or condominium or co-op rule.
- The individual seeks to keep the animal outdoors at a house with a fenced yard where the animal can be appropriately maintained.

⁵⁹ See 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

⁶⁰ See, e.g., *Majors v. Housing Authority of the County of DeKalb Georgia*, 652 F.2d 454, 457 (5th Cir. 1981); *Janush*, 169 F.Supp.2d at 1136-37.

⁶¹ See, e.g., *Anderson v. City of Blue Ash*, 798 F.3d 338, 360-63 (6th Cir. 2015) (seeking a reasonable accommodation to keep a miniature horse as an assistance animal).



CITY OF ST. AUGUSTINE BEACH

Date: February 11, 2020

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

From: Beverly Raddatz, MMC, City Clerk

Subject: Amending and /or Adding to the Personnel Manual

Background:

As policies and laws change, it is imperative that the Personnel Manual is updated. As discussed at the February 3, 2020 Regular Commission meeting, I am bringing items to the Commission that have been either requested by the Commission or have had law changes.

Resolution 20-05 addresses General Policies, Anti-Fraternization of Support Personnel, and Service Animals in the workplace. These policies have been vetted by City Attorney Wilson, FMIT Attorney Michael Spillman, the Society for Human Resource Management (SHRM) and the Florida Public Human Resources Association to comply with federal, state and local laws and best practices.

Budget Analysis:

There is minimum budget analysis for these changes.

Impact Analysis:

Adding the Anti-Fraternization of Support Personnel and Service Animal policies to the Personnel Manual gives boundaries between a supervisor and their subordinate and gives reasonable accommodations to disabled employees by allowing service animals.

Recommendation:

It is the recommendation of staff to adopt the proposed Resolution 20-05.

RESOLUTION NO. 20 - 04

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

**RE: TO AMEND OR ADD SECTIONS I.7 – I.12,
XX.13, X1X.1-4, XX.13 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 March 2, 2020, resolves as follows:

To amend the Personnel Manual regarding *General Policies, Section 1.7-1.12, Section XX.13, Anti-Fraterization of Support Personnel, and Section XX.14, Service Animals* for the City of St. Augustine Beach and is hereby changed as shown in Exhibit A of this resolution, which 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 shall amend or add to the General Policies, Consensual Romantic or Sexual Relationships, and Service Animals 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 March 2020, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

I. GENERAL POLICIES

I.7 NEW POSITIONS

A. In the event that a new position is to be established, the department head shall submit a request to the City Manager/Chief of Police to include position classification, pay and merit advancement plan. The City Manager/Chief of Police shall furnish ~~to the Commission for approval an outline of the duties of the new position, the minimum required education,~~ training and experience ~~required requirements~~ and the suggested beginning annual salary for the position within their administrative duties within the approved budget of the Commission.

B. ~~In the event that circumstances be substantially changed the department head shall submit a request to the City Manager/Chief of Police that the applicable position description be changed to correspond with the change in basic duties, which shall be presented to the City Commission for approval.~~

I.8 ADMINISTRATION

The City Manager shall be responsible for the administration and implementation of the City's personnel regulations, ~~as established by the City Commission and applicable to those employees~~ working under the City Manager's administration. This same rule shall apply to the Chief of Police for those non-sworn employees under his administration and direction. This concept shall apply throughout the Personnel Manual, except where otherwise noted.

I.9 AMERICANS WITH DISABILITIES ACT COORDINATORS

The City Manager/Chief of Police or their designee shall be the City's ADA coordinators for their respective areas of operations. ~~Grievances concerning disabilities shall be governed by Section XVI of the Personnel Manual.~~

I.10 RECORDS

The originals of all personnel records, including employment applications, leave requests, work performance evaluations, etc., for all departments shall be kept in the City Manager's office, with the exception of the Police Department records, which shall be kept in the Police Department building. Confidential medical information will be kept in separate files in the City Manager's office and Police Department with respect to their employees.

I.11 INTERPRETATIONS

Interpretations of the provisions of the Personnel Manual shall be made by the ~~when made by the City Commission~~ City Manager or Police Chief and shall prevail over interpretations made by anyone else.

I.12 CONFLICT OF INTEREST

All City employees, shall abide by all applicable provisions of the state's Code of Ethics (Part III of Chapter 112.531-112.535 Florida Statutes).

XX.13 ANTI-FRATERNIZATION OF SUPPORT PERSONNEL

I. PURPOSE

Consensual intimate relationships between employees in supervisor-subordinate roles increase the likelihood of sexual harassment in the workplace and create morale problems resulting from actual or perceived favoritism. Such relationships can also create a conflict of interest where personal loyalties interfere with obligations owed to the City. Because of this, these relationships are detrimental to the City's mission.

II. DEFINITION OF TERMS

- A. For purposes of this policy, the term "consensual intimate relationship" is defined as a relationship in which two (2) persons are married or engaged by mutual consent in a betrothed, dating, amorous, intimate, and/or sexual relationship. This definition applies regardless of the sexual orientation or gender of the employees involved.
- B. For purposes of this policy, the term "intimate" is defined as any form of sensual expression between individuals.
- C. For purposes of this policy, the term "supervisor" is defined as any individual who oversees, instructs, advises, directs, or evaluates the employment or progress of other employees.
- D. For purposes of this policy, the term "subordinate" is defined as an individual under the authority of a supervisor.
- E. For purposes of this policy, the term "work location" is defined to include department and City sites under the direct supervision of an employee of the City.
- F. For purposes of this policy, the term "Department" is a distinctly identifiable division or operational unit of the City, distinguished by area of responsibility or geographic area, whose managers are responsible for all its associated costs and for ensuring adherence to its budgets or which fiscal responsibility is assigned.

Examples of departments include but are not limited to:

- 1. Finance and Administration
- 2. Public Works Department
- 3. Building Department
- 4. Police Department

III. **POLICY**

- A. It is misconduct, subject to disciplinary action, for supervisors and subordinates at the same work location to engage in a consensual intimate relationship.
- B. It is misconduct for any supervisor to participate in the evaluation or employment decisions involving another employee or job applicant with whom the supervisor has a consensual intimate relationship.
- C. This policy is not applicable to employees who are not in a supervisor-subordinate role.
- D. Supervisors and subordinates who are engaged in a consensual intimate relationship will not be considered in violation for the continuous duration of the relationship, provided the relationship existed prior to the first public notice of this policy, continued through its effective date, and within thirty (30) calendar days of the effective date of this policy disclose in writing to the City Clerk / HR Director the existence of the consensual/intimate relationship of the supervisor and subordinate. Failure to provide such written disclosure required in this section to the Superintendent will be considered misconduct and subject to disciplinary action.
- E. After proper disclosure has been received, the conflict will be resolved by transferring one (1) of the employees if possible. If transferring is not possible, termination will be required.
- F. The transfer shall be immediate, as determined by the City Manager / Police Chief.
- G. The employee to be transferred, and the time and location of said transfer, shall be determined by the City Manager / Police Chief.
- H. The employee must meet all established qualifications for the position to which s/he is transferred.

IV. **DISCIPLINARY ACTION**

- A. Supervisors and subordinates who engage in a consensual intimate relationship, in violation of this policy, are subject to disciplinary action ranging from involuntary transfer, reassignment, demotion, suspension, or termination as appropriate.
- B. Unwelcomed behavior, though not a violation of this policy, may be a violation of the City's Anti-Sexual Harassment policy and the Employee Oath.

XX.14. SERVICE ANIMALS

The City of St. Augustine Beach prohibits bringing a pet (a domestic animal kept for pleasure or companionship) to work or having a pet in the City's controlled buildings and premises, with the exception of service animals for a person with disabilities and K9 dog(s) for the Police Department.

1. Service Animal Definition

According to the Americans with Disabilities Act (ADA), a service animal is defined as "any animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items."

A person with a disability uses a service animal as an auxiliary aid. In compliance with the ADA, service animals are welcome in all buildings on City property and may attend any class, meeting or other event. There may be an exception to certain areas.

Employees requesting accommodation for a disability that includes a service animal must contact the Human Resource (HR) Department and complete a Documentation of Disability form. All service animals must be registered with the HR department and have a physician's report that a service animal is needed.

Requirements of service animals and their owners include:

- All animals need to be immunized against rabies and other diseases common to that type of animal. All vaccinations must be current.
- Animals must wear a rabies vaccination tag.
- All dogs must be licensed per state law.
- Service animals must wear an owner identification tag (which includes the name and phone number of the owner) at all times.
- Animals must be in good health.
- Animals must be on a leash, harness or other type of restraint at all times, unless the owner/partner is unable to retain an animal on leash due to a disability.
- The owner must be in full control of the animal at all times. The care and supervision of the animal is solely the responsibility of the owner/partner.
- The owner/partner must provide the HR department staff with information as to how the animal accommodates for the individual's disability.

Reasonable behavior is expected from service animals while on City property. The owners of disruptive and aggressive service animals may be asked to remove them from the City's facilities. If the improper behavior happens repeatedly, the owner may be told not to bring the service animal into any facility until the owner takes significant steps to mitigate the behavior.

Cleanliness of the service animal is mandatory. Consideration of others must be taken into account when providing maintenance and hygiene of service animals. The owner/partner is expected to clean and dispose of all animal waste.

ADA DISABILITY FORM
CITY OF ST. AUGUSTINE BEACH

Dear Physician,

A request for an employment-related reasonable accommodation has been made by our employee _____ (name). To assist us with this process, please complete the following questions below.

Please answer these questions to help determine disability and reasonable accommodation.

1) Please review the attached job description. (If no job description is attached, please discuss the position with our employee to determine essential job duties.) Is the employee able to perform the essential job functions of this position with or without reasonable accommodation?

Yes / No

If yes, please continue to next question.

If no, how long will the employee be unable to perform these job duties?

_____ # of weeks _____ # of months _____ permanently

2) Does the employee have a physical or mental impairment?

If yes, what is the impairment?

3) What limitations are interfering with job performance, and how do they affect the employee's ability to perform the job functions?

-

4) What adjustments to the work environment or position responsibilities would enable the employee to perform the essential functions of that position?

5) The employee's typical schedule is _____ . What, if any, adjustments need to be made to the employee's work schedule to enable the employee to perform the essential functions of that position?

6) How would your suggestions improve the employee's job performance?

7) How long will the employee need the reasonable accommodation? If unable to provide date, when will he or she be medically reevaluated?

Any additional comments or suggestions:

Physician Name (Please Print) Date

Signature of physician completing form

MEMORANDUM**TO:** Max Royle, City Manager**FROM:** William Tredik, P.E. Public Works Director**DATE:** March 2, 2020**SUBJECT:** Ordinance 20-06, Public Hearing and First Reading, providing for local implementation of the water conservation rule for landscape irrigation of the St. Johns River Water Management District.**INTRODUCTION**

The St. Johns River Water Management District currently has watering restrictions districtwide to ensure the efficient use of water for landscape irrigation. These restrictions were created to allow enough water to maintain healthy landscapes year-round while specifying when and how much water may be applied to both residential and non-residential landscaped areas. The table below shows the current St. Johns River Water Management District mandated watering schedule:

Time of Year	Homes with odd numbered or no addresses	Homes with even numbered addresses	Non-residential properties
Daylight Savings Time	Wednesday/Saturday	Thursday/Sunday	Tuesday/Friday
Eastern Standard time	Saturday	Sunday	Tuesday

Exceptions to the above watering schedule include:

- Irrigation using a micro-spray, micro-jet, drip or bubbler irrigation system is allowed anytime.
- Irrigation of new landscape is allowed at any time of day on any day for the initial 30 days and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for establishment.
- Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides and herbicides when required by law, the manufacturer, or best management practices, is allowed anytime within 24 hours of application. Watering in of chemicals may not exceed ¼ inch of water per application except as otherwise required by law, the manufacturer, or best management practices.

- Irrigation systems may be operated anytime for maintenance and repair purposes, not to exceed 20 minutes per hour per zone.
- Irrigation using a hand-held hose equipped with a spray nozzle that can be adjusted so water flows only as needed is allowed anytime.
- Discharge of water from a water-to-air air-conditioning unit or other water-dependent cooling system is not limited.
- The use of water from a reclaimed water system is allowed anytime. A reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented from another source during peak demand periods.
- The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources

The St. Johns River Water Management District encourages local governments to assist in enforcing the District's watering restrictions through the adoption of local ordinances incorporating the provisions of the District's rule. Sixty-nine (69) cities and counties, including St. Johns County and the City of St. Augustine, have currently adopted such an ordinance, and are so listed on the St. Johns River Water Management District website. Adoption and enforcement of local irrigation ordinances helps the state preserve and protect the quantity and quality of the district's water resources.

DISCUSSION

The St. Johns River Water Management District offers an annual districtwide cost-share program to help local governments implement projects which advance the district's core mission areas, including:

- Alternative water supply (AWS) or water resource development
- Water conservation (including the installation of water conserving devices and other implementation costs)
- Water quality (nutrient load reduction)
- Flood protection
- Natural systems restoration or enhancement, including projects that benefit MFL waterbodies.

The District funds up to thirty-three percent (33%) of the construction costs for selected projects which meet the above mission areas, up to a maximum of \$1,500,000 per applicant. The application process is highly competitive and not all applicants receive funding. Projects are scored – and funds are allocated – from the top ranked application and on down the ranking list until allocated program funds are depleted.

The St. Johns River Water Management District incentivizes the adoption of local landscape irrigation ordinances by allocating additional points in the cost-share program scoring for

applicants which have adopted approved landscaping irrigation ordinances which support the District's watering restrictions. In the highly competitive cost-share program, these additional points may be the difference between a successful and an unsuccessful cost-share application.

Ordinance 20-06 as presented for First Reading is taken from the Model Water Conservation Ordinance provided on the St. Johns River Water Management District's website. If adopted by the City, Ordinance 20-06 would allow for local enforcement of water conservation rules for landscape irrigation consistent with St. Johns River Water Management District Chapter 40C-2, F.A.C., as well as increase the potential for successful applications to the St. Johns River Water Management District's districtwide cost-share program.

ACTION REQUESTED

Hold a public meeting and pass Ordinance 20-06 on first reading.

ORDINANCE NO. 20-06

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA; PROVIDING FOR LOCAL IMPLEMENTATION OF THE WATER CONSERVATION RULE FOR LANDSCAPE IRRIGATION OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; PROVIDING DEFINITIONS; PROVIDING LANDSCAPE IRRIGATION SCHEDULES; PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULES; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR APPLICABILITY OF THE ORDINANCE; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the St. Johns River Water Management District has responsibility and exclusive authority under Chapter 373, Florida Statutes, for regulating the consumptive use of water; and

WHEREAS, the St. Johns River Water Management District has amended Rule 40C-2.042, F.A.C., its General Consumptive Use Permit by Rule that regulates small irrigation uses below consumptive use permit thresholds in Rule 40C-2.041(1), F.A.C.; and

WHEREAS, Rule 40C-2.042(2)(a), F.A.C., grants a general permit to each person located within the District to use, withdraw or divert water for small landscape irrigation uses, provided that irrigation occurs in accordance with Sections 3 and 5, subject to the exceptions set forth in Section 4; and

WHEREAS, Rule 40C-2.042(2), F.A.C., applies to landscape irrigation regardless of whether the water comes from ground or surface water, from a private well or pump, or from a public or private utility; and

WHEREAS, Rule 40C-2.042(2)(b), F.A.C., strongly encourages a local government to adopt an ordinance to enforce Rule 40C-2.042(2)(a), F.A.C., within its jurisdiction by adopting a landscape irrigation ordinance that incorporates each of the provisions set forth in Rule 40C-2.042(2)(a), F.A.C.; and

WHEREAS, it is the desire of the City Commission of the City of St. Augustine Beach to adopt such an ordinance in accordance with 40C-2.042(2)(a) and (b), F.A.C.; and

WHEREAS, the City Commission of the City of St. Augustine Beach hereby finds and declares that the adoption of this ordinance is appropriate, and in the public interest of the citizens of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA: Chapter 13, Miscellaneous Provisions and Offenses. Article VI, Code of Ordinances, is hereby created to read:

WATER CONSERVATION ORDINANCE FOR LANDSCAPE IRRIGATION

Section 1. INTENT AND PURPOSE

It is the intent and purpose of this Ordinance to implement procedures that promote water conservation through more efficient landscape irrigation.

Section 2. DEFINITIONS

For the purpose of this Article, the following terms, phrases, words and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

- (a) "Address" means the house number of a physical location of a specific property. This includes "rural route" numbers but excludes post office box numbers. If a lot number in a mobile home park or similar community is used by the U.S. Postal Service to determine a delivery location, the lot number shall be the property's address. An "even numbered address" means an address ending in the numbers 0, 2, 4, 6, 8 or the letters A-M. An "odd numbered address" means an address ending in the numbers 1, 3, 5, 7, 9 or the letters N-Z.
- (b) "District" means the St. Johns River Water Management District.
- (c) "Person" means any person, firm, partnership, association, corporation, company, or organization of any kind.
- (d) "Landscape irrigation" means the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, public, commercial, and industrial establishments, and public medians and rights-of-way. "Landscape irrigation" does not include agricultural crops, nursery plants, cemeteries, golf course greens, tees, fairways, primary roughs, and vegetation associated with recreational

areas such as playgrounds, football, baseball and soccer fields.

- (e) "Residential landscape irrigation" means the irrigation of landscape associated with any housing unit having sanitary and kitchen facilities designed to accommodate one or more residents, including multiple housing units and mobile homes.
- (f) "Non-residential landscape irrigation" means the irrigation of landscape not included within the definition of "residential landscape irrigation," such as that associated with public, commercial and industrial property, including commercial or transient housing units, hotel and motel units, and public medians and rights-of-way.

Section 3. LANDSCAPE IRRIGATION SCHEDULES

1. When Daylight Savings Time is in effect, landscape irrigation shall occur only in accordance with the following irrigation schedule:

- a. Residential landscape irrigation at odd numbered addresses or no address may occur only on Wednesday and Saturday and shall not occur between 10:00 a.m. and 4:00 p.m.; and
- b. Residential landscape irrigation at even numbered addresses may occur only on Thursday and Sunday and shall not occur between 10:00 a.m. and 4:00 p.m.; and
- c. Non-residential landscape irrigation may occur only on Tuesday and Friday and shall not occur between 10:00 a.m. and 4:00 p.m.; and
- d. No more than $\frac{3}{4}$ inch of water may be applied per irrigation zone on each day that irrigation occurs, and in no event shall irrigation occur for more than 1 hour per irrigation zone on each day that irrigation occurs.

2. When Eastern Standard Time is in effect, landscape irrigation shall occur only in accordance with the following irrigation schedule:

- a. Residential landscape irrigation at odd numbered addresses or no address may occur only on Saturday and shall not occur between 10:00 a.m. and 4:00 p.m.; and
- b. Residential landscape irrigation at even numbered addresses may occur only on Sunday and shall not occur between 10:00 a.m. and 4:00 p.m.; and
- c. Non-residential landscape irrigation may occur only on Tuesday and shall not occur between 10:00 a.m. and 4:00 p.m.; and
- d. No more than $\frac{3}{4}$ inch of water may be applied per irrigation zone on each day that irrigation occurs, and in no event shall irrigation occur for more than 1 hour per irrigation zone on each day that irrigation occurs.

3. All landscape irrigation shall be limited in amount to only that necessary to meet landscape needs.

Section 4. EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULES

Landscape irrigation shall be subject to the following irrigation schedule exceptions:

1. Irrigation using a micro-spray, micro-jet, drip or bubbler irrigation system is allowed anytime.
2. Irrigation of new landscape is allowed at any time of day on any day for the initial 30 days and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.
3. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides, when required by law, the manufacturer, or best management practices, is allowed at any time of day on any day within 24 hours of application. Watering in of chemicals shall not exceed $\frac{1}{4}$ inch of water per application except as otherwise required by law, the manufacturer, or best management practices.
4. Irrigation systems may be operated at any time of day on any day for maintenance and repair purposes not to exceed 20 minutes per hour per zone.
5. Irrigation using a hand-held hose equipped with an automatic shut-off nozzle is allowed at any time of day on any day.
6. Discharge of water from a water-to-air air-conditioning unit or other water-dependent cooling system is not limited.
7. The use of water from a reclaimed water system is allowed anytime. For the purpose of this paragraph, a reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented from another source during peak demand periods.
8. The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources.

Section 5. ADDITIONAL REQUIREMENT

Any person who purchases and installs an automatic landscape irrigation system must properly install, maintain, and operate technology that inhibits or interrupts operation of the system during periods of sufficient moisture.

Section 6. VARIANCE FROM SPECIFIC DAY OF THE WEEK LIMITATIONS

A variance from the specific landscape irrigation days or day set forth in Section 3 may be granted if strict application of the scheduled days or day would lead to unreasonable or unfair results in particular instances, provided that the applicant demonstrates with particularity that compliance with the scheduled days or day will result in a substantial economic, health or other hardship on the applicant requesting the variance or those served by the applicant. Where a contiguous property is divided into different zones, a variance may be granted hereunder so that each zone may be irrigated on different days or day than other zones of the property. However, in no event shall a variance allow a single zone to be irrigated more than two days per week during Daylight Savings Time or more than one day per week during Eastern Standard Time.

Section 7. APPLICATION OF ORDINANCE

The provisions of this Ordinance shall apply to each person located within the City of St. Augustine Beach.

Section 8. ENFORCEMENT OFFICIALS

Law enforcement officials and having jurisdiction in the area governed by this Ordinance are hereby authorized to enforce the provisions of this Ordinance. In addition, the *City of St. Augustine Beach City Manager* may also delegate enforcement responsibility for this ordinance to agencies and department of *City of St. Augustine Beach* government.

Section 9. PENALTIES

Violation of any provision of this Ordinance shall be subject to the following penalties:

First violation	Written Warning
Second violation	\$50.00
Subsequent violations	Fine not to exceed \$500

Each day in violation of this Ordinance shall constitute a separate offense. Enforcement officials shall provide violators with no more than one written warning. In addition to the civil sanctions contained herein, the *City of St. Augustine Beach* may take any other appropriate legal action, including, but not limited to, injunctive action to enforce the provisions of this Article.

Section 10. CODIFICATION

Codification of this Ordinance is hereby directed and authorized.

Section 11. ORDINANCES REPEALED

No existing City ordinances are deemed in conflict with this Ordinance nor repealed.

Section 12. SEVERABILITY

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

Section 13. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED by the *City Commission of City of St. Augustine Beach*, Florida this _____ day of _____, 20____.

LOCAL EXECUTION PROVISIONS

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: March 2, 2020

SUBJECT: Resolution 20-06, Establishing Fees Related to Commercial Garbage and Trash Collection and Disposal

INTRODUCTION

At the March 2, 2020 City Commission meeting, the City Commission adopted, on second reading, Ordinance 20-05, amending the code of the City of St. Augustine Beach, Chapter 10, Garbage and Trash. Ordinance 20-05 requires that commercial garbage and trash collection and disposal fees be established by the Resolution of the City Commission. In support of this requirement, staff hereby presents for consideration, Resolution 20-06, establishing fees related to commercial garbage and trash collection and disposal.

DISCUSSION

Exhibit A to Resolution 20-06 establishes solid waste collection and disposal rates for commercial service premises within the City of St. Augustine Beach. Suggested base rates for waste carts are as follows:

- | | |
|------------------|--------------------------|
| • 64-gallon cart | \$5.00 per cart per week |
| • 96-gallon cart | \$7.50 per cart per week |

Included in the calculated base rate for each commercial customer is the following:

- | | |
|--------------------------------|--|
| • Recycling | Up to 1 bin per week |
| • Garden trash | Up to 2 cubic yards (CY) per week |
| • Trash or construction debris | Up to 2 CY per week |
| • White goods | Up to 2 items per week (10 max per year) |

Resolution 20-06 also includes additional fees for collecting unauthorized containers and uncontainerized garbage, as well as additional volume of recycled materials, garden trash, normal trash, construction debris and white goods. The additional fees are intended

to capture the costs of collection and disposal, while incentivizing the purchase and use of the appropriate volume of authorized waste carts for each business, thus reducing staff time logging and billing for additional solid waste collected.

Cost Considerations

Overall revenue from solid waste collection from traditional businesses within the city is anticipated to decrease by approximately \$8,000. This reduction in revenue is due to Ordinance 20-05 requiring commercial service premises generating more than ten 32-gallon cans of solid waste per week to use licensed private haulers. This change reduces solid waste pickup of traditional businesses by approximately eighty-five 32-gallon cans per week.

Overall revenue from solid waste collection for transient rentals within the city is anticipated to increase by approximately \$26,000. The minimum annual fee for a transient rental will be \$260.

Condominiums with six or more units, which the city currently collects solid waste from and receives non-ad valorem revenue from include:

- Sea Winds (80 units)
- Ponce Landing (57 units)
- Anastasia Oaks (22 units)
- Sea Oats Villas (9 units)
- Sea Ray Shores (9 units)
- Maddocks Apartments (8 units)
- Surfside (6 units)

Loss of non-ad valorem revenue from these units by discontinuing collection and disposal service would result in a revenue reduction of \$14,134, based upon the current \$74 non-ad valorem assessment.

The estimated financial impact of the Ordinance 20-05 and Resolution 20-06 is thus an overall increase in revenue of approximately \$4,000 annually. Full implementation of the ordinance would transition an estimated 191 condominium units and 4 commercial service premises to a licensed private solid waste hauler.

ACTION REQUESTED

Adopt Resolution 20-06 adopting commercial solid waste collection and disposal fees.

RESOLUTION NO: 20-06

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

**RE: ESTABLISHING FEES RELATED TO
COMMERCIAL GARBAGE AND TRASH
COLLECTION AND DISPOSAL**

WHEREAS, the City Commission of the City of St. Augustine Beach has passed an ordinance authorizing that commercial garbage and trash collection and disposal fees be established by resolution;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA, IN REGULAR SESSION ASSEMBLED:**

The City Commission of the City of St. Augustine Beach hereby establishes and adopts the fees for commercial garbage and trash collection and disposal as contained within Exhibit A, which is attached hereto.

RESOLVED AND DONE, this _____ day of March 2020 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

Exhibit A

City of St. Augustine Beach Schedule of Fees Commercial Garbage and Collection Services

Item

Fee

Commercial Garbage Fees

64-gallon cart (base fee)	\$5.00 per purchased cart per week
96-gallon cart (base fee)	\$7.50 per purchased cart per week
Two pickups per week	Calculated base fee x 2
Unauthorized container	\$10.00 per container per pickup
Uncontainerized garbage	\$7.50 per 64-gallon cart equivalent volume

Commercial Recycling

Recycling	\$0 for up to 1 bin per week
Additional Recycling bins	\$1 per additional bin per week

Commercial Garden Trash

Garden Trash	\$0 for up to 2 cubic yards per week
Additional yard waste volume	\$8 per additional cubic yard

Commercial Trash or Construction Debris

Trash or construction debris	\$0 for up to 2 cubic yards per week
Additional volume	\$15 per additional cubic yard


Commercial White Goods

White Goods	\$0 for 2 items per week
Additional white good items	\$50 per item above ten (10) in a calendar year

Container Impoundment Return Fee	\$20 per container
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MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 19, 2020

SUBJECT: Public Parking: Discussion of Issues

INTRODUCTION

Now that the County Commission has decided not to have paid parking on its property in the City (the pier parking lot and the east end of Pope Road), you may want to discuss certain parking issues that are not related to paid parking.

Under Commissioner Comments at your February 3rd meeting, Vice Mayor Kostka said the City needs to formulate some plans to increase parking and to address other parking issues. On February 6th, she met with the City Manager, reviewed the City-owned parking areas along the Boulevard and 2nd Avenue, and provided an outline of parking issues titled "Notes for Parking," which is attached. She asked in the outline for materials related to parking be provided to you. That material also is attached.

ATTACHMENTS

They are:

- a. Page 1, Vice Mayor Kostka's "Notes for Parking."
- b. Page 2, a list prepared by the City Manager of improved (paved) and unimproved (unpaved) City-owned public parking areas adjacent to the Boulevard and 2nd Avenue.
- c. Pages 3-14, the White Paper about parking issues that the City Manager started in 2018 and last updated in March 2019.
- d. Pages 15-16, a summary of off-beach parking matters that the City Manager provides each month in the agenda books as part of his pending projects/action report.
- e. Pages 17-26, the City's regulations concerning parking on public property.
- f. Pages 27-41, the regulations from the Land Development Code that concerning parking on private property.

PARKING ISSUES

In her "Notes for Parking" (page 1), Vice Mayor Kostka lists four:

1. Parking improvements

2. Parking enforcement
3. Parking codes
4. Public parking concerns

Below is information and recommendations concerning each.

PARKING IMPROVEMENTS

On page 2, the City Manager lists both the improved as well as the unimproved parking spaces. "Improved" means there is a hard surface (asphalt, paver brick, or turf block) on which vehicles are parked. "Unimproved" are the grassy rights-of-way adjacent to certain streets. Vehicles are parked on these areas off the asphalt street.

Improved public parking spaces number 148. The number of spaces on unimproved areas is estimated at 156. The grand total is 304 spaces.

The most obvious parking improvement is to pave the grassy, unimproved right-of-way of certain streets have room. While this won't provide an increase in parking spaces for the public, the improvements will provide for more orderly parking and will in some areas enhance the City's appearance.

As the improvements will cost money and as the City's taxpayers shouldn't have to bear the cost to provide improved parking for visitors, we recommend the following:

- a. That you adopt a five-year parking improvements plan.
- b. That the first project for FY 2021 be improving the plazas on the west side of the Boulevard between A and 1st Streets. Paving these plazas will provide an estimated 24 parking spaces. As the property to the west will be developed as the site of a microbrewery this year, the City's plaza improvement project can be designed so that drainage from it won't affect the microbrewery and vice versa.
- c. That you approve the City applying to the TDC for bed tax funds for this project. The Public Works Director and the City Manager can prepare the application for the TDC'S March meeting. If the TDC approves it, the TDC will likely recommend to the County Commission that the City provide half the funds for the project. The City's share could come from the reserve that is the remaining money from the \$1.2 million that the City received in 2006 from the sale of Lots O and P on the south side of 15th Street, west of the beach.
- d. That each of the remaining four years of the parking plan, you ask the TDC for money for a project.

PLEASE NOTE: 1) Parking improvements are an approved use of TDC funds. In future fiscal years, the City can ask the TDC for funds for paving other rights-of-way.

2) The Public Works Director has applied for a grant for improvements to Ocean Hammock Park. One of the improvements is adding parking spaces and paving the existing parking lot.

3) Paving is not recommended for the plazas between A and 1st Streets along 2nd Avenue, and the right-of-way along 2nd Avenue between A and C Streets, A and 1st Streets, and 3rd and 7th Streets. Residents in

the area particularly don't want parking on the plazas. At this time, the residents haven't complained about visitors using the grassy right-of-way for parking.

4) We also recommend not paving the 5th Street right-of-way between the Boulevard and 2nd Avenue until after a proposed restaurant/business office building has been constructed on the vacant lot south of the Marriott. We will then know locations of the building's driveways.

5) Not to pave the right-of-way on the north side of 4th Street without the Public Works Director and City Manager first having a neighborhood meeting, to see if the majority of the residents are in favor of the improvement. If they are not, then the right-of-way can remain unpaved.

PARKING ENFORCEMENT

The second parking issue listed Vice Mayor Kostka is consistent parking regulation signage on streets east and west of the Boulevard.

At this time, the parking regulation signs have one of three directives on them: No Parking Anytime, No Parking on Pavement, or Resident Parking Only

The first directive prohibits parking on both the street and the street's unpaved right-of-way. The second directive allows residents and visitors to park on the right-of-way adjacent to the street but not on the street itself. The third directive allows only the residents of the street to park on the pavement and/or the right-of-way. This directive is posted only if 60% of the street's residents request it in writing.

Recommendations: 1) That you discuss with Chief Hardwick any changes he thinks are necessary to improve parking enforcement by the Police Department.

2) That you continue to allow No Parking on Pavement signs. In congested areas, especially the older subdivisions like Chautauqua Beach and Coquina Gables with their small lots, there is very limited room on private property for parking. Allowing parking on the right-of-way gives the residents more parking spaces for their visitors and family members and thus helps what Vice Mayor Kostka said at your February 3rd meeting about the need to formulate plans to manage parking.

Please note that residents cannot designate the parking spaces in front of their homes as "private." As the spaces are on the public right-of-way, anyone can use them.

PARKING CODES

The City's existing codes for both public and private property are attached as pages 17-41. Vice Mayor Kostka asks whether the codes are adequate for the City now and its future. She points out that some businesses use public parking for their needs.

Recommendation: It is that you discuss the codes and what changes to them may be feasible. For the discussion, some key points may be:

- How much land in the City do you want to require for parking? It is becoming more common for cities not to have stringent parking limits. There is now such a proliferation of transportation alternatives-Uber, Lyft, electric scooters and bicycles-to the personal vehicle that requiring so many parking spaces per room or square footage may not be a best practice.

- That you provide some directives to the Planning Board to do a review of the City's existing parking codes and provide recommendations to you for changes.

PUBLIC PARKING CONCERNS

Vice Mayor Kostka has written that residents do not want visitors parking on their property. The City Manager is not aware of the City allowing visitor parking on any property owned by the residents. According to the plats of the subdivisions that aren't gated or private communities, the streets and rights-of-way are dedicated to public ownership, i.e., the City. Therefore, public parking can be allowed on the public streets and rights-of-way.

ACTIONS REQUESTED

They are:

1. That you adopt a five-year parking improvements plan. The City Manager can prepare a draft for a future meeting.
2. That you approve the paving of the plazas on the west side of the Boulevard between A and 1st Streets.
3. That you approve the Public Works Director and City Manager asking the TDC for a recommendation to the County Commission to provide funding for the above plaza paving project in FY 2021.
4. That you discuss with Chief Hardwick his suggestions for parking enforcement and that you allow No Parking on Pavement signs to be posted on the right-of-way where there is room, so that residents can create improved but non-exclusive parking spaces in front of their homes.
5. That you provide guidance to the Planning Board for its review of the City's parking regulations and recommendations to change them in accordance with your guidance.

Notes for Parking
Agenda Item for 3/2 meeting

Recap/Update from Max (project manager) on where we stand on all issues:

- Nothing to report on paid parking as county is not moving forward
- Issues that still need resolve:
 - Parking Improvements
 - What parking improvements will we have for 2020 season (Bill Tredik)
 - Millings for 2nd ave??
 - Alternative/additional areas that could be used for parking
 - Additional room for parking at Hammock Park?
 - Parking Enforcement
 - Issues preventing consistent enforcement & discussion to resolve (Chief Hardwick)
 - Vehicles blocking street access & parking on private property East/West of Boulevard
 - Consistent signage directly East/West of A1A Beach Boulevard
 - Parking Codes
 - Are they adequate for our city and its future
 - Based on sq footage rather than occupancy causing inadequate parking
 - Allows establishments to use public parking areas for business
 - What changes need to be made to protect our city in the future
 - Transient Rental properties
 - Public Parking Concerns
 - Residents do not want “visitors” parking on their property

Requested materials for discussion:

Copy of “White Paper” (last updated Feb, 2019??)

Current parking issues summary as provided each week in Book

Current codes/ordinances for any/all parking matters

CITY-OWNED IMPROVED (PAVED) PARKING SPACES

- a. 16th Street right-of-way, east and west of the Boulevard: 23 spaces
- b. 14th Street plaza shared with Sunset Grill: 19 spaces plus 2 handicapped
- c. 11th Street plaza in front of Café 11: 7 spaces plus 1 handicapped
- d. 10th Street plaza: 23 spaces plus 1 handicapped
- e. 8th Street right-of-way, west of the Boulevard: 14 spaces plus 1 handicapped
- f. 8th Street plaza, east of Boulevard: 18 spaces plus 1 handicapped
- g. 5th Street right-of-way, east of Boulevard: 15 spaces
- h. 3rd Street plaza shared with Kookaburra: 3 spaces plus 1 handicapped
- i. A Street plaza, east of Boulevard: 18 spaces plus 1 handicapped

TOTAL NUMBER OF IMPROVED (PAVED) CITY-OWNED PARKING SPACES: 140 regular, 8 handicapped: 148

UNIMPROVED (UNPAVED) PARKING AREAS

- a. 8th Street plaza west of Boulevard, not constructed: 14 spaces (estimated)
- b. 5th Street right-of-way west of the Boulevard, not constructed: 32 spaces (estimated)
- c. 4th Street right-of-way east of the Boulevard: 22 (estimated)
- d. A Street plaza west of Boulevard shared with Jack's Bar-B-Q: 24 spaces (estimated)
- e. 2nd Avenue right-of-way between A and C Streets: 15 spaces (estimated)
- f. 2nd Avenue right-of-way between A and 1st Streets: 28 spaces
- g. Ocean Hammock Park: 20 spaces plus 1 handicapped

TOTAL NUMBER OF ESTIMATED, UNIMPROVED SPACES: 156

GRAND TOTAL, IMPROVED AND UNIMPROVED SPACES OWNED BY THE CITY: 304

Also, on busy summer weekends vehicles are parked along the east side of 2nd Avenue between 3rd and 5th Streets and between 8th and 9th Streets, and along the rights-of-way of streets like 1st, 3rd, and 7th, west of the Boulevard. No estimate as to the number of spaces.

WHITE PAPER: FEBRUARY 19, 2019
CITY OF ST. AUGUSTINE BEACH MASTER PARKING PLAN

UPDATED: March 7, 2019. Changes identified as UPDATE ONE.

INTRODUCTION

This report describes the components of a Master Parking Plan that the City is developing. It is meant to inform the City's residents and encourage them to participate in the development by providing comments and suggestions by email to the Mayor and City Commissioners, and City Manager, and to attend Commission meetings when the plan and related matters are being discussed.

GOALS

The City is developing this Master Parking Plan to accomplish two major goals:

1. How to pay for additional parking and parking improvements.
2. How to generate the revenue to pay the costs of the improvements.

OBJECTIVES

The objectives of the plan are:

- Manage and regulate parking in those areas of the City that are affected by parking by beach visitors and persons using short-term or vacation rental facilities;
- Regulate parking on residential streets, to protect the residential character of the neighborhoods;
- Designate certain areas as paid parking zones;
- Collect from the persons using the paid parking zones the revenue that will pay the costs for parking enforcement and improvements;
- Have a parking plan that is similar or complimentary to the parking management plans developed by St. Augustine and St. Johns County.

HISTORY

For many years, parking in the City for visitors and residents alike was easy. On the length of the City's beach from Pope Road to south of the Sandpiper Village subdivision, parking on the beach was allowed. There were access points to the beach for vehicles at Pope Road, 16th and A Streets, and Ocean Trace Road. Parking for businesses in the City was ample. Hotels and motels in the City were small (less than 50 rooms) and there were only a few other businesses, such as restaurants and gift shops. Much of the privately-owned land in the City was undeveloped. In 1970, the City's population was 632. Nearly 50 years later (2018), it is 6,713, and most of the land in the City has been developed. What's equally significant is that the population of St. Johns County in 1970 was 31,035, which is tiny compared to its 2018 population of 238,742. The County's population growth mirrors the growth of adjacent counties even as far away as Alachua County (Gainesville). The population growth of the region is significant because the City's beach is a recreational resource for residents from those counties.

In the mid-1980s, the land available for parking on the beach was reduced by half because of a storm that so eroded the beach that the Pope Road and 16th Street vehicle accesses had to be closed and

driving/parking on the beach restricted to the area from A Street south to the City's southern limits. Development in the City, the County and the region brought ever-increasing numbers of people to the beach, while the off-beach, publicly-owned land for beach visitors has remained with few exceptions what it was in 1970: the pier park and City streets. The exceptions are the County-owned parking lot at the east end of Pope Road, and the parking areas that the City has developed at 10th, 8th, and A Streets, and in Ocean Hammock Park north of the Sea Colony subdivision.

Over the years, as the City's and the County's population grew, the City Commission has passed numerous regulations related to parking. Many of the regulations were meant to limit the detrimental impact of beach visitor parking on the City's residential areas adjacent to the beach and the effect of parking by patrons of vacation rental properties on residential neighborhoods. Enforcement of the regulations was the responsibility of the City's Police Department. However, in recent years, as the City's population and the numbers of beach visitors from the County and the surrounding area have grown, the Department's focus has had to be on managing traffic and responding to calls for service rather than on parking enforcement. This means that parking enforcement needs to be done by a non-law enforcement officer, a Parking Enforcement Specialist. To obtain money for the costs of this employee, the City will have a parking plan.

In preparation of this plan, the City Commission has already changed the fine for illegal parking from \$20 to \$75 and adopted \$250 as the fine for illegal parking in a handicapped space. Remaining to be done by the Commission are changes to the City's other parking regulations and adoption of a parking plan.

THE PARKING PLAN

The City's plan has two components: residential parking and public parking.

1. Residential Parking

The goals are:

- To maintain the tranquility of the City's residential neighborhoods, protect private property and the value of that property, and to provide for the safety of residents and children in those neighborhoods.
- To reduce noise and hazardous traffic conditions.
- To help maintain residents' access to their homes.
- To regulate parking and reduce stress and damage to the rights-of-way of City streets, and the costs to the City's taxpayers to repair the damage.

The basic components of the system are:

- a. 60% or more of the residents of a street must sign a petition requesting that their street be designated for "Resident Parking Only" and submit the petition to the City Manager.
- b. Residents then will purchase a permit or permits from the City to put on their vehicle or vehicles. The purchase can be done in person at city hall, or by mail or online. The applicant must provide proof of ownership or residency and information about the vehicle or vehicles. The permit must be displayed on a designated part of each vehicle. The cost of the permits

and the number each resident will be eligible to purchase is still to be determined by the City Commission.

- c. Permit term: to be determined by the City Commission.
- d. Permit cost: to be determined by the City Commission.
- e. Visitor permits may be issued to property owners and/or businesses on the street. The Commission has yet to determine how many visitor permits will be allowed for each residence.
- f. Replacement: The policies for replacement of lost or stolen permits are still to be determined by the City Commission.
- g. "Resident Only Parking" signs will be put up and enforcement will be done by the Parking Enforcement Specialist.
- h. Violations: Vehicles without residential parking permits parked in a resident only parking zone will be issued citations by the Parking Enforcement Specialist and assessed a fine of \$75 per citation for illegal parking.

UPDATE ONE: The City Commission at its March 5th special meeting discussed the Resident Only parking system but made no decisions concerning a proposed ordinance to adopt the system. Some residents of 14th Street asked that the parking regulation signs be changed from No Parking on Pavement to Resident Only Parking. The Police Chief will meet with the residents and will provide a report to the Commission in 60 days. The Acting Public Works Director and City Manager met with the Police Commander on March 6th, to discuss the posting of parking regulation signs. Though the ordinance isn't in effect, the parking signs on 14th Street will be changed to Resident Only Parking. The Commission discussed whether to use decals on vehicles or hanging tags inside vehicles to designate those belonging to residents but made no decision as to which one to have.

2. Public Parking

The City Commission first began to consider pay-to-park zones for public parking when it learned in early 2018 about St. Augustine's plan to use a smart phone app and the possibility of the County charging for paid parking at the pier. The Commission was concerned that if the County did charge for parking, persons would seek free spaces on the City's lots and side streets. The Commission wanted to have in place parking regulations to protect the residential neighborhoods and a means to enforce the regulations. Money from the pay-to-park zones will be used mainly to pay the costs for a Parking Enforcement Specialist to do the enforcement.

The goals of this component of the City's master parking plan are:

- To designate specific areas in the City where there'll be a per-hour fee to park.
- By means of a smart phone app, to obtain money to pay the costs of parking regulation enforcement and maintenance of existing, improved public parking areas.
- To have a system of reciprocity with the County and St. Augustine, meaning St. Augustine Beach residents will pay the same fee to park in County and St. Augustine that County and St. Augustine residents pay, and County and St. Augustine residents will pay the same fee to park at in our City.

The basic components of the pay-to-park system are:

- a. Paid parking zones: The City Commission will designate the zones. They could be the parking areas along A1A Beach Boulevard, such as 16th Street east and west of the Boulevard, that are already being used for public parking.

UPDATE ONE: At its March 5th meeting, the Commission agreed on the following: 1) to have paid parking only on the improved, public parking lots, i.e., those with paved surfaces, such as the 10th, 8th, and A Street plazas; 2) not to have paid parking on the right-of-way of 2nd Avenue; and 3) not to approve an ordinance that would give the City Manager the authority to determine paid parking zones. The Commission will retain that authority.

- b. Application: To apply to park in a pay-to-park zone, the pay-to-park system that the Commission has reviewed will require seven basic steps using a smart phone:
 - Use your web browser or download the app from the Apple Store or Google Play.
 - Enter on the phone contact information, such as phone number and email address, which is sent to the company providing the pay-by-phone system.
 - Enter on the app a verification code that the company will send.
 - Create a PIN (personal identification number) in the app.
 - Enter City-designated parking zone number.
 - Select how many hours you want to park.
 - Enter credit or debit card number.

For a parker who doesn't have a smartphone, or is impaired, or prefers not to use applications, the vendor the City may use offers an interactive voice recognition system (IVR), which allows the parker to call a toll-free number (with a local area code) and use the number pad to access their account, enter the zone number, parking space number, duration and payment information. Similar to the application, at the end of the process, the parker will be asked to confirm their purchase and have both the parking and convenience fees clearly communicated to them. After initiating a session, the parker will call back into the IVR system and extend their parking session. If the parker cannot use the IVR system for any reason or has questions about the vendor's application, they can speak to a live person at the vendor. The vendor will provide live support 24 hours a day, seven days a week.

UPDATE ONE: At its March 5th special meeting, the City Commission asked that the staff check on alternative apps that will work if the satellite used by the app the City adopts fails for some reason.

- c. Area consistency and reciprocity: One of the City's major goals is to have the City's pay-to-park system compatible with the one that St. Augustine has already adopted and the one that the County may adopt. St. Augustine is using a system provided by a company, Passport Labs, which has made a similar proposal to St. Augustine Beach. The County at this time is in the process of reviewing proposals for a parking management system for several of its key parking areas, including the pier park in our City. The County may or not may not use the Passport Labs system that St. Augustine has adopted.
- d. Times: The City Commission has considered having paid parking from 8 a.m. to 6 p.m. seven days a week. However, the hours could be changed. Also, to be considered is whether to have the paid

parking hours in effect every day of the year, or only during key beach season times, such as from March to Labor Day.

UPDATE ONE: The Commission at the March 5th special meeting approved the hours of 9 a.m. to 5 p.m., 365 days a year, when paid parking would be in effect.

- e. Parking fees: Mr. Joe Howell, the City's former Public Works Director, proposed in a study done last spring that the fee be \$2.00 an hour. The City Commission has adopted a fee of \$2.50 an hour. However, this fee is subject to change. Handicapped persons will not have to pay a parking fee.

UPDATE ONE: At its March 5th meeting, the Commission decided to levy the following parking fees:

- \$2.00 an hour
- 50 cents for County residents
- No fee for St. Augustine Beach residents who register at city hall
- \$1.00 an hour to park at Ocean Hammock Park
- \$15.00 the maximum fee charged per day

- f. Payment methods: credit or debit card.

FREQUENT QUESTIONS AND ANSWERS

1. Many people have expressed opposition to paid parking. Why does the City need it?

As noted earlier in this report, the City's beach is a recreational magnet not only for residents but for County residents and others. While driving and parking are still allowed on part of the beach that's within the City's limits, many visitors park off the beach, either at the pier, or the City's parking lots, or on the right-of-way of City streets. To provide controls on the demand for parking spaces, the City is having to strengthen its parking regulations and to hire a new employee, a Parking Enforcement Specialist, whose job duties will be centered on parking control. As beach visitors have caused the need for that employee, the visitors, not City residents, should provide most of the money to pay this employee's costs.

2. Does the City have the legal authority to implement paid parking on City street rights-of-way and City-owned plazas.

Yes. Many years ago, the owner of the land created the Coquina Gables and Chautauqua Beach subdivisions and recorded the plat of each in the County's records. The land was subdivided into lots and the streets and plazas were dedicated to the common good or governing entity at the time, which was the County. Until the City was incorporated in 1959, the County maintained the streets and plazas. After its incorporation, the City accepted the dedication of the streets and plazas and agreed to take on the responsibility of ownership and maintenance. The allegation that the City does not have the authority to establish paid parking in these and other subdivisions is not correct.

To explain further: The streets and the plazas are owned by the "public" and the City is the public's representative and agent for maintaining and regulating those streets and plazas. A subdivision's plat will often have language that states the streets and parks in the subdivision are dedicated to the "public," which is any citizen of the City, County, region, U.S., etc. If the streets are to be owned just by the subdivision's residents, the plat will specifically state that.

The City Commission since the City's incorporation has made hundreds of decisions about the streets and parks that are dedicated to the "public" in various subdivisions. When such decisions involve spending money on particular projects on public streets, the money has come for all City taxpayers, not just from the residents of the subdivisions where the projects have been done. For example, years ago, the City piped the ditches along 15th, 14th and 13th Streets in the Minorca and Atlantic Beach subdivisions. Money to pay for that project came from the "public," that is, from general revenues (taxes, fees, etc.) paid to the City by all city residents, not just the residents of the two subdivisions. Another example is in the Coquina Gables subdivision: A sidewalk was put along 5th Avenue from A to F Street. Money to pay for it came from the general revenues that all City property owners pay, not just revenue from the owners in the Coquina Gables subdivision. Were 5th Avenue and its right-of-way owned by the subdivision's residents, then they alone would have paid the sidewalk's cost.

3. Some City-owned plazas are adjacent to restaurants, whose patrons as well as the public use the plazas for parking. Why isn't the City including these plazas as paid parking zones? Isn't this unfair—a windfall to businesses?

The plazas are located at: north side of 14th Street adjacent to Sunset Grille; east side of Café 11 between the business and the Boulevard; east side of the Sunshine Shop; east side of Kookaburra; and east side of Jack's Bar-B-Q. Also, there's the right-of-way of 8th Street, west of the Boulevard and adjacent to the Best Western motel.

The City isn't including these plazas and the 8th Street right-of-way as paid parking zones because to do so would force the patrons of the adjacent businesses to pay to park. This would be unfair to the businesses.

No, leaving those plazas and the 8th Street right-of-way out of the pay parking plan isn't a windfall to the businesses. The businesses cannot restrict the parking just to their patrons; any member of the public can park without having to pay and without having to patronize the business.

UPDATE ONE: At its March 5th meeting, the Commission decided not to have paid parking on the plazas shared with businesses.

4. Why doesn't the City just buy land and build a big parking lot?

Three major reasons why not: First, the City doesn't have the money to buy the land and do the improvements (paving, drainage, landscaping) to make it a parking lot. Second, the City currently has significant debt because it did buy oceanfront land to preserve it from development. To take on more debt before the current debt is paid off would be fiscally irresponsible. Third, even if the City were to go into debt to pay and improve a large lot for parking, would the City make enough money from parkers throughout the year to pay the debt as well as the costs to maintain the parking lot? Would that large parking lot be even partially filled on cloudy, chilly, rainy winter days when the weather is distinctly un-beach friendly, and on days during the summer during afternoon thunderstorms or when a tropical storm was passing by?

UPDATE ONE: At its March 5th meeting, the Commission discussed possibly leasing the land south of the Marriott Hotel for parking. The City Manager informed the property's owner, who also owns the Marriott, of the City's interest in the land for parking and asked whether he is available to meet with Mayor George

and the Manager to discuss this possibility. The Commission also encouraged the use of shuttle service for bringing persons to the beach from parking lots.

5. Why doesn't the City ask for more bed tax funds?

The City itself has no control over the collection and utilization of bed tax funds. State law governs the purposes for which such funds can be spent, and the County Commission controls within the mandates set by the State law the use of the funds. The County already spends a significant amount of money from the bed tax for studies of the City's beach and for the local share of the costs to renourish the City's beach every five years. The County has also spent bed tax funds on strengthening the sea wall in front of pier park and the former city hall, and on wooden beach access walkways in the City.

6. Why put paid parking in residential areas, such as 2nd Avenue between C and 7th Streets? Why not limit paid parking to commercial zones?

Good questions. The Commission hasn't made a final decision on where the paid parking areas will be. The possibility is that the paid parking could be restricted to the plazas along the Boulevard, and to right-of-way of 16th, 5th, and 4th Streets. This would leave the 2nd Avenue right-of-way as it is today: a free parking area for residents, business employees and visitors.

UPDATE ONE: As noted above in this report, the Commission decided at its March 5th meeting to restrict paid parking to improved areas along A1A Beach Boulevard and not to have paid parking in the residential areas along 2nd Avenue.

7. Why do we need the Resident Only Parking system?

Primarily, because it gives the majority of the residents who live along a particular street the option to decide if they want to control parking on the street. If the residents choose the option, then they'll be responsible for obtaining the permits and paying any costs that might be charged. The City will post the signs and the Parking Enforcement Specialist will issue tickets to violators.

8. This is all too complicated: What if we did nothing?

Then the status quo concerning parking will continue: There'll be no pay-by-phone app, no designated paid parking zones, visitors and residents alike will be able to park for free on the plazas and rights-of-way. However, what cannot continue is the lack of enforcement of the City's parking regulations. The City will have to hire a Parking Enforcement Specialist, so as to prevent the City's residential neighborhoods adjacent to the beach from being overrun by visitors seeking a parking space, no matter what the parking regulation signs may say, and no matter if where the visitors park blocks hydrants, is too close to corners, or impedes emergency vehicles that need access to homes along the streets.

9. Affordability: Can the City afford the paid parking system and the new employee to enforce the regulations?

Yes. Without money from paid parking, projects may have to be cut or postponed; however, enforcement of the parking regulations is crucial to providing order to parking in the City. Ideally, the persons who cause the need for dedicated enforcement should pay its costs. The Best Practice, Gold Standard of a public service is that, whenever feasible, those who use the service, pay for all or a share of its costs. The

alternatives to not having a parking fee to pay parking enforcement costs is that either property tax millage will have to be increased, or City programs and services will have to be cut.

10. If the paid parking system provides more than enough revenue to pay the parking enforcement costs, how will the additional revenue be used?

While the City Commission hasn't made a decision yet, ideally the additional revenue should be used for improvements that will benefit the public. One possibility is the purchase of flashing signals for the crosswalks at major intersections, such as 16th and 11th Streets, along A1A Beach Boulevard. Money after expenses from parking fees in Ocean Hammock Park must be used for improvements to the Park, such as restrooms.

UPDATE ONE: At its March 5th meeting, the City Commission discussed using the revenue from paid parking for such purposes as beautification, maintenance of public areas, safety (such as the flag system on the Boulevard), and mobility (improvements to bikeways and pedestrian walkways).

11. Why wasn't each person notified by mail of the paid parking system?

City regulations require that residents within 300 feet of a proposed project should be notified. As 2nd Avenue between C and 7th Streets was proposed to be a designated paid parking area with the laying of pavers on the right-of-way, the residents within 300 feet were notified. Previously, residents adjacent to 16th and 5th Streets had been notified when the City proposed improving the right-of-way for parking.

CHRONOLOGY

In this section, we highlight the public meetings when the Commission discussed residential parking and the possibility of a paid parking system. You will see from reading it that a business plan was provided that had the following information: the need for revenue from parking fees, the locations of current public parking areas in the City and which areas are proposed for paid parking, a proposed per-hour parking fee, the hours during the day and when during the year parking revenue would be collected, an estimate of the total revenue and an estimate of expenditures for a Parking Enforcement Officer, the discussion and development of a framework of changes to the City's existing parking regulations and the adoption of new ones, and suggestions for uses for the money from the fees.

- a. September 26, 2016: Commission receives information about a meeting Mayor O'Brien and the City Manager had with the County Administrator, Michael Wanchick, about the County's proposed plan to charge for off-beach parking. Mr. Wanchick said the development of such a plan was a work in progress and that the County and the City should work together on a plan. City Commission reviews residential parking permit systems from other Florida cities, discusses changes to the City's current parking regulations (Chapter 19 of the City Code), and decides to have the Planning Board review the parking on streets east of the Boulevard from 16th to F Street and changes to Chapter 19.
- b. October 18, 2016: Planning Board reviews the City Commission's request and decides to review parking on streets one block west of the Boulevard as well as one block east from 16th to F Street,

and to have the topic on agenda for the Board's November meeting. Mailed notices are to be sent to residents.

- c. November 15, 2016: Four hundred notices were sent. Fifteen residents spoke at the Board meeting. The consensus was that the residents did not their streets to become parking lots for beach visitors. Board discusses residential parking permit plan with the residents, the Public Works Director and the Police Department Commander. Board decides to continue discussion to next meeting.
- d. December 20, 2016: Board continues the discussion of a residential parking permit system with the Public Works Director and the Commander. Board recommends that the City start a pilot resident parking permit program for streets east of the Boulevard between 8 a.m. and 5 p.m. daily, and that the number of existing public parking spaces and lots be clarified.
- e. January 17, 2017: Board reviews parking permit system prepared by Board member Zach Thomas for a pilot resident parking permit program, and reviews the study prepared by Board member David Bradfield about where additional parking could be put on three streets with a 60-foot right-of-way: 8th, 3rd and D, and which plazas could be developed for parking. The Board did not approve Mr. Bradfield's recommendation that every plaza east of the Boulevard be used for parking. The Board recommended that the City start with a pilot resident parking permit program east of the Boulevard between 8 a.m. and 5 p.m. daily; that the number of existing public parking spaces in the City be clarified; that the Commission adopt the three-parking-pass system developed by Mr. Thomas; and that the City explore new ways to communicate with the public about the availability of beach visitor parking in the City.
- f. February 2017 and March 2017: Planning Board's recommendation not on the agenda for Commission meetings because the Commission was involved in reviewing with a consultant the updating of the Land Development Regulations and other matters.
- g. April 3, 2017: Request for a workshop to review sign regulations and the residential parking plan is on the agenda but Commission decides not to discuss them.
- h. May 1, 2017: Request for workshop for residential parking plan on the agenda. Commission directs that the City Manager provide the Planning Board's report to the Commission and for the request to be on the agenda for the June 5th meeting.
- i. June 5, 2017: Commission postpones to fall or spring discussion of the Planning Board's recommended residential parking permit plan, and designating certain areas for public parking and raising the fine for illegal parking for \$20 to \$40.
- j. January 6, 2018: Commission schedules workshop on March 19th with Planning Board to discuss parking plan and related topics.

- k. March 19, 2018: Workshop held. Information presented to the Commission and the Planning Board includes:

- 1) The parking plan developed by the Planning Board and presented to the Commission at its June 5, 2017, meeting.
- 2) A copy of the 2013 parking study done by Zev Cohen. Three results from that study: The County improved the east end of Pope Road for parking; the City Commission decided that the east end of Versaggi Drive would not be a public parking lot; and the City opened 8th Street west of the Boulevard for driving and parking.
- 3) A list of the locations and number of existing public parking spaces in the City.
- 4) An aerial photo showing the location of potential parking areas.

Also, discussed at the workshop was increasing the parking ticket fine from \$20 to a higher amount and adopting the County's fine, \$175, for illegally parking in a handicapped space.

Also, at the workshop, Mayor George described the pay-by-smart phone app program that the city of Gainesville has.

- l. April 2, 2018: Commission discusses pay-by-phone parking system and agrees City should advertise a Request for Proposals from companies.
- m. May 7, 2018: Commission discusses pay-by-phone parking system, agrees the City Manager after each meeting should give the Commission an update report on the implementation of a parking system; agrees with the preparation of three ordinances: to raise the fine for illegal parking from \$20 to \$75, and for illegal parking in a handicapped zone to \$250; to repeal all the City's existing parking regulations and give the City Manager the authority to post parking regulation signs on individual streets; and to adopt a resident parking permit system if a street's residents elect to have it. Mayor George advises that when the pay-by-phone system is ready to be implemented, then the Commission could decide what streets should have it and communicate with the public what actions would be taken within a year or two time-frame. Commissioner Samora suggests that the County has been discussing the pay-by-phone system and the City should be on the same page with the County, so that there would not be confusion.
- n. June 12, 2018: The Commission is presented with the six responses to the Request for Proposals for a pay-by-phone system and is told of the meetings City staff has had with St. Augustine concerning its system, since that city is much further along in planning and implementing such a system. The City's IT Manager, Mr. Anthony Johns, presents a PowerPoint of the system St. Augustine intends to use, which is provided by a company, Passport. The Commission also reviews two ordinances: one 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 regulate parking on streets by signage. The second ordinance is to create a residential parking permit system. The Commission decides to implement

the pay-by-phone system after St. Augustine implements its system, so that our City will learn from the problems encountered by St. Augustine.

- o. July 2, 2018: Commission passes Ordinance 18-12 on first reading, which changes the illegal parking fines and adopts regulations for the posting of parking regulation signs.
- p. July 31, 2018: Commission reviews proposed Fiscal year 2018 budget. In the budget is a new revenue source, Parking Fees, \$400,000, and a new department, Parking Facilities, with proposed expenditures of \$116,377, most of which will be to pay nine months of the cost of a Parking Enforcement Specialist to enforce the City's parking regulations and pay-by-phone system. The fees are based on a financial analysis developed by the Public Works Director, Mr. Joe Howell, which he based on the following: 196 paid parking spaces, \$2-per-fee for 14 hours a day, Memorial Day through Labor Day, with 75% of the spaces used each day. Commission approves the budget.
- q. August 6, 2018: Commission passes on final reading the ordinance to set illegal parking fines and adopt provisions for erecting parking regulatory signs on City streets.
- r. August 9, 2018: Commission reviews ordinance to establish residential parking permit system. A 13th Street resident suggests posting her street Resident Parking Only. Commission agrees and decides to have ordinance with changes brought back in September.
- s. September 10, 2018: Commission holds public hearing on proposed FY 19 budget. Estimated revenue in the budget from the pay-by-phone system based on the Public Works Director's analysis is \$403,837 and expenditures for the Parking Facilities budget is \$115,585.
- t. September 24, 2018: Commission holds final public hearing on the FY 19 budget and approves budget with \$403,368 as revenue from the pay-by-phone system, and \$106,081 as nine months of expenditures for the Parking Facilities budget.
- u. November 13, 2018: Commission reviews with the City's IT Manager, Mr. Anthony Johns, the pay-by-phone proposal from Passport, the company that St. Augustine is using and that is one of the six that responded to our City's request for proposals. The Commission also reviews a list of the public parking spaces in the City that are broken down as improved but not shared with businesses (138); unimproved parking spaces (86); parking spaces shared with businesses (64); and the spaces in Ocean Hammock Park (20). Commission approves Passport's proposal to implement a paid parking system with three modules: the parking platform, the citation management platform, and the collection system. The Commission by consensus agrees to have paid parking hours from 8 a.m. to 6 p.m. and to hold a special meeting with business owners with whom the City shares parking and the public on December 17, 2018.
- v. December 17, 2018: Commissioner hears a presentation from a Passport representative about the company's pay-by-phone system. Mr. Johns provides an update report on the progress St.

Augustine is making with its system. The Commission discusses whether unimproved parking spaces should be included in the list of parking locations. County Commissioner Henry Dean informs the Commission that the County is trying to get a paid parking app system in place by the spring or summer of 2019 and that he would like to have one pay-by-phone app for the County and the two cities. The Commission directs the City Attorney to finalize a draft contract with Passport for the Commission to review at the January meeting, adopts \$2.50 as the hourly fee, with a 50-cent fee for City residents and a fee of \$1.25 for St. Augustine residents, agrees to have the parking fee hours be from 8 a.m. to 6 p.m., with a one-hour minimum and approves a list of 300 parking spaces identified on Page E in the memo from the City Manager. The Commission also agrees to hold a special meeting on January 8, 2019.

- w. January 8, 2019: Commission hears comments from residents opposed to the paid parking plan. The Mayor and individual Commissioner speak on such topics as public receiving misinformation, the status of the County's plan and schedule for implementing paid parking at the pier and that there should be weekly updates to the Commission on the County's plans, having a resident parking permit system, visitors to City currently not paying for parking, providing a discounted parking rate to City residents and employees who work at businesses in the City, the City's limited revenue sources and that it doesn't collect bed tax money, the advantages of the pay-by-phone system offered by Passport, Pope Road and the parking spaces and parking signs along it being controlled by the County, and when the City will hire a Parking Enforcement Specialist. The Commission approves on first reading Ordinance 19-02, which gives the City Manager the authority to establish paid parking zones.
- x. February 4, 2019: Commission hears comments from residents opposed to the paid parking plan. With only three Commissioners present, the Commission decides not to pass Ordinance 19-02 on final reading but to slow down the process of developing and implementing the paid parking plan and to have a special meeting on Tuesday, March 5th, with the public. The Commission also asks the City Manager to write a white paper, to provide a comprehensive report and responses on the issues and questions concerning paid parking. Mayor George speaks of having her own "town hall" meeting with the public to discuss their concerns.
- y. February 13, 2019: Commander Ashlock of the Police Department schedules with Mayor George the town hall meeting on Thursday, February 28, 2019, at the Courtyard Marriott Hotel, 605 A1A Beach Boulevard, from 5:30 p.m. to 7:00 p.m.

Off-Beach Parking

In response to the Commission's request, the Planning Board 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 5, 2019, starting at 6:00 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: 9:00 a.m. – 5:00 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 10th meeting. Also, passed on final reading at that meeting was an ordinance to make changes to the parking regulations in Chapter 19 of the City Code.

Also, at the April 29th meeting, the Commission discussed a proposal to lease the vacant land south of the Marriott Hotel as a parking lot. The land is owned by the company that owns the Marriott. The owner has proposed that the City lease the land for 3-5 years and in lieu of rent pay the yearly taxes on the land. The six commercial lots that the City would use for parking would provide 102 parking spaces, include eight handicapped spaces. The costs to make the land suitable for parking would be about \$100,000. The Commission made no decision concerning the lease.

In the meantime, the County solicited proposals for a parking management plan. The County Commission at its April 2nd meeting approved the staff negotiating with Republic Parking. The City Commission at its April 29th meeting agreed that City staff should participate with the County in the negotiations, on the premise that having a unified parking plan for the County's pier parking lot and the City's paid parking areas would benefit the residents and visitors who use the lots. The City staff met with a Republic representative on June 24, 2019. The City could have a separate agreement with Republic that is similar to what the County would have. Still to be determined by the County was 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 discuss paid parking at a future meeting.

Sec. 19-21. - Short title.

This article may be known and cited as "St. Augustine Beach Parking Ordinance".

(Ord. No. 82, § 1, 9-8-80)

Sec. 19-22. - Exemption for law enforcement vehicles.

All law enforcement and other emergency vehicles, whether marked or unmarked, shall be exempt from the payment of any parking violation, penalty or fine.

(Ord. No. 82, § 16, 9-8-80; Ord. No. 114, § 8, 6-18-84)

Sec. 19-23. - Citations.

- (a) Enforcement of any citation involving any violation of this article, except for parking in a designated and marked for persons who have a disability, shall be by the issuance of a parking ticket citation, which parking ticket citation, shall provide for a fine of seventy-five dollars (\$75.00) if paid within thirty (30) days from date of citation. Failure to pay the fine at the office of the city manager or to file a notice contesting the violation within thirty (30) days from the date of the citation shall subject the owner or the driver of the vehicle to a civil penalty of one hundred fifty dollars (\$150.00). The form of the citation shall be in such form as shall be prescribed by the chief of police.
- (b) Enforcement of any citation involving any violation for parking in a space designated and marked for persons who have disabilities without a disabled permit as issued under Florida law shall be by issuance of a parking ticket citation, which parking ticket citation shall provide for a fine of two hundred fifty dollars (\$250.00) if paid within thirty (30) days from the date of citation. Failure to pay the fine at the office of the city manager or to file a notice contesting the violation within thirty (30) days from the date of the citation shall subject the driver or owner of the vehicle to a civil penalty of five hundred dollars (\$500.00). The form of the citation shall be in such form as prescribed herein.
- (c) The chief of police or it's designee is hereby authorized to adopt and cause to be printed a form of citation consistent with the requirements of F.S. Ch. 316 to be used by the police department.

(Ord. No. 82, § 14, 9-8-80; Ord. No. 114, § 6, 6-18-84; Ord. No. 163, § 1, 12-1-86; Ord. No. 96-22, § 1, 10-7-96; Ord. No. 96-29, § 1, 11-4-96; Ord. No. 04-17, §§ 1, 2, 9-13-04; Ord. No. 08-02, §§ 1, 2, 3-3-08; Ord. No. 18-12, § 1, 8-6-18)

Sec. 19-24. - Penalties.

- (a) Any person issued a city parking ticket by a parking enforcement specialist or law enforcement officer shall be deemed to be charged with a noncriminal violation and shall comply with the directions of the ticket. In the event that payment is not received, or a response to the ticket is not made within the time period specified thereon, the court or its traffic violations bureau, shall notify the registered owner of the vehicle which was cited by certified mail or by service of notice by sheriff's deputy, of the ticket. Upon receipt of the notification, the registered owner shall comply with the court's directive. In computing any period of time prescribed for payment of fines, Saturdays, Sundays, and holidays observed by the office of the city manager shall be excluded in the computation. If the fine is paid by mail, the date of payment shall be deemed to be the date of the official postmark on the envelope.
- (b) Any person who fails to satisfy the court's directive and any person who elects to appear before a designated official to present evidence, shall be deemed to have waived his right to the civil penalty provisions of the ticket. The official, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a fine not to exceed two hundred dollars (\$200.00) plus court costs. Failure to pay the fine within thirty (30) days from the date of imposition of the fine, shall constitute a separate civil infraction enforceable by the county court as provided in F.S. Ch. 318, and shall be punishable by a civil penalty as provided in F.S. Ch. 318, and enforceable in the same manner as are penalties imposed by F.S. Ch. 318, specifically including suspension of driver's license. Each month that the original imposed fine remains unpaid shall constitute a separate offense.
- (c) The county court is hereby designated as the court to enforce the infraction proceedings for the city.

(Ord. No. 82, § 15, 9-8-80; Ord. No. 114, § 7, 6-18-84; Ord. No. 94-9, § 1, 7-11-94; Ord. No. 08-02, § 3, 3-3-08; Ord. No. 19-08, § 3, 7-1-19)

State Law reference— Similar provisions, F.S. Ch. 316, 1967.

Sec. 19-25. - Responsibility for violations.

- (a) In any prosecution charging a violation of this article, proof that the particular vehicle described in the complaint was parked or operated in violation of this article, together with proof that the individual named in the complaint was at the time of such parking or operating the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who stopped, parked or operated such vehicle at the point where and for the time during which such

violation occurred.

- (b) The owner of a vehicle is responsible and liable for payment of any parking ticket violations under this article unless the owner can furnish evidence that the vehicle was, at the time of the parking violation, in the care, custody or control of another person. In such instances, the owner of the vehicle is required, within a reasonable time after notification of the parking violation, to furnish to the appropriate law enforcement authorities the name and address of the person or company who leased, rented or otherwise had the care, custody or control of the vehicle. The owner of a vehicle is not responsible for parking ticket violations if the vehicle involved was at the time stolen or in the care, custody or control of some person who did not have permission of the owner to use the vehicle. In any instance wherein the owner of a vehicle is not responsible for payment of the fine for violating this section, then in such event the operator of the vehicle at the time of the parking violation shall be responsible for payment of the fine.

(Ord. No. 82, §§ 10, 11, 9-8-80; Ord. No. 114, §§ 3, 4, 6-18-84)

State Law reference— Similar provisions, F.S. § 316.1967.

Sec. 19-26. - Signs.

- (a) All parking signs and other signs and markings used to regulate parking or traffic in accordance with this article shall be placed by officers or employees of the city or placed at locations approved by employees or officers of the city. The signs shall comply in shape, size and construction with regulations promulgated by the state department of transportation when such regulations are applicable.
- (b) Whenever parking signs and other signs and markings are placed in position approximately conforming to the requirements of this article, such signs and markings shall be presumed to have been placed by the lawful act or direction of officers or employees of the city or other lawful authority unless the contrary is established by competent evidence.

(Ord. No. 82, §§ 12, 13, 9-8-80)

Sec. 19-27. - Impounding vehicles illegally parked.

The parking enforcement specialist and members of the police department shall be vested with the authority to impound any unoccupied vehicle parked in violation of any of the parking ordinances of the city and to release such vehicle to the duly identified owner thereof, subject, however, to the payment of a court fine and to the payment of storage, towing and other impounding charges.

(Ord. No. 82, § 9, 9-8-80; Ord. No. 114, § 2, 6-18-84; Ord. No. 08-02, § 4, 3-3-08; Ord. No. 19-08, § 4, 7-1-19)

Sec. 19-28. - Parking on private parking lots.

It shall be unlawful for any person to park a vehicle in front of any business establishment, on any public or private parking lot, which has been marked and zoned in such a manner as to prohibit such parking in compliance with the Zoning code and traffic designations and prohibited areas under this article.

(Ord. No. 82, § 2, 9-8-80)

Sec. 19-29. - Manner of parking.

It is unlawful for any person to park a vehicle in a street of the city other than parallel with the edge of the curb or paved roadway headed in the direction of lawful traffic movement, unless otherwise provided, and with the curb side wheels of the vehicles within six (6) inches of the curb or paved edge of the roadways, except as provided below:

- (1) Upon those portions of streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or signs with the right front wheel against the curb or the right front end of the bumper of such vehicle over the curb, or the right front end of the bumper of each vehicle against the curb.
- (2) In places where stopping for the loading or unloading of merchandise or material is permitted in zones so designated for that purpose, vehicles used for transportation of merchandise or materials may back into the curb to take on or discharge loads.

(Ord. No. 82, § 3, 9-8-90)

State Law reference— Similar provisions. F.S. § 316.195.

Sec. 19-30. - Standing or parking prohibited in specified places.

- (a) It is unlawful for the operator of a vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control signal:
 - (1) Within eight (8) feet of a street intersection;
 - (2) On a crosswalk;

- (3) Upon any public sidewalk, bicycle or pedestrian path;
 - (4) Within fifteen (15) feet of any fire hydrant;
 - (5) In front of the entrance to any theater, hotel or church;
 - (6) Alongside or opposite any street excavation or obstructions when such stopping, standing or parking would obstruct traffic;
 - (7) Abreast of any vehicle stopped or parked at the edge of the curb or street, or what is commonly known as double parking;
 - (8) In front of a public or private driveway;
 - (9) Upon any bridge or runway to a beach;
 - (10) At any place where official signs or markers prohibit stopping, standing or parking;
 - (11) Upon any paved or main traveled part of the roadway which obstructs the normal traffic flow;
 - (12) Against the flow of traffic.
- (b) This section shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a roadway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position, or to passenger-carrying buses temporarily parked while loading or discharging passengers, where roadway conditions render such parking of the paved portion of the roadway hazardous or impractical.
- (c) Whenever a parking enforcement specialist or any police officer finds a vehicle standing or parking upon a roadway in violation of any of the foregoing provisions of this chapter, the officer is authorized to move the vehicle, or require the driver or other persons in charge of the vehicle to move the vehicle to a position off the paved or main traveled part of the roadway.
- (d) If the parking enforcement specialist or police officer cannot move the vehicle, the officer is authorized to have it towed to a convenient place designated by the chief of police, and the owner of the vehicle shall be liable for the cost of such removal and storage, if any. The owners of the vehicle shall also be subject to the penalties provided in sections 19-23 and 19-24 of this chapter.

(Ord. No. 82, § 4, 9-8-80; Ord. No. 08-02, § 5, 3-3-08; Ord. No. 19-08, § 5, 7-1-19)

State Law reference— Similar provisions, F.S. § 316.1945.

Sec. 19-31. - Streets, rights-of-way, etc.; stopping, standing or parking prohibited.

- (a) Authority of city manager or it's designee. The city manager or its designee shall have the

authority to post signs prohibiting parking or establishing zones for paid parking which shall be enforced according to the terms of this chapter.

(b) Stopping, standing or parking is prohibited as follows:

(1) It shall be unlawful for the operator of a motor vehicle to stop, stand or park such motor vehicle upon the shoulder or berm portion of AIA Beach Boulevard between its intersection with State Road AIA and its intersection with Pope Road, except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device. The term shoulder or berm as used herein refers to all of the right-of-way of AIA Beach Boulevard except for the roadway. The statutory definition of roadway contained in F.S. Ch. 316 is hereby incorporated by reference.

(2) It shall be unlawful for any person to park in an area marked with a sign posted in accordance with this chapter in a manner prohibited as posted.

(c) Parking signs in conformance with this section shall be placed by officers or employees of the city which shall comply with the regulations promulgated by the state department of transportation when such regulations are applicable.

(d) It shall not be unlawful for a construction worker, as herein defined, to park upon the shoulder or berm of those roads, with the exception of those areas designated in subsection (4) hereof, designated in this section while engaged in the construction of projects adjacent to such streets for which a building permit has been issued by the city. As used herein the term construction worker shall mean an individual employed by a licensed building contractor or subcontractor engaged in construction activities for which a building permit has been issued by the city.

(e) "Tow-away zone" means a zone where no parking, stopping or standing is permitted as indicated by proper signs, and where vehicles parked in violation of the signs are towed away to keep the roadway clear for traffic movement. No person shall stand or park, allow, or permit any vehicle registered in his name to stand or park on any of the ways or parts of ways hereinafter described and during the periods of time set forth. Vehicles found in violation of the provision of this section except those specifically exempted by law shall be removed and the owner of the vehicle so removed or towed away shall be liable for the cost of such removal and storage. The owner of any vehicle removed or towed away under the provisions of this section shall also be subject to the penalties provided in sections 19-23 and 19-24 of this chapter. The cost of removal and storage by an independent contractor shall be established thereof by contract.

The parking enforcement specialist, chief of police of the police department or such sergeants or

other officers of higher rank in the police department as he may from time to time designate, is hereby authorized to remove to some convenient place through the agency of a person or persons in the employ of the police department or by an independent contractor selected in accordance with all applicable provisions of the general laws and the revised ordinances as in effect at the time of the award of the contract on the basis of competitive bids, any vehicle parked or standing on any part of any way under the control of the city which shall have been designated as a tow-away zone.

(Ord. No. 114, §§ 1, 5, 6-18-84; Ord. No. 164, § 1, 12-1-86; Ord. No. 204, § 1, 11-6-89; Ord. No. 91-20, § 1, 11-4-91; Ord. No. 95-16, § 1, 9-11-95; Ord. No. 95-22, § 1, 10-2-95; Ord. No. 95-23, § 1, 10-2-95; Ord. No. 95-28, § 1, 11-6-95; Ord. No. 96-09, § 1, 6-3-96; Res. No. 98-1, 1-5-98; Ord. No. 98-09, § 1, 7-6-98; Ord. No. 98-23, § 1, 11-9-98; Ord. No. 98-26, § 1, 1-4-99; Ord. No. 99-2, § 1, 3-1-99; Ord. No. 99-10, § 1, 8-2-99; Ord. No. 99-17, § 1, 9-13-99; Ord. No. 00-09, § 1, 2-7-00; Ord. No. 00-27, §§ 1, 2, 10-2-00; Ord. No. 01-16, §§ 1, 2, 7-2-01; Ord. No. 02-12, §§ 1, 2, 10-7-02; Ord. No. 03-04, § 1, 5-5-03; Ord. No. 03-07, § 1, 5-5-03; Ord. No. 03-28, § 1, 8-4-03; Ord. No. 03-43, § 1, 1-5-04; Ord. No. 08-02, § 6, 3-3-08; Ord. No. 11-13, § 1, 12-5-11; Ord. No. 11-15, § 1, 1-9-12; Ord. No. 14-03, § 1, 8-4-14; Ord. No. 14-07, § 1, 11-10-14; Ord. No. 18-12, § 2, 8-6-18; Ord. No. 19-08, § 6, 7-1-19)

Sec. 19-32. - Extended parking prohibited.

- (a) It shall be unlawful for any person to park a vehicle for more than twenty-four (24) hours continuously in the same location upon any street where the parking limit time is not otherwise designated.
- (b) Overnight camping on plazas east and west of A1A Beach Boulevard, in Ocean Hammock Park and any area designated for paid parking is prohibited.

(Ord. No. 82, § 5, 9-8-80; Ord. No. 19-08, § 7, 7-1-19)

Sec. 19-33. - Unattended motor vehicles.

It is unlawful for any person operating a motor vehicle to leave the vehicle unattended, without first having stopped the motor, locked the ignition, and removed the ignition key, or when standing upon any perceptible grade, without setting the emergency brake thereon.

(Ord. No. 82, § 8, 9-8-80)

State Law reference— Similar provisions, F.S. § 316.1975.

Sec. 19-34. - Parking in bus stops and taxicab stands.

It shall be unlawful for any person to stop, stand or park a vehicle in any officially designated and

appropriately marked bus stop or taxicab stand other than a bus in a bus stop and taxicab in a taxicab stand.

Sec. 19-35. - Reserved.

Editor's note— Ord. No. 08-04, adopted June 2, 2008, enacted similar provisions which, per the city's instructions, have been treated as superseding § 19-35. Former § 19-35 pertained to parking of trailers, house-cars, vans, etc., and derived from Ord. No. 82, adopted Sept. 8, 1980. See § 19-37.

Sec. 19-36. - Parking restrictions.

- (a) The city commission may approve by resolution the locations for placement of signs to permit, prohibit, or restrict the stopping, standing, or parking of motor vehicles on any portion of any highway, street, or road, on any portion of any right-of-way thereof, or on any parking lot owned or controlled by the city.
- (b) It shall be unlawful for any person to stop, stand, or park a motor vehicle in violation of any sign erected to prohibit or restrict stopping, standing, or parking.
- (c) All signs shall be placed by officers or employees of the city. Signs shall comply with the regulations promulgated by the State Department of Transportation when such regulations are applicable.

(Ord. No. 94-7, § 1, 5-2-94)

Sec. 19-37. - Prohibiting the parking of tractor trailers, other large trucks and recreational vehicles on or within the right-of-way of city streets and within residentially zoned areas.

- (1) *Definitions.* As used herein, the following words and phrases shall have the following meanings:
 - (a) *Prohibited vehicle.* A vehicle (either motorized or nonmotorized) that has one (1) or more of the following characteristics:
 - 1. A registered gross weight in excess of seventeen thousand one (17,001) pounds;
 - 2. Having a length in excess of twenty (20) feet;
 - 3. Having a height of more than eleven (11) feet, six (6) inches;
 - 4. Having a width of more than eighty-nine (89) inches;
 - 5. Is a recreational vehicle as hereinafter defined.
 - (b) *Illegally parking.* Parking of a prohibited vehicle within the right-of-way or upon the public right-of-way of a street, highway or roadway, except while making occasional

local deliveries, while discharging passengers, or while involved in construction or remodeling of a building fronting the same.

- (c) *Recreational vehicle.* A vehicle which is designed to provide temporary living quarters for recreation, camping, or travel purposes. A recreation vehicle may be designed to be self-propelled, towed, or carried by another vehicle. Recreation vehicles include campers, travel trailers, or motor homes.
- (2) *Purpose.* It is the purpose of this section to regulate the parking and storage of trucks and recreational vehicles in the City of St. Augustine Beach. This section recognizes that there is a need to regulate parking of such vehicles in order to enhance the value of residential districts, protect property values, reduce hazards to motorists and pedestrians, and to promote the public safety and general welfare.
- (3) *Parking and storage of prohibited vehicles.* The outdoor storage or parking of prohibited vehicles shall be prohibited in all residential districts for more than seven (7) calendar days except where the primary use of such vehicles is for the personal transportation of the owner of the vehicles or as otherwise permitted by this section, unless the following conditions are met:
 - (a) All such vehicles and equipment shall be placed within a completely enclosed building or located behind the furthest front face of the main building, as measured from the front property line or front right-of-way line and no closer than five (5) feet to any side or rear lot line. No storage of such vehicle or equipment shall be permitted on a corner lot in the front yard setback space required by the zoning ordinance for the yards adjacent to the streets.
 - (b) Storage or parking shall be limited to a parcel of land upon which is located an inhabited dwelling unit.
 - (c) All such vehicles and equipment stored or parked outside shall be in operational condition, and bear current registration plates.
 - (d) Such vehicles and equipment shall not be occupied as a dwelling.
- (4) *Enforcement.* The city manager or his or her designee is hereby authorized, empowered and directed to enforce all the provisions of this section and any subsequent amendments hereto and the manager is authorized to employ the necessary assistance to aid in the enforcement of this section.
- (5) *Complaints.* Complaints on any violations of this section shall be filed with the city manager or his or her designee.
- (6) *Notice of violation.* The failure to correct any violation of this section after notice of violation by the city manager or his designee shall be deemed a violation of this section.

Notice of violation may be served by placing a copy thereof on the windshield or other prominent location upon the vehicle to delivering a copy thereof to an individual over the age of fifteen (15) residing on the premises upon which the vehicle is parked.

(7) *Penalties.* This section shall be enforced in the manner prescribed by section 1-9 of the St. Augustine Beach Code.

(Ord. No. 08-04, §§ 1—7, 6-2-08)

Sec. 6.03.00. - Off-street parking and loading.

Sec. 6.03.01. - Generally.

- A. *Applicability* . Off-street parking facilities shall be provided for all development within St. Augustine Beach pursuant to the requirements of this Code. The facilities shall be maintained as long as the use exists that the facilities were designed to serve. All off-street parking spaces shall be paved for all uses except for single family dwelling units.
- B. *Computation* .
 - 1. When determination of the number of off-street spaces required by this Code results in a fractional space, the fraction of one-half (½) or less may be disregarded, and a fraction in excess of one-half (½) shall be counted as one (1) parking space.
 - 2. In churches and other places of assembly such as banquet halls, convention space, meeting rooms within hotels/motels in which those in attendance occupy benches, pews or other similar seating facilities, and/or which contain an open assembly area, the occupancy shall be based on the maximum occupancy rating given the building by the fire department.
 - 3. Gross floor area shall be the sum of the gross horizontal area of all floors of a building measured from the exterior faces of the exterior walls.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.02. - Number of parking spaces required.

- A. *Requirements in matrix* . The matrix below specifies the required minimum number of off-street automobile parking spaces, and, in the notes, any special requirements that may apply.
- B. *Matrix* .

TABLE 6.03.02A
OFF-STREET PARKING REQUIREMENTS

Use	Minimum Off-Street Parking Requirements
<i>Residential</i>	

Single-family, mobile home	1, 2, or 3 bedroom units/2 spaces per unit. 4, 5, and 6 bedroom units/1 space per bedroom.
Adult congregate living facility (group home), rooming house, bed and breakfast, guest cottage	1, 2, or 3 bedroom units/2 spaces per unit. 4 and 5 bedroom units/4 spaces per unit.
Cluster/multifamily development	Studio units/1 space per unit. 2 or more bedroom units/2 spaces per unit. Plus 1 visitor space.
The following uses shall have a minimum of 2 spaces plus meet the requirements of this section:	
<i>Offices</i>	
Professional offices	1 space/250 square feet of gross floor area.
Professional services	1 space/250 square feet of gross floor area.
Business offices	1 space/250 square feet of gross floor area.
Bank	1 space/250 square feet of gross floor area.
Medical clinic/hospital	1 space/180 square feet of gross floor area.
Office park	1 space/250 square feet of gross floor area.
Government offices	1 space/200 square feet of gross floor area.
<i>Retail/Sales/Service</i>	
Personal services	1 space/250 square feet of gross floor area.

Day care center	1 space/staff member plus 1 space/5 children or 1 space/10 children if adequate drop-off facilities are provided.
Beauty/barber	2 spaces per barber chair or each beautician station.
Drug store/apothecary	1 space/250 square feet of gross floor area.
Grocery stores/supermarkets	1 space/250 square feet of gross floor area.
Restaurants (with or without drive-up facilities)	1 space/55 square feet of gross floor area.
Funeral home	1 space/250 square feet of gross floor area.
Service stations (no repair)	1 space/200 square feet of gross floor area.
Specialty shops	1 space/250 square feet of gross floor area.
Service business	1 space/250 square feet of gross floor area.
Retail sales (no outdoor storage)	1 space/250 square feet of gross floor area.
Department stores	1 space/250 square feet of gross floor area.
Theaters (not drive-in)	
Single screen	1 space/2 seats plus 5 spaces for employees.
Multi-screen	1 space/3 seats plus 5 spaces for employees.
Convenience stores	1 space/250 square feet of gross floor area.

Dry cleaners, laundromat	1 space/250 square feet of gross floor area.
Equipment rental	1 space/250 square feet of gross floor area.
Veterinarian	1 space/180 square feet of gross floor area.
Motels/hotels	
Motel or hotel or inn	1.15 spaces per room. Additional spaces for Accessory Uses such as convention, restaurants, bars, entertainment or retail sales shall also be provided in accordance with those uses in the matrix.
Shopping center	1 space/250 square feet of gross floor area.
<i>Educational, Cultural, Religious Uses</i>	
Churches, synagogues, temples, etc.	1 space/3 seats within the main auditorium or, if there are not fixed seats, 1 space/35 square feet of gross floor area within the main auditorium.
Libraries, art museums, etc.	1 space/35 square feet of gross floor area.
Social, fraternal clubs, lodges	1 space/35 square feet of gross floor area.
Auditoriums	1 space/3 seats within the auditorium.
<i>Recreation, Amusement, Entertainment</i>	
Bowling alleys, billiard halls, pool parlors	4 spaces/alley plus 2 spaces/billiard table plus required parking for other uses on the site.

Arcades, dance studios, and martial arts studios	1 space/200 square feet of gross floor area.
Health clubs, exercise facilities	1 space/150 square feet of gross floor area.
Tennis, handball, and racquetball facilities	2 spaces/court plus required parking for additional uses on the site.
Skating rinks	1 space/250 square feet of gross floor area.
Driving range (golf)	1 space/tee plus required parking for any other uses on the site.
Golf course (regulation)	6 spaces/hole plus required parking for any other uses on the site.
Miniature golf	3 spaces/hole plus required parking for any other uses on the site.
<i>Motor Vehicle Sales and Service</i>	
Gas sales and service	2 spaces plus 4 for each service bay.
Car wash	2.5 spaces/washing stall
<i>Miscellaneous Facilities</i>	
Post office	1 space/250 square feet of gross floor area.

- C. *Uses not specifically listed in matrix*. The number of parking spaces required for uses not specifically listed in the matrix shall be determined by the City Manager or designee. The City Manager or designee shall consider requirements for similar uses and appropriate

traffic engineering and planning data, and shall establish a minimum number of parking spaces based upon the principles of this Code. This decision shall take into account the similarity of the use to those specifically listed in the matrix, the type and amount of parking likely to be required to serve employees, clients, customers, or other visitors. This decision shall also consider peculiarities of the city like its traffic intensity and patterns and the extent and type of commercial traffic in the city.

- D. *Treatment of mixed uses* . Where a combination of uses is developed, parking shall be provided for each of the uses as prescribed by the matrix, unless a reduction is granted by the comprehensive planning and zoning board.
- E. *Special parking spaces* .
 - 1. Any parking area to be used by the general public shall provide suitable, marked parking spaces for handicapped persons. The number, design, and location of these spaces shall be consistent with the requirements of sections 316.1955 and 316.1956, Florida Statutes, or succeeding provisions. No parking space required for the handicapped shall be counted as a parking space in determining compliance with Table 6.03.02A, of this section 6.03.00, but optional spaces for the handicapped shall be counted. All spaces for the handicapped shall be paved.
 - 2. A portion of the parking spaces required by this Code may be designated as exclusively for motorcycle parking if the following conditions are met:
 - a. The City Manager or designee recommends that the spaces be so designated, based upon projected demand for them and lessened demand for automobile spaces.
 - b. The comprehensive planning and zoning board approves the recommendation and the designated spaces are shown on the final development plan.
 - c. The designated spaces are suitably marked and striped.
 - d. The designation does not reduce the overall area devoted to parking so that if the motorcycle spaces are converted to automobile spaces the minimum requirements for automobile spaces will be met. The approval may later be withdrawn, and the spaces returned to car spaces, if the City Manager or designee finds that the purposes of this Code would be better served thereby, based upon actual demand for motorcycle and automobile parking.
- F. *Reduction for mixed or joint use of parking spaces* . The comprehensive planning and zoning board shall authorize a reduction in the total number of required parking spaces for two (2) or more uses jointly providing off-street parking when their respective hours of need of maximum parking do not normally overlap. Reduction of parking requirements

because of joint use shall be approved if the following conditions are met:

1. The developer submits sufficient data to demonstrate that hours of maximum demand for parking at the respective uses do not normally overlap.
 2. The developer submits a legal agreement approved by the St. Augustine Beach Attorney guaranteeing the joint use of the off-street parking spaces as long as the uses requiring parking are in existence or until the required parking is provided elsewhere in accordance with the provisions of this Code.
- G. *Reduction for low percentage of leasable space*. The requirements of Table 6.03.02A of this section 6.03.00 assume an average percentage of gross leasable building to total gross building area (approximately eighty-five (85) percent). If a use has a much lower percentage of leasable space because of cafeterias, athletic facilities or covered patios; multiple stairways and elevator shafts; atriums; or for other reasons; the comprehensive planning and zoning board may reduce the parking requirements if the following conditions are met:
1. The developer submits a detailed floor plan describing how all of the floor area in the building will be used.
 2. The developer agrees in writing that the usage of the square footage identified as not leasable shall remain as identified, unless and until additional parking is provided to conform fully with this Code.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.03. - Off-street loading.

- A. *Generally*. Spaces to accommodate off-street loading or business vehicles shall be provided as required below.
- B. *Spaces required*.
1. Health care and other similar institutional uses shall provide one (1) loading space for the first one hundred thousand (100,000) square feet of gross floor area or fraction thereof, and one (1) space for each additional one hundred thousand (100,000) square feet or fraction thereof.
 2. Theaters, and other buildings for public assembly shall provide one (1) space for the first twenty thousand (20,000) square feet of gross floor area or fraction thereof, and one (1) space for each additional one hundred thousand (100,000) square feet.
 3. Offices and financial institutions shall provide one (1) space for the first seventy-five thousand (75,000) square feet of gross floor area or fraction thereof, and one (1) space for each additional twenty-five thousand (25,000) square feet.

4. Retail commercial, service, service and commercial entertainment uses shall provide one (1) space for the first ten thousand (10,000) square feet of gross floor area, and one (1) space for each additional twenty-thousand (20,000) square feet.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.04. - Alteration of conforming development.

- A. *Decreased demand for parking or loading*. The number of off-street parking or loading spaces may be reduced if the City Manager or designee finds that a decrease in floor area, seating capacity, or other factor controlling the number of parking or loading spaces would permit the site to remain in conformity with this Code after the reduction.
- B. *Increased demand for parking or loading*. The number of off-street parking or loading spaces must be increased to meet the requirements of this Code if the City Manager or designee finds that an increase in floor area, seating capacity, or other factor controlling the number of parking or loading spaces required by this Code causes the site not to conform with this Code.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.05. - Design standards for off-street parking and loading areas.

- A. *Location*.
 1. Except as provided herein, all required off-street parking spaces and the use they are intended to serve shall be located on the same parcel.
 2. The comprehensive planning and zoning board may approve off-site parking facilities as part of the parking required by this Code if:
 - a. The location of the off-site parking spaces will adequately serve the use for which it is intended. The following factors shall be considered:
 - (1) Proximity of the off-site spaces to the use that they will serve.
 - (2) Ease of pedestrian access to the off-site parking spaces.
 - (3) Whether or not off-site parking spaces are compatible with the use intended to be served, e.g., off-site parking is not ordinarily compatible with high turnover uses such as retail commercial.
 - b. The location of the off-site parking spaces will not create unreasonable:
 - (1) Hazards to pedestrians.
 - (2) Hazards to vehicular traffic.
 - (3) Traffic congestion.

- (4) Interference with access to other parking spaces in the vicinity.
 - (5) Detriment to any nearby use.
 - c. The developer supplies a written agreement, approved by the St. Augustine Beach Attorney, assuring the continued availability of the off-site parking facilities for the use they are intended to serve.
- 3. All parking spaces required by this Code for residential uses should be located no further than the following distances from the units they serve:

Resident parking: 200 feet

Visitor parking: 350 feet

Distances shall be measured from a dwelling unit's entry to the parking space. Where a stairway or elevator provides access to dwelling units, the stairway or elevator shall be considered to be the entrance to the dwelling unit. For purposes of measuring these distances, each required parking space shall be assigned to a specific unit on the development plan, whether or not the developer will actually assign spaces for the exclusive use of the specific unit.

B. Size .

- 1. Standard parking spaces shall be nine (9) feet by twenty (20) feet.
- 2. Parallel parking spaces shall be a minimum of eight (8) feet wide and twenty-two (22) feet long. If a parallel space abuts no more than one (1) other parallel space, and adequate access room is available, then the length may be reduced to twenty (20) feet.
- 3. Tandem parking spaces must be a minimum of nine (9) feet wide and twenty (20) feet long.
- 4. Spaces for handicapped parking shall be the size specified in section 316.1955, Florida Statutes.
- 5. The standard off-street loading space shall be ten (10) feet wide, twenty-five (25) feet long, provide vertical clearance of fifteen (15) feet, and provide adequate area for maneuvering, ingress and egress. The length of one (1) or more of the loading spaces may be increased up to fifty-five (55) feet if full-length tractor-trailers must be accommodated. Developers may install spaces that are larger than the standard, but the number of spaces shall not be reduced on that account.
- 6. The comprehensive planning and zoning board may modify these requirements where necessary to promote a substantial public interest relating to environmental

protection, heritage conservation, aesthetics, tree protection, or drainage.

C. Layout.

1. Pedestrian circulation facilities, roadways, driveways, and off-street parking and loading areas shall be designed to be safe and convenient.
2. Parking and loading areas, aisles, pedestrian walks, landscaping, and open space shall be designed as integral parts of an overall development plan and shall be properly related to existing and proposed buildings.
3. Buildings, parking and loading areas, landscaping and open spaces shall be designed so that pedestrians moving from parking areas to buildings and between buildings are not unreasonably exposed to vehicular traffic.
4. Landscaped, paved, and gradually inclined or flat pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas, and adjacent buildings. Pedestrian walks should be designed to discourage incursions into landscaped areas except at designated crossings.
5. Each off-street parking space shall open directly onto an aisle or driveway that, except for single-family and two-family residences, is not a public street.
6. Aisles and driveways shall not be used for parking vehicles, except that the driveway of a single-family or two-family residence shall be counted as a parking space for the dwelling unit, or as a number of parking spaces as determined by the City Manager or designee based on the size and accessibility of the driveway.
7. The design shall be based on a definite and logical system of drive lanes to serve the parking and loading spaces. A physical separation or barrier, such as vertical curbs, may be required to separate parking spaces from travel lanes.
8. Parking spaces for all uses, except single-family and two-family residences, shall be designed to permit entry and exit without moving any other motor vehicle.
9. No parking space shall be located so as to block access by emergency vehicles.
10. Compact car spaces should be located no more and no less conveniently than full size car spaces, and shall be grouped in identifiable clusters.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.06. - Prohibited parking.

- A. No trailers, recreational vehicles or mobile homes shall be kept, stored, or parked within the city limits except for the following:
1. In the case of a mobile home, only, if the mobile home is permitted as a residence

and is in conformance with this Code and all other St. Augustine Beach requirements.

2. If enclosed within the confines of a garage, and unoccupied; or
3. If temporarily stopped on any public street as required by any traffic law, or parked in any public parking facility; or
4. In the case of a recreational vehicle only, for the purpose of loading, unloading or for minor maintenance while unoccupied, for no more than two (2) continuous twenty-four-hour periods within any two (2) consecutive calendar weeks beginning Sunday at 12:01 a.m. and ending at midnight on Saturday of the following week;
5. In the case of a recreational vehicle only, parking the same for no more than one (1) continuous seven-day period with a permit between January 1 and June 30, and an additional one (1) continuous seven-day period with a permit between July 1 and December 31, and unoccupied at any time.

B. Recreational vehicles.

1. Any person owning and desiring to park a recreational vehicle, as provided in section 6.03.06A.5., must obtain a permit.
2. No fee will be charged for the permit.
3. The permit shall expire seven (7) days from the date of issuance, and shall state the date of expiration.
4. The permit shall be affixed by the applicant on a window or windshield of the vehicle in a location visible from the road.
5. A recreational vehicle may only receive one (1) permit in each six-month period above provided.
6. This section does not prohibit the parking of recreational vehicles at hotels, motels, condominiums having more than ten (10) units, and properties used for operating as a business provided the parking is in the course of the usual conduct of business.
7. Any violation of this section or any subsection hereof is a civil infraction punishable by a civil penalty not to exceed the maximum amount of five hundred dollars (\$500.00).

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.07. - Surfacing of parking areas.

- A. Off-street parking areas, loading areas, and vehicular entrances and exits for all new and existing development shall be surfaced with "erosion-resistant material", as defined in

section 2.00.00 of this Code.

- B. Off-street parking areas, loading areas, and vehicular entrances and exists constructed prior to the adoption of this section, which are not surfaced with erosion-resistant material and are located on property that does not abut on County Road A1A, may remain in use without being surfaced with erosion-resistant material as nonconforming structures.
- C. Off-street parking areas, loading areas, and vehicular entrances and exits constructed prior to the adoption of this section, and which are on property abutting the portion of County Road A1A located between "F" Street and Pope Road shall be surfaced with erosion-resistant material within thirty (30) days after completion of the widening of said portion of County Road A1A.
- D. Off-street parking areas, loading areas, and vehicular entrances and exits constructed prior to the adoption of this section, and which are on property abutting the portion of County Road A1A located between State Road 3 and "F" Street shall be surfaced with erosion-resistant material within thirty (30) days after completion of the widening of said portion of County Road A1A.
- E. Off-street parking areas, loading areas, and vehicular entrances and exits constructed prior to the adoption of this section, and which are on property abutting the portion of County Road A1A not described in paragraphs C. and D. shall be surfaced with erosion-resistant material within thirty (30) days after completion of the widening of the portion of County Road A1A abutting such property.
- F. At the option of a property owner, any off-street parking area, loading area, and vehicular entrance and exit, described in paragraphs C., D., or E., may remain in use without being surfaced with erosion-resistant material as a nonconforming structure, provided that the property owner, within the time period specified in paragraphs C., D., or E., as applicable, builds a raised and landscaped buffer or other barrier approved by the City Manager or designee that is reasonably sufficient to prevent sand and dirt from being carried off-site by stormwater to damage, obstruct, or accumulate in the public stormwater drainage system.
- G. The office of the city manager shall mail a notice to each property owner, subject to paragraphs C., D., and E., of the date of completion of the widening of any portion of County Road A1A adjacent to such owner within three (3) days after completion thereof. For purposes of this section, "completion" shall occur upon substantial completion of construction of the widening of the paved roadway, installation of public stormwater drainage improvements, and sidewalks abutting such property.
- H.

Any nonconforming parking area, loading area, and vehicular entrance and exit, allowed under paragraphs B. or F., shall be surfaced with erosion-resistant material in conjunction with any expansion of a building served by such parking area when the gross floor area of the building is increased by more than twenty-five (25) percent, or upon reconstruction of the principal building served by a parking area after the building has been demolished or substantially destroyed by fire or other calamity.

- I. This section imposes requirements that are additional and supplemental to the paving requirements under section 6.03.01 and other sections of this Code. This section shall not affect or delay the application or enforcement of any other sections of this Code to any premises.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.08. - Prohibited driveways.

- A. Driveways, bridges, and culverts to provide vehicular access to residential or commercial property are prohibited across the ditches in the right-of-way of any road located on the:
 1. East side of Mickler Boulevard from A Street to Pope Road;
 2. North side of 11th Street from Raintree Subdivision to the western boundary of State Road 3;
 3. East side of 2nd Avenue from "D" Street to 11th Street;
 4. North side of 16th Street from Anastasia Oaks condominium property to Mickler Boulevard; and
 5. South side of Pope Road, from Mickler Boulevard to Lee Drive.
- B. Driveways to provide vehicular access to residential or commercial property are prohibited when the driveway would cross over any publicly owned underground drainage pipe located in the right-of-way of any road.
- C. A driveway permit may be granted by the city Manager or designee when the only available way of vehicular access to property is across one (1) of the above listed ditches or over an underground drainage pipe.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.09. - Parking of commercial vehicles, trailers, and heavy vehicles.

- A. Commercial vehicles shall not be stopped or parked on any street, driveway, lot, parcel, or other public or private property in any residential land use district.
- B. Commercial trailers shall not be stopped or parked on any street, driveway, lot, parcel, or other public or private property in any residential land use district.

- C. Heavy vehicles shall not be stopped or parked on any street, driveway, lot, parcel, or other public or private property in any residential land use district.
- D. The prohibitions in section 6.03.10.A., B., and C. are subject to the following exceptions:
 - 1. A commercial vehicle, commercial trailer, or heavy vehicle may be temporarily stopped on any street in a residential district as required by traffic signs or regulations.
 - 2. A commercial vehicle, commercial trailer, or heavy vehicle may be parked in a residential district when engaged in a business activity which requires its presence for a temporary time and for a specific purpose, such as: lot mowing, product delivery, residential relocation, or construction.
 - 3. A commercial vehicle of less than six thousand (6,000) pounds net weight may be parked on a lot or parcel whose principal use is residential provided the commercial vehicle is customarily used by a resident of the premises in his or her business, trade, or profession. This exception does not apply to a commercial trailer or heavy vehicle.
 - 4. A commercial vehicle or commercial trailer may be parked in an enclosed garage on a lot or parcel whose principal use is residential provided the commercial vehicle or trailer is customarily used by a resident of the premises in his or her business, trade, or profession. This exception does not apply to a heavy vehicle.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

Sec. 6.03.10. - Parking of semi-trailers, storage containers and pod type storage units.

- A. The parking of semi-trailers and storage containers within any land use district for the City shall be illegal if parked for a period of more than seven (7) calendar days (regardless of whether the unit is repositioned, moved or relocated on the property during a seven (7) day time period) without authorization from the Building Department, with the following exceptions:
 - 1. Semi-trailers at hotels and motels when room improvements are being done or furniture is being changed out. However, when multiple room improvements are being done or furniture is being changed out or when meeting space is being improved, the allowed period shall be increased to ninety (90) calendar days.
 - 2. Semi-trailers at Anastasia Plaza for delivery or pick-up of goods.
 - 3. The use of the aforementioned units at a construction site for materials storage for the length of permitted construction.
- B. POD type storage units are allowed for use by residents at their residence or a business


for purposes of packing or unpacking associated with moving or temporary storage of goods when required for interior renovations to a residence or business and approved by the Building Department. The total amount of time a POD type storage unit may remain on any property shall be thirty (30) calendar days, regardless of whether the unit is repositioned, moved or relocated on the property during a thirty (30) day time period.

- C. Properties within the City currently having any of the aforementioned units on their property, as of the date of the enactment of this section are afforded a period of sixty (60) calendar days to remove the said units currently on their property.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 11, 2020

SUBJECT: Use of City Public Meeting Rooms: Consideration of New Policy

INTRODUCTION

There are two reasons for this agenda topic: first, to make you aware of the City's public meeting facilities and how heavily they are used; second, to suggest to you a policy that will make the rooms available to more groups.

The City's meeting facilities are the room in the southwest corner of city hall and Building C, the former post office, which is located on the west side of the city hall parking lot. The Commission meeting room is not included as one of the City's public meeting facilities because Commission policies restrict its use to meetings of governmental agencies.

There has been increasing demand by groups to use the City's two rooms. This demand is likely because public meeting space on the island is limited. The Anastasia Baptist Church no longer allows non-church groups to use its facilities; groups can use the meeting room in the public library that's in the Sea Grove subdivision but only when the library is open. The City's meeting facilities can be used not only during normal workdays but also in evenings and on weekends when the city hall is closed.

Before the new city hall was designed and built in 2000-01, the City had no community center or public meeting space other than the Commission room in the old city hall. That room was the only space available for meetings by civic and non-profit groups, such as the Civic Association. To provide more meeting space, the City Commission when the new city hall was designed in 2000 approved the building having a public meeting room in addition to the City Commission room.

Building C, where the post office was once located, originally was intended to be a garage where lawn mowing and other equipment for maintenance of the city hall/police station complex would be stored. In 2004, the City Commission approved the conversion of it to a U.S. Postal Service facility. When the post office moved out of it in 2008, the Commission approved the facility being converted to a public meeting room. Small groups now use it.

CURRENT POLICIES

The use of the City's two meeting rooms is governed by the following policies in the City Commission's Policies and Procedures Manual:

1. Any person or organization applying to use a City facility must sign a hold harmless agreement.

February 2020

February 2020							March 2020						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
					1	2							1
3	4	5	6	7	8	9	2	3	4	5	6	7	8
10	11	12	13	14	15	16	9	10	11	12	13	14	15
17	18	19	20	21	22	23	16	17	18	19	20	21	22
24	25	26	27	28	29		23	24	25	26	27	28	29
							30	31					

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Jan 27	28	29	30	31	Feb 1	2
					5:30pm AA - Island Serenity (Building C)	7:00pm AA - Island Serenity (Building C)
3	4	5	6	7	8	9
1:00pm Double D Art Group (Meeting) 5:00pm Freedom from 6:00pm Commission 6:30pm JLI *HOLD*	11:30am AA - Oldest 1:00pm Mah-Jongg 3:30pm AA - Island 6:00pm A Classic 6:00pm St. Aug Mac	10:00am Busy Fingers (Building C) 6:30pm AA - Sand Dollar Group (Meeting Room)	9:00am Anastasia Dunes 10:00am Sunshine Ukes 11:30am AA - Ancient 3:30pm AA - Island 6:00pm A Classic	10:00am Busy Fingers (Building C) 2:00pm SABPD (Meeting Room) 6:00pm A Classic	5:30pm AA - Island Serenity (Building C)	7:00pm AA - Island Serenity (Building C)
10	11	12	13	14	15	16
1:00pm Double D Art Group (Meeting) 5:00pm Freedom from the Past (Meeting 6:30pm JLI *HOLD*	11:30am AA - Oldest 1:00pm Mah-Jongg 3:30pm AA - Island 5:00pm Camera Club 6:30pm FOSAA (Friends	10:00am Busy Fingers 1:00pm SJC Toll Training 5:00pm Serenity Bay 6:00pm A Classic 6:30pm AA - Sand Dollar	11:30am AA - Ancient 3:30pm AA - Island 6:00pm Tree Board/BAC 6:00pm A Classic 6:00pm Seagrove Condo	3:00pm Event - TNT Events Art & Craft Festival (Pier Park) 10:00am Busy Fingers (Building C) 6:00pm A Classic Theatre (Meeting	5:30pm AA - Island Serenity (Building C)	7:00pm AA - Island Serenity (Building C)
17	18	19	20	21	22	23
PRESIDENT'S DAY 1:00pm Double D Art Group (Meeting) 5:00pm Freedom from 6:30pm JLI *HOLD*	10:00am Blockettes 11:30am AA - Oldest 1:00pm Mah-Jongg 3:30pm AA - Island 6:00pm CPZB	10:00am Busy Fingers (Building C) 12:30pm P.E.O. 6:00pm A Classic 6:30pm AA - Sand Dollar	9:00am Anastasia Dunes 10:00am Sunshine Ukes 11:30am AA - Ancient 3:30pm AA - Island 5:00pm Anastasia Dunes	10:00am Busy Fingers (Building C) 6:00pm Ancient City Astronomy Club (Meeting Room)	10:00am Pilot Club (Meeting Room) 5:30pm AA - Island Serenity (Building C)	7:00pm AA - Island Serenity (Building C)
24	25	26	27	28	29	Mar 1
1:00pm Double D Art Group (Meeting) 5:00pm Freedom from the Past (Meeting 6:30pm JLI *HOLD*	10:00am Women of the 11:30am AA - Oldest 1:00pm Mah-Jongg 3:30pm AA - Island 6:00pm A Classic	10:00am Busy Fingers (Building C) 2:00pm Code Enforcement Board 6:30pm AA - Sand Dollar	11:30am AA - Ancient City Group (Meeting 3:30pm AA - Island 4:30pm Sea Colony HQA 7:00pm A Classic	10:00am Busy Fingers (Building C) 6:00pm A Classic Theatre (Meeting Room)	2:00pm Wedding - Rutherford/Lile (12th Street) (Beach) 5:30pm AA - Island Serenity (Building C)	

APPLICATION FOR USE OF CITY FACILITIES

Exempt Organizations



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

Group Name: _____
(Name of organization, agency, etc.)

Address: _____

Phone: _____ **Email:** _____

Name of Responsible Party: _____
(This individual will be responsible for payment of all charges and for return of the key.)

Address: _____

Home Phone: _____ **Business Phone:** _____

Email: _____

Event Name: _____

Time: From: _____ a.m. / p.m. To: _____ a.m. / p.m.

Date(s) or, If Recurring, Day of the Week or Month

Number of attendees expected: _____

Space Requested: _____ Meeting Room (Occupancy of 60 w/tables or 99 w/o tables)

_____ Building C (Occupancy of 22 w/tables or 48 w/o tables)

* Please note the occupancy limits established by the Fire Marshal for each meeting room. These limits will vary according to whether tables and other obstructions are used in the rooms. Groups that may exceed these limits should seek other accommodations.

Rules for Use of City Meeting Rooms

Any person or organization applying to use a City facility must sign a hold harmless agreement. Scheduling arrangements must be made at the City Manager's office in advance. The key will be available in the City Manager's office on the day prior to the scheduled event. When an event is scheduled for a Monday, the key may be picked up on the preceding Friday.

The following conditions apply to use of the meeting rooms:

1. NO SMOKING is permitted in any City building.
2. The meeting rooms and facilities will be clean and in order prior to use and must be returned to the same condition immediately after the meeting. Please note the following:
 - Check to be sure all lights, including those in the restrooms are turned off.
 - Return all chairs, tables, etc. to original positions.
 - Place any trash or debris in the trash cans provided in the meeting rooms and kitchen. Take any other materials brought to the meeting with you when you leave.
 - Check for any spills on carpeting and clean up immediately. There is no janitor on duty after office hours, and stains left overnight will damage the carpet. Cleaning supplies will be left in the kitchen area.
 - The main corridor entrance doors at the north and south ends of the building and the outer door to the meeting room (south side) must be unlocked while the building is occupied. CHECK TO BE SURE ALL THESE DOORS ARE LOCKED BEFORE LEAVING
 - If more than one group is meeting on the same evening, the last group to leave the building is responsible for securing the building and turning off the lights.
3. Return keys promptly. They must be returned to the City Manager's office before 12:00 noon on the next business day following use of the meeting room or left in the key deposit box in the kitchen area immediately after the event.

Failure to comply with the above conditions may result in the use of City facility being denied.

We hope you will be will help us keep the rooms in good condition so that you and other groups can continue to enjoy them.

Agreement:

As the user or authorized representative of the user of the facilities described above, I agree to observe all rules regarding their use as outlined on this form. I understand that I will be financially responsible for any damage to the facility and/or the equipment therein.

The key will be returned before 12:00 noon on the next business day following use of the facilities (or placed in the key deposit box before that time). Failure to return the key as agreed will result in a \$25.00 replacement charge, which will be payable immediately.

I understand that a signed Hold Harmless Agreement will be signed by me or the authorized agent or representative of my organization prior to use of the facilities.

Signature: _____ Date: _____



HOLD HARMLESS AGREEMENT

The undersigned agrees to protect, defend, reimburse, indemnify and hold harmless the City of St. Augustine Beach, Florida, its agents, employees, and officers and each of them, free, and harmless at all times from and against any and all claims, liability, expense, loss, cost, fine, and damages (including reasonable attorney's fees) and causes of action of every kind and character to the fullest extent allowed by law by reason of any damage to property or the environment, including any contamination of City property, or bodily injury (including death) incurred or sustained by any party hereto, any agent or employee of any party hereto, or any other person whomsoever, arising out of or incident to any acts, omissions or operations related to the use authorized by this Special Event Permit, and the undersigned expressly recognizes the broad nature of this indemnification and hold harmless clause, and voluntarily makes this covenant.

(Name of Event)

sponsored or arranged for by _____

(Applicant)

which will occur on _____

(Date/Dates)

Dated this _____ day of _____, 20_____

Signed: _____

Print Name: _____

APPLICATION FOR USE OF CITY FACILITIES



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

Group Name: _____

(Name of organization, agency, etc.)

Address: _____

Phone: _____ **Email:** _____

Name of Responsible Party: _____

(This individual will be responsible for payment of all charges and for return of the key.)

Address: _____

Home Phone: _____ **Business Phone:** _____

Email: _____

Event Name: _____

Time: From: _____ a.m. / p.m. To: _____ a.m. / p.m.

Date(s): _____

Number of attendees expected: _____

Space Requested:

	Up to 4 hours \$75.00	Over 4 hours \$150.00	Kitchen \$100.00
Meeting Room (Occupancy of 60 w/tables or 99 w/o tables)	_____	_____	_____
Building C (Occupancy of 22 w/tables or 48 w/o tables)	_____	_____	_____

Total Charge: _____

* Please note the occupancy limits established by the Fire Marshal for each meeting room. These limits will vary according to whether tables and other obstructions are used in the rooms. Groups that may exceed these limits should seek other accommodations.

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We hope you will be will help us keep the rooms in good condition so that you and other groups can continue to enjoy them.

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Signature: _____ Date: _____



HOLD HARMLESS AGREEMENT

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(Name of Event)

sponsored or arranged for by _____
(Applicant)

which will occur on _____
(Date/Dates)


Dated this _____ day of _____, 20_____

Signed: _____

Print Name: _____

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 7, 2020

SUBJECT: Providing Drinking Water at City Events: Review of Options and Costs

BACKGROUND

Under Commissioner Comments at your February 3rd meeting, Commissioner George "explained what the City of Durham in North Carolina did regarding bottled water by taking a formal vote via resolution to prohibit the City or County from purchasing bottled water or single use plastics. She advised that the City [of St. Augustine Beach] should set a standard and if the City is asking the legislature to change the law on it, they should follow what the Commission is requested. She requested this item be placed on a future agenda to discuss" (from the minutes of the meeting).

RELATED INFORMATION

Following your meeting, we asked the Deputy City Clerk, Ms. Dariana Fitzgerald, to get information about Durham's prohibition and the cost of various options to provide drinking water at public events.

She found the following:

- a. Page 1, a newspaper article about Durham not using public money to buy drinking water in plastic bottles.
- b. Pages 2-3, the policies that Durham adopted to implement the prohibition against buying drinking water in plastic containers.
- c. Page 4, an e-mail from Ms. Fitzgerald, in which she compares the cost to purchase water in various types of containers.

CITY EVENTS

Yearly, the City sponsors three events: Arbor Day, Veterans Day and Beach Blast Off. It provides drinking water in plastic bottles at Arbor Day and Veterans Day at no cost to the attendees. At Beach Blast Off, the City doesn't give or sell water.

The Arbor Day event is held in the city hall and adjacent parking lot. There is a drinking fountain in the corridor near the kitchen. Attendees could use it for drinking water.

The City also provides carbonated beverages, usually in cans, in coolers with ice.

For the Veterans Day event, which is held in Lakeside Park, the City provides drinking water in plastic bottles and carbonated beverages in cans. There is no drinking fountain in the park.

If the Commission wants the City not to provide drinking water in plastic containers at the Veterans Day event, then the City could purchase boxed or canned water. You'll note from Ms. Fitzgerald's email that the 5-gallon Igloo containers are made from plastic.

ACTION REQUESTED

It's that you decide whether you want to adopt a resolution similar to Durham's to prohibit the City from providing bottled water and other types of beverages in plastic containers at City-sponsored events.

Durham 1st county in NC to stop buying plastic bottled water with taxpayer money

By Ashley Jean Reese

Here's how long it takes for the most common types of trash to decompose in the ocean

Trash is a major problem in our oceans, according to the National Oceanic and Atmospheric Administration. Here's how long it takes for some of the most common types of trash to decompose — including straws, plastic bags and balloons.

Up Next

Hundreds take a dip in cold Atlantic Ocean for the Polar Plunge charity event

Trash is a major problem in our oceans, according to the National Oceanic and Atmospheric Administration. Here's how long it takes for some of the most common types of trash to decompose — including straws, plastic bags and balloons. By [Ashley Jean Reese](#)
DURHAM

The Durham County Board of Commissioners voted unanimously Monday to ban the purchase of single-serve, plastic water bottles with county funds.

"I think we're all aware of the problems that plastics have in our environment and our health when they are either not recycled or they end up in our environment because they are not disposed of properly," said Tobin Freid, sustainability manager.

"They get in our water base. They cause all sorts of problems," she said. "And there's a really easy solution, which is to drink the wonderful tap water we have here."

The policy goes into effect July 1. There will be exceptions for public health emergencies.

Board Chairwoman Wendy Jacobs said the county moved quickly to enact the ban.

Jacobs said board member Heidi Carter was behind the change, speaking up about the problem late last year. Over the holidays, the county came up with a re-usable metal water bottle for all the staff.

The policy was on Monday night's consent agenda, reserved for items that don't require further discussion, but Jacobs believed it deserved attention and had Freid say a few words.

In a telephone interview after the meeting, Freid said no other governments in North Carolina, or even the Southeast, have enacted such a ban. Around the nation, a handful of cities have, including Austin, Texas; Brookline, Mass.; Seattle; San Francisco, Palo Alto, Calif.; and Salt Lake City. Also, in Canada, Montreal has a similar ban.

"So there are a few," Freid said. "There's not a ton."

Freid also said that when she reached out to other governments about the ban, a lot expressed interest and wanted to see how it goes in Durham. She said the city of Durham is working on a similar ban.

"It'll be a challenge," Freid said. "Definitely people are used to buying bottled water for meetings."

The county will provide coolers that can be loaned out for meetings. For larger events, such as festivals, the county will provide water trucks. They will probably use paper cups, which, although they are disposable, are at least biodegradable, unlike plastic bottles.

Freid said she like to see water fountains with a spout for filling cups or re-usable bottles.

"Bottled water has not been around forever," Freid said. "Before bottled water this is how we did things."



Prohibition of the Purchase of Bottled Water with Durham County Funds

I. Purpose

To establish a policy and implement procedures to eliminate the purchase and use of single-serve plastic water bottles with Durham County funds.

II. Policy

County funds may not be used to purchase bottled water, except under certain conditions as noted in section V below.

III. Definitions

Bottled Water – Non-sparkling, unflavored drinking water in a single serving container with a volume of 21 fluid ounces or less.

IV. Procedure

A. General

All County departments shall refrain from using County funds to purchase bottled water for any purpose. Employees shall discourage the use and distribution of bottled water by other entities at County facilities or events when other options for water distribution are available.

B. Support Measures

1. Departments are advised to purchase reusable cups, pitchers, urns, and other dispensers to meet their individual departmental needs.
2. Departments will provide reusable, paper, or biodegradable cups.
3. The Sustainability Department and General Services Department will design and manage a loaning program for a small inventory of dispensers that may be borrowed for use at events where such dispensers are needed.
4. Drinking fountains with reusable bottle filling capabilities shall be specified for all new and replacement drinking fountains located at County facilities.

V. Other

A. Exceptions

The County Manager and/or County General Managers can make exceptions to this policy where it is found that use of bottled water is necessary in a given situation to protect public health or for occupational health and safety.

B. Monitoring

The Finance Department, Purchasing Division shall develop and implement procedures and policies to reflect the intent of this policy, including monitoring purchases through SAP or the procurement card process.

VI. Effective Date

This policy will go into effect July 1, 2020.

Max Royle

From: Dariana Fitzgerald
Sent: Tuesday, February 4, 2020 10:52 AM
To: Max Royle
Subject: RE: Resolution re: Plastic Bottles

Bottled Water – 32 pack of 16.9 oz bottles is \$3.98 = **\$0.007 per oz** (Walmart)
Boxed Water – 24 pack of 16.9 oz cartons is \$39.76 = **\$0.10 per oz** (Amazon)
Canned Water – 12 pack of 16 oz cans is \$23.99 = **\$0.12 per oz** (Amazon)

Please note: the waxed cartons that boxed water comes in cannot be recycled. Plastic bottles and aluminum cans can be.

An Igloo 5-gallon orange plastic "Gatorade" water cooler with spout is \$22 with handles or \$30 with wheels (Walmart). That would likely be enough water for events like Arbor Day or Veteran's Day. A more decorative beverage dispenser would be \$11 to \$20 for 2 to 3 gallons.

If you have any additional questions, feel free to contact me.

Dariana A. Fitzgerald
Deputy City Clerk
City of St. Augustine Beach
2200 A1A South, St. Augustine Beach, FL 32080
(904) 471-2122; FAX (904) 471-4108
www.staugbch.com

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From: Max Royle <mroyle@cityofsab.org>
Sent: Tuesday, February 4, 2020 10:23 AM
To: Dariana Fitzgerald <dfitzgerald@cityofsab.org>
Subject: Resolution re: Plastic Bottles

Pls. get it from the city or county of Durham, North Carolina.
Also, give me a memo that compares cost of boxed water vs. plastic bottled water.
Thanks.

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
MARCH 2, 2020**

CODE ENFORCEMENT/BUILDING/ZONING

The report is attached as pages 1-6.

COMPREHENSIVE PLANNING AND ZONING BOARD

Attached as pages 7-13 are the minutes of its January 21, 2020, meeting.

SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE

The minutes of the Committee's January 8, 2020, meeting are attached as pages 14-18.

POLICE DEPARTMENT

Please see page 19.

PUBLIC WORKS DEPARTMENT

Please see pages 20-22.

FINANCE/ADMINISTRATION

Please see page 23.

CITY MANAGER

1. Complaints

A. Safety Gates, Island South Condos

Last year, the gates were removed but not replaced when the condominium was renovated. A resident of the complex believes that the gates should be put back for child safety. His complaint was forwarded to the Building Official, who said that safety gates aren't a requirement of the building code and that the complainant needs to ask the condominium association to restore the gates.

2. Major Projects

A. Road/Sidewalk Improvements

1) 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.

2) 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. The Port Commission said the project wasn't one it would fund. Another potential funding source is the Tourist Development Council.

B. Beach Matters

1) Off-Beach Parking

In response to the Commission's request, the Planning Board 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 5, 2019, starting at 6 p.m., to discuss paid parking options with the residents. The Commission decided the following at that meeting:

- Hourly parking fee: \$2.00
- Discount for County residents: 50 cents
- St. Augustine Beach residents: no charge if resident registers at city hall for free parking
- Ocean Hammock Park: \$1 an hour
- Maximum fee per day: \$15
- Hours when paid parking would be in effect: 9 a.m. – 5 p.m.
- Days of year paid parking in effect: 365
- Paid parking locations: improved parking lots along A1A Beach Boulevard. No paid parking in residential areas, especially along 2nd Avenue.
- Parking areas shared with businesses: remain as unpaid areas

At its April 29th special meeting, the City Commission reviewed an ordinance for a Resident Only parking system, made changes to it, and asked the City Attorney to prepare a new draft, which was reviewed at the June 10th regular meeting, and passed on final reading at the Commission's July 1st meeting. Also, passed on final reading at that meeting was an ordinance to make changes to the parking regulations in Chapter 19 of the City Code.

Also, at the April 29th meeting, the Commission discussed a proposal to lease the vacant land south of the Marriott Hotel as a parking lot. The land is owned by the company that owns the Marriott. The owner has proposed that the City lease the land for 3-5 years and in lieu of rent pay the yearly taxes on the land. The six commercial lots that the City would use for parking would provide 102 parking spaces, include eight handicapped spaces. The costs to make the land suitable for parking would be about \$100,000. The Commission made no decision concerning the lease.

In the meantime, the County solicited proposals for a parking management plan. The County Commission at its April 2nd meeting approved the staff negotiating with Republic Parking. The City Commission at its April 29th meeting agreed that City staff should participate with the County in the negotiations, on the premise that having a unified parking plan for the County's pier parking lot and the City's paid parking areas would benefit the residents and visitors who use the lots. The City staff met with a Republic representative on June 24, 2019. The City could have a separate agreement with Republic that is similar to what the County would have. Still to be determined by the County was 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 will discuss at its March 2, 2020, meeting, improvements to parking on City-owned streets and plazas.

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. For the improvements, the City has applied for funding from a state grant.

2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for \$2.5 million. By written

agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it. At this time, the City does not have the money to develop any trails or other amenities in the Park.

D. Review of Comprehensive Plan/Land Development Regulations

At its December 3rd continuation meeting, the City Commission reviewed the Building Official's proposed changes. An ordinance was written, which the City Commission passed on first reading at its January 14th continuation meeting. The ordinance had its first public hearing second reading at the Commission's February 3rd meeting. The second public hearing and final reading are scheduled for March 2nd.

Other changes to the Land Development Regulations: a. an ordinance for dune protection, which was passed on first reading at the Commission's February 3rd meeting and will have its first public hearing at the March 2nd meeting; b. a proposal to allow emotional support animals. It will be reviewed by the Commission at its March 2nd meeting.

3. Construction in the City

As of Thursday, February 20, 2020, there were 42 permits active for single-family residences in the City.

SUBDIVISION	ADDRESS	DATE PERMIT ISSUED	
Anastasia Dunes	446 Ocean Forest Drive	07/24/2018	Active permit #14064
	409 Ocean Forest Drive	07/18/2019	Active permit #P1915009
	1012 Island Way	09/16/2019	Active permit #P1915157
	1004 Island Way	02/04/2020	Active permit #P2000359
Anastasia Park			
Atlantic Beach	7 16 th Street	07/05/2018	Active permit #14035
	12 13 th Street	09/09/2019	Active permit #P1915242
Chautauqua Beach	6 6 th Street	01/30/2019	Active permit #14397
	15 6 th Street	12/24/2019	Active permit #P2000023
	17 6 th Street	04/19/2019	Active permit #P1914567
	4 12 th Street	04/25/2019	Active permit #P1914615
	206 7 th Street	07/03/2019	Active permit #P1914954
Coquina Gables	6 F Street	11/14/2018	Active permit #14270
	613 Mariposa Street	12/20/2019	Active permit #P2000091
Kings Quarry	613 Old Beach Road	01/16/2019	Active permit #14368
Lake Sienna	136 Kings Quarry Lane	11/14/2019	Active permit #P1915302
Linda Mar			

SUBDIVISION	ADDRESS	DATE PERMIT ISSUED	
Magnolia Dunes			
Minorca			
Ocean Oaks	504 A Street	11/26/2019	Active permit #P2000099
Overby & Gargan	25 Oceanside Circle	11/21/2019	Active permit #P2000095
	27 Oceanside Circle	11/21/2019	Active permit #P2000096
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			
Sea Oaks			
Sevilla Gardens			
The Ridge	170 Ridgeway Road	03/15/2019	Active permit #14483
	65 High Dune Drive	03/28/2019	Active permit #14507
	542 Ridgeway Road	04/25/2019	Active permit #P1914613
	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
	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
	196 Ridgeway Road	01/03/2020	Active permit #P2000430

SUBDIVISION	ADDRESS	DATE PERMIT ISSUED
	113 Ridgeway Road	01/27/2020 Active permit #P2000220
	352 Ridgeway Road	02/06/2020 Active permit #P2000586

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

- a. 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.
- b. The Planning Board approved a similar commercial/residential building at its January 15, 2019, meeting. The building's address will be 610 A1A Beach Boulevard.
- c. 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. Preliminary plans have been submitted but permit for the project hasn't been issued yet.
- d. The Building Official reports proposals for a mixed-use commercial building on ten of the lots on the vacant parcel south of the Marriott Hotel and for a house to be constructed on each of the remaining six lots between 4th and 5th Streets. The mixed-use building would be two stories with retail shops on the ground floor and business offices on the second floor. The proposal may be submitted to the Planning Board for approval in the spring of 2020.

4. Finance and Budget

A. Audit Report of FY 19 Budget

Staff members of the City's audit firm, James Moore and Company, did field work on the FY 19 budget in early October. They conducted the audit field work in mid-January. The audit report will be presented to the Commission in April or May.

B. Fiscal Year 2020 Budget

January 31, 2020, marked the end of the fourth month of the fiscal year. As of that date, for the General Fund, the City had received \$3,744,702 and spent \$2,266,667, for a surplus of \$1,478,035. That surplus will diminish during the remaining eight months of the Fiscal Year. The City continued to receive a large monthly payment from property taxes. In January, the amount was \$965,325. The amount received in January 2019 was \$595,003.

C. Vendor Checks

Please see pages 24-48.

5. Miscellaneous

A. Permits for Upcoming Events

The City Manager approved the following permits: a. for the K9 United Run on February 8, 2020; b. First Coast Volleyball Series on March 21-22 and May 9-10; and c. Nease High School's beach cleanup on April 18, 2020.

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, were achieved. The City Manager is preparing a draft of the plan.

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 Commission review the proposed plan at its January 14th continuation meeting, provided comments and asked that the plan be submitted for another review at a future meeting.

C. Comprehensive Plan Evaluation and Appraisal Report

Every seven years, Florida cities and counties must prepare the report. The City advertised a Request for Proposals. Only one response was received. Because its prices were so high, it had to be rejected. After the proposals had been opened, two Jacksonville planning firms said they were interested in doing the work. However, only one, Fleet and Associates, provided a written proposal. At its May 7th meeting, the Commission approved the hiring of Fleet and Associates. Mr. and Mrs. Fleet held a public hearing on June 26th and a workshop with the Planning Board and the public on July 17th. The Fleets presented the results of those two meetings to the Commission at its August 6th meeting. The next step was a workshop of the Commission with the Planning and Tree boards to review each policy and objective in the current Comprehensive Plan. This was held on October 17th with the planning consultant. The result was that the consultant prepared a revised draft of the Plan, which the Commission reviewed at a special meeting on January 8, 2019. The Comprehensive Planning and Zoning Board reviewed the plan at its February 19th meeting and decided to continue its review at the Board's March 19th meeting. The Board is concerned that many of the proposed changes ceded too much authority to the County and other agencies. However, the Board's discussion was postponed to the Board's April 16th meeting because the Chair, Mrs. Jane West, was away on March 19th. At its April meeting, the Board discussed changes with the planning consultant, Ms. Janis Fleet, and recommended that she submitted to the City Commission the changes proposed by individual members of the Board. The Commission reviewed the changes with Ms. Fleet at its June 10th meeting, directed that the discussion be continued to a special meeting on July 2nd, and at that meeting made changes to the plan and approved its transmittal to the Florida Department of Economic Opportunity for review and comment. The Department in a report that was received in early October asked the City to include policies in the Comp Plan concerning sea level rise and coastal flooding. Ms. Fleet provided a report at the Commission's December 2nd meeting, when the ordinance to adopt the changes to the Comprehensive Plan was approved on first reading after a public hearing. The ordinance had a public hearing and was passed on final reading at the Commission's January 6th meeting. Ms. Fleet sent the ordinance and Plan to the Florida Department of Economic Opportunity. The Department notified the City in late January that it would conduct a compliance review and issue a Notice of Intent on March 6, 2020.

MEMO

City of St. Augustine Beach Building & Zoning Department

To: Max Royle, City Manager
From: Brian Law, Building Official
Date: 02-19-2020
Re: Building and Zoning Department Monthly Report

Trees:

1. 1-24-2020—210 4th Street
Removal of oak trees hazardous to screen enclosure of existing single-family residence
2. 1-28-2020—332 Ocean Forest Drive
Removal of dead cedar tree
3. 2-13-2020—410 B Street
Removal of rotten elm tree

Planning and Zoning: (February 18, 2020 regular monthly meeting at 6:00 p.m. at City Hall)

1. Planning and Zoning Board approved removal of 60-inch diameter-at-breast-height (DBH) oak tree in the proposed building footprint of a new single-family residence on Lot 39, Ridge at St. Augustine Beach, at 340 Ridgeway Road, Riverside Homes of North Florida LLC, agent for Arthur H. Runk Jr. Living Trust, applicant
2. Planning and Zoning Board approved a variance request to exceed the 40% maximum impervious surface ratio (ISR) coverage allowed in low density residential land use districts to 55% ISR for a proposed new 464-square-foot inground swimming pool addition to an existing single-family residence on Lot 1, Block B, Sea Colony Unit 1, at 184 Sea Colony Parkway, pending removal of the existing concrete driveway and replacement of driveway with permeable pavers with a 10 percent or greater permeability, Matthew J. and Kerri N. Robison, applicants
3. Planning and Zoning Board recommended the City Commission approve passage of Ordinance No. 20-04 as drafted, to amend Article V of the City of St. Augustine Beach Land Development Regulations to establish Section 5.06.00, Protection of Dune Systems, to prevent the modification of undisturbed areas of the dune system with the exception of beach re-nourishments, the planting of sea oats, construction of dune walkovers, and sand fencing, and consideration of the suggestions made by the City's Sustainability & Environmental Planning Advisory Committee (SEPAC) as summarized by SEPAC Chairperson Sandra Krempasky in her memo emailed to staff on February 17, 2020
4. Planning and Zoning Board recommended the City Commission approve proposed amendments to Sections 2.00.00 and 3.02.02 of the City of St. Augustine Beach Land Development Regulations to provide a definition for emotional support animals as "animals that provide a sense of safety, companionship, and comfort to those with psychiatric or emotional disabilities or conditions," and allow emotional support animals as defined by conditional use permit granted by the City Commission on a case-by-case basis

Code Enforcement:

1. Code Enforcement Board meeting held Wednesday, December 18, 2019, at 2:00 p.m. at City Hall, to follow-up on the four derelict properties presented to the Board at its previous meeting on Wednesday, November 20, 2019, at 201 6th Street, 205 7th Street, 206 8th Street, and 106 2nd Street. The property at 201 6th Street is under contract to be sold and the prospective buyer is negotiating a closing date as soon as possible; the legal guardian for the owner of the properties at 205 7th Street and 206 8th Street has been awarded \$60,000.00 for each property for repairs and renovations; and permits were issued on January 21, 2020 for such; and proceedings are currently underway for the City to foreclose on the property at 106 2nd Street. The Board took action on a new citation to appear issued to the property owner of 720 A1A Beach Boulevard for failure to renew the business tax receipt for the transient lodging facility at this address and violation of Section 6.07.02 of the City's Land Development Regulations (LDRs), pertaining to structural requirements; Section 304 of the International Property Maintenance Code (IPMC), pertaining to exterior structures; and violation of Section 105.1 of the Florida Building Code (FBC) for failure to obtain required permits for exterior construction of a second-story deck and stairs. The Board passed a motion to direct the property owner of 720 A1A Beach Boulevard to obtain permits and commence construction for the permitted work to correct multiple building code violations cited at her property within 30 days from the date of the Code Enforcement Board's meeting of December 18, 2019, and if the owner fails to obtain the proper permits and commence work to correct the multiple violations by January 18, 2020, a daily fine of \$250.00 per day shall be imposed until such permits are obtained and construction work has begun. To date, this daily fine is accruing as of January 19, 2020, as no reroof or repair permits have been issued and no work has commenced.

Building:

1. Renovation to the Endless Summer Realty building, formerly the Shell Shop, at 491 A1A Beach Boulevard is nearing completion and final inspections upon hookup to sewer per approval from St. Johns County Utility Department.
2. Redevelopment of the new donut shop on the site of the former Carriage Realty building at 400 A1A Beach Boulevard is currently in the rough construction phase.
3. The new Corral Dental facility at 2100 A1A South is in the rough construction phase.
4. Renovation to the former Coquina Beach Surf Club restaurant, at 4S1 A1A Beach Boulevard, is nearing completion and final inspections with plans to open as Beachside Diner by the start of March 2020.

Building Inspections Performed in FY 20 to date: 1418

Plan Reviews in FY 20 to date: 327

Permits issued in FY 20 to date: 643 Total: 250 Building, 91 Electric, 163 Mechanical, 139 Plumbing

CO's issued in FY 20: 19

Range: First to Last
Activity Date Range: 10/01/19 to 02/19/20 Activity Type Range: Z-APPEAL to Z-VARIANCE
Statuses: OPEN, APPROVED, DENIED
Inspector Id Range: First to Last
Included Activity Types: Plan Review
Range of Building Codes: ZONING to ZONING
Sent Letter: Y

Application Id	Parcel Id	Property Location	Owner Name	Phone	Permit No				
Building Code	Activity Type	Inspector	Date	Start Time	End Time	Actual Time	Status		
827	1748700030	4001 A1A S	LP & FOX HOLDINGS LLC ETAL						
ZONING	Z-COND USE	BONNIE M	11/25/19				APPROVED		
	RENEWAL OF CURRENT CONDITIONAL USE PERMIT CU 2014-02, WHICH EXPIRES 12/1/2019, FOR DAYCARE/PREKINDERGARTEN/ELEMENTARY SCHOOL AT ISLAND PREB, 4001 A1A SOUTH,								
853	1698900180	16 5TH ST	COCHRANE JAMES,KIMBERLY						
ZONING	Z-COND USE	BONNIE M	11/05/19				APPROVED		
	CONDITIONAL USE FILE NO. CU 2019-05 APPLICATION FOR NEW CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE IN A COMMERCIAL LAND USE DISTRICT								
962	1674700000	451 A1A BEACH BLVD	SOMEWHERE ON A1A PARTNERS LLC						
ZONING	Z-COND USE	BONNIE M	11/19/19				APPROVED		
	P&Z RECOMMENDS APPROVAL 7-0 FOR FOOD OR BEVERAGE CONSUMPTION OUTSIDE ENCLOSED BUILDING								
ZONING	Z-COND USE	BONNIE M	12/02/19				APPROVED		
	COMMISSION APPROVED CONDITIONAL USE								
1034	1630000000	300 A1A BEACH BLVD	KEY BEACH NORTH LLC						P2000082
ZONING	Z-CONCEPT REV	BONNIE M	11/19/19				OPEN		
	CONCEPT REVIEW => NO RECOMMENDATION OR DECISION								
ZONING	Z-FINAL DEV	BONNIE M	12/17/19				APPROVED		
	P&Z RECOMMENDS APPROVAL OF A 42 ROOM ADDITION 5-2								
ZONING	Z-FINAL DEV	BONNIE M	01/06/20				APPROVED		
	COMMISSION APPROVES FINAL DEVELOPMENT ORDER 4-1								
1054	1723300120	613 MARIPOSA ST	MACKAY, MATTHEW J., OLIVIA BYLES						P2000091
ZONING	Z-TREE REMOVAL	BONNIE M	12/17/19				APPROVED		
	PZB APPROVED REMOVAL OF 48-INCH DBH OAK TREE IN REAR PORCH FOOTPRINT AT 12/17/2019 REGULAR MONTHLY MEETING								
1081	1709100000	A1A BEACH BLVD LOTS 1-8 BLK 43 TRINCA LEONARD,RENEE							

Application Id Building Code	Parcel Id Activity Type	Inspector	Property Location Date	Start Time	End Time	Owner Name Actual Time	Status	Phone	Permit No
ZONING	Z-COND USE	BONNIE M	11/19/19				DENIED		
	P&Z RECOMMENDS DENIAL OF CONDITIONAL USE TO BUILD 8 SFR'S IN A COMMERCIAL SECTOR								
ZONING	Z-COND USE	BONNIE M	12/02/19				DENIED		
	COMMISSION DENIED REQUEST								
1085 ZONING	1713800000		313 A ST			WILDASIN, JENNIFER GRACE			
	Z-VARIANCE	BONNIE M	11/19/19				DENIED		
	VARIANCE DENIED P&Z APPROVED USE FOR EMOTIONAL SUPPORT CHICKENS								
ZONING	Z-APPEAL	BONNIE M	02/04/20				APPROVED		
	COMMISSION DID NOT OVERTURN THE USE HOWEVER INSTRUCTED STAFF TO PROPOSE CODE CHANGES								
1341 ZONING	1724910470		1004 ISLAND WAY			MAGUIRE LINDSEY & DELLA SALA, DONAL			P2000359
	Z-TREE REMOVAL	BONNIE M	12/17/19				APPROVED		
	PZB APPROVED REMOVAL OF 40-INCH DBH OAK TREE IN BUILDING FOOTPRINT OF NEW SFR AT 12/17/2019 REGULAR MONTHLY MEETING								
1384 ZONING	1629611480		1181 OVERDALE RD			LEVY RODNEY B, KELLY			
	Z-VARIANCE	BONNIE M	01/21/20				APPROVED		
	VARIANCE FILE NO. VAR 2020-01 FOR SOUTH SIDE YARD SETBACK REDUCTION FROM 10 (TEN) FEET PER SEAGROVE PUD ORDINANCE NO. 01-15 TO 5 (FIVE) FEET FOR NEW INGROUND SWIMMING POOL, POOL DECK AND POOL SCREEN ENCLOSURE								
1400 ZONING	1680200000		129 14TH ST			WIBBEY G WAYNE, JEANINE SAPIA			
	Z-VARIANCE	BONNIE M	01/21/20				APPROVED		
	VARIANCE FILE NO. VAR 2020-02 FOR REAR YARD SETBACK REDUCTION FROM 25 FEET TO 20 FEET FOR PROPOSED CONSTRUCTION OF NEW SINGLE-FAMILY RESIDENCE IN LOW DENSITY RESIDENTIAL LAND USE DISTRICT								
1489 ZONING	1741912010		184 SEA COLONY PKWY			ROBISON MATTHEW J, KERRI N			
	Z-VARIANCE	BONNIE M	02/18/20				APPROVED		
	VARIANCE TO EXCEED ISR 40% FOR THE ADDITION OF AN INGROUND SWIMMING POOL--VARIANCE APPROVED WITH 3-2 VOTE PENDING REMOVAL OF CONCRETE DRIVEWAY AND REPLACED WITH 10% OR GREATER PERMEABLE PAVERS								
1553 ZONING	1629611940		1349 SMILING FISH LN			STEIN DAVID J, LYNDSEY H			
	Z-VARIANCE	BONNIE M	10/15/19				APPROVED		

Application Id Building Code	Parcel Id Activity Type	Inspector	Property Location Date	Start Time	End Time	Owner Name Actual Time	Status	Phone	Permit No
1554 ZONING	1629611950 Z-VARIANCE	BONNIE M	1353 SMILING FISH LN 10/15/19			PINIARSKI WILLIAM J, JENNIFER A	APPROVED		
1556 ZONING	1631430216 Z-FLEX SETBACKS	BONNIE M	47 LEE DR 11/19/19			LARSON KYLE, TAMMY	APPROVED		
ZONING	FLEXIBLE SETBACKS Z-TREE REMOVAL	BONNIE M	11/19/19				APPROVED		
	36" TREE REMOVAL IN PROPOSED FOOTPRINT OF BUILDING								
1617 ZONING	1641610390 Z-TREE REMOVAL	BONNIE M	340 RIDGEWAY RD 02/18/20			RUNK PROPERTIES INC	APPROVED		
	REMOVAL OF 60" DBH TREE IN PROPOSED BUILDING FOOTPRINT APPROVED BY PZB WITH A 5-0 VOTE								

February 19, 2020
10:08 AM

CITY OF ST. AUGUSTINE BEACH
Permit Activity Report by Application Id

Page No: 4

Application Id	Parcel Id	Property Location		Owner Name		Phone	Permit No
Building Code	Activity Type	Inspector	Date	Start Time	End Time		

Activity Type Totals:

Z-APPEAL:	1	Z-CONCEPT REV:	1	Z-COND USE:	6	Z-FINAL DEV:	2	Z-FLEX SETBACKS:	1
Z-TREE REMOVAL:	4	Z-VARIANCE:	6						

Building Code Totals:

ZONING: 21

Total Activities: 21 Total Permits: 15

Inspector Totals:

BONNIE M: 21



MINUTES

PLANNING AND ZONING BOARD MEETING

TUESDAY, JANUARY 21, 2020 6:00 P.M.

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

I. CALL TO ORDER

Acting Chairperson Steve Mitherz called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Acting Chairperson Steve Mitherz, Acting Vice-Chairperson Berta Odom, Kevin Kincaid, Chris Pranis, Dennis King, Larry Einheuser.

BOARD MEMBERS ABSENT: Hester Longstreet.

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

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

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

V. PUBLIC COMMENT

There was no public comment on any issue not on the agenda.

VI. NEW BUSINESS

A. Election of chairperson and vice-chairperson of the Board, per Section 11.02.02.H of the City's Land Development Regulations (LDRs), the election of officers consisting of a chairperson and vice-chairperson shall take place every year as the first order of business at the regularly scheduled meeting for the month of January.

Mr. Wilson said any Board member can nominate a Board member for chairperson or vice-chairperson, and nominations do not require a second.

Ms. Odom nominated Kevin Kincaid for chairperson. There were no other nominations for chairperson.

Nomination: to elect Mr. Kincaid as chairperson made by Ms. Odom, **passed 6-0** by unanimous voice-vote.

Mr. Kincaid nominated Ms. Odom for vice-chairperson. There were no other nominations for vice-chairperson.

Nomination: to elect Ms. Odom as vice-chairperson made by Mr. Kincaid, **passed 6-0** by unanimous voice-vote.

- B. Land Use Variance File No. VAR 2020-01, for reduction of the south side yard setback requirement of 10 (ten) feet, per Seagrove PUD Ordinance No. 01-15, to 5 (five) feet, for proposed new construction of an inground swimming pool, pool deck, and pool screen enclosure in a Planned Unit Development (PUD) on Lot 148, Seagrove St. Augustine Beach Unit 8, at 1181 Overdale Road, Carmen Pollitz, Agua Pools and Spas, Agent for Rodney B. and Kelly Levy, Applicants

Ms. Miller said this is a variance to reduce the side yard setback required by the Seagrove PUD ordinance, which requires any pool, screen enclosure or deck constructed within any lot to have a minimum setback of 10 feet from the property line. The applicants are requesting a side yard setback reduction to five feet. The next-door neighbors on the south side of 1181 Overdale Road sent an email to staff this afternoon that very succinctly states their opposition to this variance. This email was sent from Brian and Mary Law, 1177 Overdale Road, and Ms. Miller clarified that this Brian Law is not the same Brian Law as the City's Building Official. They have the same name, but they are not related. The Board has approved variances for setback reductions to five feet, which is the minimum setback required for pools, pool decks and pool screen enclosures per the City's LDRs, at four addresses in Seagrove in the past year, but these applications did not have objections from immediate next-door neighbors, so the Board might want to take this into consideration. The applicants and their agent are here and have submitted the letter of approval, which has been copied to the Board, from the Seagrove Architectural Review Board (ARB), which just approved the site plan for their pool, pool deck and pool screen enclosure today.

Rodney and Kelly Levy, 1181 Overdale Road, St. Augustine Beach, Florida, 32080, applicants, said they've spoken to their neighbors about their concerns, and have since added landscaping and a water feature to drown out any noise. They received approval today from the Seagrove ARB for their proposed pool addition.

Carmen Pollitz, Agua Pools and Spas, 2550 North State Street #14, Bunnell, Florida, 32110, agent for applicants, said she noticed on a previous site visit that the home next door at 1177 Overdale Road has no doors or windows on the side of the house next to where her clients want to build their pool addition at 1181 Overdale Road.

Ms. Odom said the Seagrove ARB letter approves the pool plans subject to moving the front fence back five feet from the front corner of the house, not the porch, of the home at 1181 Overdale Road.

Mr. Levy said yes, there is a fence along the south side property line that was existing when they purchased their home. When they submitted their application for the pool improvements to the Seagrove ARB, the ARB said the fence was improperly placed, as it was five feet from the very front corner of the house. The ARB is asking that the fence be moved back five feet after the pool and pool improvements are completed.

Mr. Mitherz asked what the impervious surface ratio (ISR) coverage will be on this property after the proposed pool improvements are done.

Mr. Law said Seagrove is a PUD, and per its PUD ordinance, residential lots are allowed to have a maximum ISR of 60 percent. When the permit application is submitted for the pool improvements, a full zoning review will be done to ensure all the requirements, including ISR coverage, of the PUD ordinance are in compliance.

Ms. Pollitz said she believes the total ISR with the pool improvements comes in at just under 60 percent.

Mr. Kincaid asked if Mr. and Mrs. Law, the people who sent the email opposing this variance, are here. There was no response from the public audience. He also asked if staff received any other communication regarding this variance application, and if there was any public comment. There was none.

Ms. Miller said staff has received no other correspondence or communication regarding this variance.

Ms. Odom said she thinks the Board has set a precedent by approving four other variance requests for setback reductions for pools in Seagrove, and these applicants are complying with everything else.

Motion: to approve Land Use Variance File No. VAR 2020-01 for a south side yard setback reduction to 5 (five) feet for new construction of an inground swimming pool, pool deck and pool screen enclosure as requested at 1181 Overdale Road, subject to adherence to the Seagrove ARB's letter of approval dated January 21, 2020, which specifically references approval based on moving the front fence back five (5) feet from the front corner of the house (not porch). **Moved** by Mr. Pranis, **seconded** by Mr. Mitherz, **passed 6-0** by unanimous voice-vote.

- C. Land Use Variance File No. VAR 2020-02, for reduction of the rear yard setback from 25 (twenty-five) feet to 20 (twenty) feet for proposed new construction of a single-family residence in a low-density residential land use district on Lot 34, Minorca Subdivision, at 129 14th Street, James G. Whitehouse, Esquire, Agent for Wayne G. and Jeanine Sapia Wihbey, Applicants

Ms. Miller said this is a variance for a rear yard setback reduction to 20 feet for proposed new construction of a single-family residence at 129 14th Street. The new setback requirements went into effect October 1, 2018, requiring 25-foot front and rear yard setbacks and 10-foot side yard setbacks for single-family residential construction. This property has an existing one-story, 1566-square-foot house built in 1959 on it with eight-foot side yard setbacks. The applicants want to demolish this structure and build a new two-story, 2900-square-foot home that complies with the required 25-foot front yard setback and 10-foot side yard setbacks, so they're bringing the new home in two feet on each side and asking for a rear yard setback reduction from 25 feet to 20 feet. The application states there are significant trees on both sides of the existing house and bringing the side setbacks in two feet to have 10-foot setbacks on each side of the new home will help preserve these trees.

James Whitehouse, St. Johns Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, esquire and agent for applicants, said Mr. and Mrs. Wihbey, who are here tonight with their three daughters, are a local family, Mr. Wihbey is a pharmacist at Publix, and Ms. Wihbey is a veterinarian at St. Johns Veterinary Clinic. The Wihbeys are asking for a variance to reduce the rear yard setback of their proposed new home to 20 feet, and he's included in the application submittal a copy of a variance granted in 2018 to a neighboring property at 134 14th Street for a rear yard setback reduction to 18 feet to save trees on the sides of the new house on that lot. He's also included aerial photographs of 14th Street, which is a dead-end street, showing the trees and the sizes of the houses on the street. As can be seen from the proposed site plan, the Wihbeys are not trying to fit a huge house on a small lot, what they propose to build is very similar to the size of the other houses on 14th Street. They want a two-story home because with the size of their lot, they'd be restricted to an approximate 1700-square foot one-story home, which is very small. A lot of the other houses on 14th Street were built with a 20-foot front yard setback, as until just recently, the front and rear yard setbacks were 20 feet instead of 25 feet. The Wihbeys' property has a large tree cluster with four or five trunks in front, and they intend to preserve this tree. The existing house is in pretty bad shape from the recent hurricanes, so rebuilding the home and bringing it in two feet on each side will help preserve the significant number of existing trees that are along both side property lines.

Mr. Mitherz asked what the ISR coverage will be with the proposed new house on the lot.

Mr. Law said the site plan included in the variance application submittal appears to show 35 percent total lot coverage, which is the square footage of the building footprint divided by the square footage of the lot size, and an additional two percent of concrete coverage, for a total of 37 percent ISR coverage. Keep in mind the site plan also indicates a pervious paver driveway, so if the pavers used have a greater than 10 percent permeability as demonstrated at the time of permitting, this would enable the use of a 15 percent increase in total ISR coverage. All new construction building permit applications go through a two-layer process beginning with a site and zoning review by Ms. Miller and then a plan review by himself and/or Building Inspector Glenn Brown.

Mr. Whitehouse said the applicants intend to meet all of the requirements of City Code, and they are not asking for any variances aside from the rear setback reduction to 20 feet.

Mr. Kincaid asked for public comment. There was none.

Motion: to approve Land Use Variance File No. VAR 2020-02 for a rear yard setback reduction to 20 (twenty) feet as requested for new construction of a single-family residence at 129 14th Street. **Moved** by Ms. Odom, **seconded** by Mr. Mitherz, **passed 6-0** by unanimous voice-vote.

- D. Ordinance No. 20-02, passed on first reading by the City Commission at the continuance of its January 6, 2020 regular monthly meeting held on January 14, 2020, to amend Section 3.02.02.01, Mixed Use Districts; Section 3.09.00, Transient Lodging Establishments Within Medium Density Land Use Districts; Section 4.00.06, Annual Report; Section 5.01.03, Replacement and Mitigation; Section 6.01.02, Impervious Surface Coverage; and Section 6.01.03.B, Building Setback Requirements, of the City of St. Augustine Beach Land Development Regulations (LDRs)

Mr. Law said over the last few months, there has been discussion back and forth between this Board and the City Commission regarding several changes to the LDRs. These changes have been drafted as Ordinance No. 20-02, which was passed on first reading by the Commission at its regular monthly meeting earlier this month. The first change pertains to Section 3.02.02.01.D and mixed use districts, to remove the minimum 8,500-square-foot lot size requirement for mixed use development, as most of the lots along the Boulevard can't meet this minimum lot size, and also to remove any kind of specific signage requirements for mixed use and just utilize the sign code regulations in Article VIII of the LDRs. The next revision to Section 3.09.00 pertains to transient lodging facilities and the reference to the \$40.00 inspection fee, which has been struck out, so that the assessment of this fee is per the City Fee Schedule, which is amended by resolution. Next is the annual report in Section 4.00.06, which was adopted as part of the original LDRs codified in 1991. The annual report pertains to consistency and concurrency determinations for different levels of service for development projects, and this report was a requirement in 1991 because the City at that time didn't have the computer software or database system it has now to generate this information. Staff now has the ability to track building permits, variances, development orders, etc., and can print up this information and data and provide it to anyone requesting it at any time.

Ms. Miller said the section relating to the annual report was adopted per Ordinance No. 91-7, before the City had computers or any kind of permitting database. Staff now provides monthly reports to the City Commission enumerating development and permitting activity, and all major development undergoes a full review by several different agencies, including St. Johns County Fire Marshal's Office and Utility Department, and the City's Public Works and Police Departments, so this kind of renders the need to generate an annual report obsolete.

Mr. Law said staff's recommendation is to eliminate this section and reserve it for future use as needed. Next is Section 5.01.03, which addresses tree replacement and mitigation, to include the construction and maintenance of structures and landscaping in City-owned parks. This is part of the tree and landscape fund, and one of the recommendations from Bill Tredik, the City's Public Works Director, to the Commission. Given the City's interest in developing another park in the near future, and any ongoing maintenance with public restrooms or anything like that, staff thought it would be prudent to specifically explain in this section that monies in the tree and landscaping fund can be used for the construction and maintenance of structures and landscaping in City-owned parks. Every site plan reviewed for new construction, swimming pools and other additions requires a \$400.00 fee for that clearance review, with \$150.00 of this \$400.00 fee going into the tree and landscape fund. Next is Section 6.01.02, which addresses ISR, and the Board members recommended, when they looked at this several months ago, that the ISR coverage for low density residential, which currently is 40 percent maximum, be increased to 50 percent for pool additions. The Commission thought giving everyone in low density residential a blanket 10 percent increase might be a little too much, so it was suggested instead to increase the allowable ISR by 10 percent of the total lot size of a standard 4,650-square-foot (50-foot-by-93-foot) lot in the older subdivisions, which comes to a 465-square-foot ISR increase for a pool and pool deck addition only. This would only be applicable to low density residential, because medium density residential is already allowed 50 percent maximum ISR coverage. As he understands it, before the definitions changed in Article II of the LDRs, pools weren't calculated in ISR coverage because they were basically assumed to be a large storage volume to collect water, so if there was excessive

rainfall, pools would be able to accommodate a couple of inches of excess water. However, the new definition of impervious surface in Article II specifically mentions and includes pools in ISR coverage, so at this point, staff had no choice but to enforce the intent of the Code and include pools in ISR coverage calculations. And last but not least, Section 6.01.03, which addresses building setback requirements, has been revised to allowed auxiliary structures such as open air arbors, trellises and free-standing tiki bars that do not exceed 12 feet in height to have minimum setbacks of five feet from the rear and side yard lot lines. This height maximum doesn't include height for pool screen enclosures, which actually aren't regulated, as they're allowed to suffice for what they do. There's also a provision in the Code that allows second- and third-level decks to protrude five feet or 10 feet into the setback areas, depending on whether the main structure is built with 25-foot or 20-foot front and rear setbacks. The key to this provision, however, is to remember the definition of a deck, which is a horizontal surface paved or wooden without a roof. The Board is tasked with making a recommendation to the Commission regarding these proposed LDRs revisions for the second reading in February of the ordinance which adopts the changes.

Mr. Kincaid asked for any further Board discussion or questions, and for any public comment. There was none.

Motion: to recommend the City Commission approve passage of Ordinance No. 20-02 as written. **Moved** by Ms. Odom, **seconded** by Mr. Einheuser, **passed 6-0** by unanimous voice-vote.

- E. Rescheduling of March 17, 2020 regular monthly meeting to proposed new meeting date of March 24, 2020, due to the City Commission meeting room being used as a voting site March 4-18, 2020 for the presidential preference primary election, and scheduling of a joint meeting with the City Commission in February 2020

Mr. Kincaid asked if the Board is in agreement to reschedule its regular monthly meeting in March to Tuesday, March 24, 2020, at 6:00 p.m. at City Hall. The Board agreed, by general oral consensus, to do so, with all of the Board members present stating they will be able to attend the rescheduled meeting on March 24, with the exception of Mr. Kincaid, who said he will not be able to attend.

Ms. Miller said there is also a request from the City Commission to schedule a joint meeting between the Commission and this Board, with a suggested meeting date of Monday, February 10, 2020, at 6:00 p.m.

Ms. Odom asked why this joint meeting has been suggested.

Ms. Miller said the Commission wants to discuss issues this Board has had in the past with forwarding recommendations to the Commission and any suggestions the Board members may have to help improve communication between the Board and Commission. This joint meeting was suggested by Mayor England before the Board's former chair and vice-chair resigned. Some of the members who've been on the Board for some time may remember in the past, a joint meeting was generally held annually, but it's been awhile now since this has happened. The Board agreed, by general oral consensus, to recommend to the Commission a joint meeting of the Commission and Planning and Zoning Board be held on Monday, February 10, 2020, at 6:00 p.m. at City Hall.

VII. OLD BUSINESS

There was no old business.

VIII. BOARD COMMENT

Mr. Kincaid said on behalf of the Board, he'd like to thank Ms. West and Ms. Sloan for their many combined years of service, dedication, and leadership, and for everything they did for this Board and the City. He'd also like to acknowledge Mr. Law, who talked the other night to the St. Augustine Beach Civic Association, giving an excellent presentation on the status of a lot of the construction going on here in the City and on the dune issue the City was having with the oceanfront property on 12th Lane. He asked Mr. Law to give a brief recap on the dune issue on 12th Lane and where they're going from here to make sure something like this doesn't happen again.

Mr. Law recapped his discussion to the St. Augustine Beach Civic Association and explained there's a line running up and down the coast of Florida called the Coastal Construction Control Line (CCCL), which he displayed on the overhead projector from online computer imagery. In the City limits, this line is pretty linear in nature, but there are certain spots where it jogs in and out. This line was actually established by the Department of Environmental Protection (DEP) in 1988, he believes, to require DEP permitting for anything seaward of this line, and there's also another aspect to it called a reference monument, which is a relatively new addition. DEP reference monuments go up and down in a number system which refers to the 100-year storm surge. When the 100-year storm event shows up, and this is basically a storm surge model, the water runs in, grabs the sand, takes it back out to the ocean and drops it off somewhere else. It's expected when this happens about 5.5 feet will be left of this area in St. Augustine Beach, while the storm surge is predicted to be about 17 feet. These numbers were in the National and Geodetic Vertical Datum (NGVD) of 1929, and were part of the map changes that went into effect December 7, 2018, which included shifting to the North American Vertical Datum (NAVD) of 1988, resulting in a lower conversion, as it takes into account the curvature of the earth and puts this area at around 16 feet. If you ask for a site-specific analysis, however, it's going to come in at around 14.5 feet, as it's always about a foot-and-a-half lower. The City doesn't issue DEP permits, and the Building Department won't issue a building permit until DEP has issued a permit, in fact, staff won't even look at a permit package until a DEP permit is issued. Concerning the dune, the owners of the property on 12th Lane applied for a DEP permit and paid whatever fees the DEP required to run its numbers and utilize its site-specific engineering. When this was done, the area was around 14.5 feet per NAVD 1988 and the residents took it to a little over 16 feet, so it's in compliance with the 100-year storm surge elevation set forth by DEP. Part of any DEP permit is a zoning letter saying a proposed project doesn't contravene anything in City Code. The Code in this case wasn't super helpful, so he reached out to several different agencies along with the City Manager, the former Mayor, and City Attorney, to alert them about this as it kept coming back up. Staff wrote a letter because the proposed project did not violate any codes, but through all of this, he was waiting on a reserve code to put in the Conservation/Coastal Management Element of the new Comprehensive Plan to essentially say the City shall not permit nor recommend any development that modifies a naturally-occurring coastal dune within the City limits. This has been incorporated into an ordinance which will be reviewed by the Commission at its next regular monthly meeting on February 3, and this Board will see it at its February meeting, then it will go back to the Commission for two more readings. The City will then have both the Comprehensive Plan and the LDRs saying the same thing, and once the Comprehensive Plan amendments are adopted, the Comprehensive Plan will be the governing document. If anyone else wants to do the same thing as the property owners on 12th Lane, he'd be able to turn them down based on this not being the intent of the City per the Comprehensive Plan. By that logic, the next course of action for the property owners would be to appeal his decision to the Planning and Zoning Board, as they would have received a formal letter from staff denying their request. The appeal would then come before this Board, which would have to look at the request and make a decision to uphold staff's denial of the request or allow the property owners to do what they want to do. If the Board upholds staff's decision and the property owners don't like this, they could appeal the Planning and Zoning Board's decision to the City Commission. The Building Department has issued an irrigation permit for the massive replanting of the sea oats on the dune at the end of 12th Lane, but this permit was not issued until staff was in receipt of the DEP permit issued by Mr. Trey Hatch. That irrigation system is to be there no longer than 90 days to water the vegetation on top of the dune. Since then, he's been sending his code enforcement officer out there the beginning of every week to take photos from the public right-of-way to see if this dune is reconstructing itself. Keep in mind, the removal of any sand seaward of the CCCL from a property is not permitted, it has to stay on site, so that sand dune was actually restructured, not removed, so that it now has a wider base.

Mr. Mitherz asked if the property owners of 12th Lane went directly to the DEP to get a permit to modify the dune, and how much sand was actually moved.

Mr. Law said no, they ended up at DEP and contracted their application out with Kevin Partel, a coastal consultant who's been around here for a while, but their first step was to apply to the Building Department for a letter. He

rejected their request because at the time, the property was in a high velocity wave action zone. In the meantime, the City's new flood ordinance was adopted, and one of the things the new flood ordinance says is an engineering report saying there's a zero increased chance of additional flooding has to be provided. A few months later when the property owners applied again for a zoning letter, he turned it down because the engineering report they provided didn't exactly meet the requirements of the flood ordinance. About a year or so after that, the property owners sought legal counsel, at which time, this was obviously then discussed with Mr. Wilson, but the City was very limited in its power at the time. He believes the wording he used in the letter he wrote said the City recognizes it has little or no control over permitting in a naturally occurring sand dune, and he cited the flood ordinance sections where the application complied with the ordinance. With this letter, the property owners applied to DEP for a permit. After DEP did their site-specific engineering analysis and were satisfied with the results, DEP issued a permit, sometime in August 2019 or thereabout. He believes the naturally occurring sand dune was around 21 feet and they took it to a little bit over 16 feet, so they moved four or five feet and pushed it westerly so now it's pretty substantial in width. With the sand fencing and sea oats, he expects the dune will restore itself, but he'd be remiss if he didn't take photos every week and hopefully, they'll be watching it grow. With the adoption of the new Comprehensive Plan, he doesn't expect something like this to ever happen again.

Mr. Kincaid said when the dune restores itself and the DEP permit expires, the property owners would need a new DEP permit which they probably would not be able to obtain, so in this case, this is probably a temporary situation. He asked if the DEP or someone else is making sure they don't take too much of the dune, and what would happen if someone sees a bulldozer out there again after the permit expires or has been closed out.

Mr. Law said he wouldn't sign a letter for another DEP permit. He does expect the dune to restore itself, as mother nature built that sand dune, and he expects at some point, she'll want it right back to where it started. As he understands, DEP inspector Trey Hatch was onsite the entire time, and he believes DEP is pretty satisfied with what's been done, as per the photos taken by one of his inspectors today, they put a lot of sod down and planted a lot of sea oats. If they start messing with the dune again after the DEP permit expires, they'd involve themselves in a police investigation and the same process that happened in 2017, and he doesn't know if DEP would be as lenient or flexible as they were then. DEP was there during the reconstruction of the dune, and didn't want to fine the property owner, James Grimes, because he was restoring the dune, which is on his private property. The ownership of the dune is irrelevant to him, however, because DEP still issues the permits and the City's new LDRs and Comprehensive Plan should give the City a lot flexibility to make sure this doesn't ever happen again.

IX. ADJOURNMENT

The meeting was adjourned at 7:04 p.m.

Kevin Kincaid, 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

WEDNESDAY, JANUARY 8, 2020, 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 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Chair Sandra Krempasky, Vice Chair Lana Bandy, Members Ann Palmquist, Craig Thomson, Lonnie Kaczmarsky, and Alternate Jeanette Smith.

Also Present: Grounds Foreman Tom Large and Recording Secretary Dariana Fitzgerald.

Secretary Fitzgerald noted that there were still vacancies on the Committee for two regular members and one alternate. She noted that she had received a resume from someone interested, but had not yet received the City's application.

IV. APPROVAL OF MINUTES OF DECEMBER 12, 2019, REGULAR MEETING

Chair Krempasky introduced Item IV.

Member Thomson noted that his intent of his statement near the bottom of page two was to add ongoing projects, such as reforestation, Avenue of Palms, and Urban Forestry Plan, to the agenda. He suggested Reforestation and Landscaping Plans as the Item 1 title.

Chair Krempasky noted that "paste" should be "past".

Motion: To approve the Committee minutes for December 12, 2019, with correction of typographical error. **Moved by** Member Palmquist. **Seconded by** Member Thomson. Motion passed unanimously.

V. PRESENTATION OF REPORTS:

1. Mickler Boulevard Landscaping

Chair Krempasky asked Foreman Large for an update. He reported that at the moment Public Works is still cleaning up from Beach Blast Off and taking down the lights around the City, but they are taking into consideration comments the Committee made last month on the draft plan, such as adding benches and trees, but haven't made much more progress yet. Chair Krempasky stated that she spoke with Commissioner George and the Commissioner may ask

the Commission to budget money for the project. Foreman Large stated that Public Works Director Tredik mentioned asking the Committee for help with funding the project last month.

Chair Krempasky asked about the palms that were staked last year and when those could be planted. Foreman Large stated that there are four major projects coming up after removing the lights and they are moving forward one project at a time, but that this was on the to do list. He noted that the lift truck needed unexpected repairs and some projects have to wait until that is complete. Secretary Fitzgerald noted that Public Works determines their work plan a year or more in advance, which is why it is important that the Committee have a long-range plan so that it can be integrated into Public Works' schedule.

Member Palmquist asked about the replacement of the trees on the triangle of A1A Beach Boulevard and SR-A1A. Foreman Large stated that Assistant Public Works Director Gatchell was working on the issue, but Verdego had closed their St. Augustine location and it was proving difficult to get in contact with them.

Member Palmquist asked about seeing if property owners who remove palm trees from their property could donate them to the City to be replanted. Foreman Large stated that it may cost more to remove the trees in one piece than to purchase a new one, but they can look into the option.

Member Kaczmarzky reported that he drove around with Foreman Large and developed a list of potential trees and planting locations (Exhibit A). Foreman Large noted that this list has not been approved by Director Tredik or Assistant Director Gatchell, since they have been out sick. Public Works would also still have to look for underground utilities, pipes, or other potential issues. Member Thomson asked if these could be planted this year and Foreman Large stated that the stock in the nursery were root bound and needed to be planted as soon as possible. Foreman Large also noted that there were several more cypress that could be planted along 11th Street by the lake to reinforce the bank there. Secretary Fitzgerald commented that she has received a call from a resident at D Street and 3rd Avenue who noted that the northwest parkette at that intersection has open land used by local kids to play soccer and was concerned that planting more trees there would cause them to lose a safe place to play.

Motion: To prioritize planting of the trees per Foreman Large's plan with the exception of the northwest corner of D Street & 3rd Avenue. **Moved by** Member Thomson, **Seconded by** Member Kaczmarzky. Motion passed unanimously.

2. Anastasia Island Environmental Stewardship Award 2020

Secretary Fitzgerald commented that she had intended to post the notice and application on the website closer to the start of the month, but she had not had the time since Cindy Walker put in her two weeks' notice shortly before Beach Blast Off. She intends to post it before the end of this week. The Committee discussed the necessity of a Communications Officer and what their members and City staff could do in the interim.

3. Climate Change Survey

Chair Krempasky noted that the survey is live and asked about further advertising in Ms. Walker's absence. Secretary Fitzgerald stated that there would not be much beyond what Ms.

Walker accomplished before she left. Member Thomson noted that the survey is for residents and visitors.

4. Educational Programs

Vice Chair Bandy reported that the next film will be January 30th at 6:00 p.m. at the Anastasia Island Branch Library. It will be a documentary about sea level rise and the speaker will be Maia McGuire, who is a marine biologist and Florida Sea Grant agent.

Vice Chair Bandy suggested going ahead and scheduling dates for the next year so that it could be better advertised. She noted that the Library had an issue with November, so that would not be an option. She recommended illicit discharge since Director Tredik stated that he would like to discuss the topic. She noted a presentation given by the City of St. Augustine at Marineland where they had a practical demonstration of illicit discharge. She volunteered to speak with Director Tredik. She asked about other topic ideas. Member Thomson suggested climate change and climate change action plans. Member Palmquist suggested septic to sewer conversion and noted that Bill Young, St. Johns County Utility Director, may be a good speaker. Member Thomson suggested Jen Lomberg, Matanzas Riverkeeper, as a potential speaker. Member Thomson and Member Palmquist both agreed on conservation of water. Vice Chair Bandy noted that some of those topics sound like more of a speaker alone instead of a film. She stated that she would try to have a list of topics and dates at the next meeting.

5. Development of a Committee Strategic Plan

Chair Krempasky reported that she had contacted Mr. Charlie Marcus about the viability for planting at the location at A1A Beach Boulevard and Pope Road, but had not heard back yet. She suggested sending out an RFP for a landscape architect to help with construction documents and interfacing with the government agencies involved. Foreman Large stated that he spoke with Director Tredik and they had heard about the possibility of the County moving forward with parking along Pope Road. He suggested giving Director Tredik time to confirm details on that before the Committee spends any money. Secretary Fitzgerald also noted that that entire area is outside the City limits, so the City has little say in the long term if the County or State wanted to do something with the lot later on. Chair Krempasky commented that the Urban Forestry Plan was all over the place and she was under the impression that the Committee would like to focus on areas that would make a significant difference to the environment. She stated that planting trees in this area could potentially help with flooding. Member Thomson noted that it is the most vulnerable area near the City. He stated that the area west of Aqua East Surf Shop used to just be a pit with water with a chain link and barbed wire fence around it, but people complained and the County and FDOT took down the fence and put in some nice landscaping. He stated that he thinks the Pope Road lot will likely end up as a retention pond, but that it could be a pretty retention pond. Member Smith recalled that the lot west of Aqua East cost \$46,000 to landscape.

Member Palmquist suggested planting trees along 11th Street south of the lake. Secretary Fitzgerald noted that whenever trees, etc., have been planted there in the past the neighbors have complained and even excessively trimmed the trees.

Member Thomson suggested 11th Street and 2nd Avenue; that there is a pond that runs down to A Street. He stated that he discussed turning that into a wet landscape area with Mr. Joe

Howell in the past. He noted that a horizontal line of trees in that area could be a buffer for the residential neighborhoods there. Foreman Large noted that the Urban Forestry Management Master Plan already had some suggestions for the 2nd Avenue corridor. Member Thomson suggested budgeting for a landscape architect for this year to develop a plan for next year and asked about irrigation. Foreman Large stated that irrigation could potentially be run off the County's line on 11th Street.

Motion: To write an RFP for a landscape architect to develop a plan for the 2nd Avenue corridor, preferably to include options for gray water irrigation. **Moved by** Member Thomson. **Seconded by** Member Palmquist. Motion passed unanimously.

Chair Krempasky volunteered to write the RFP. Secretary Fitzgerald stated that she would check the purchasing manual and let Chair Krempasky know what kind of quotes are required.

6. Environmental Policy & Planning Recommendations

Member Thomson asked to add a note regarding sea level rise and climate change initiatives. He stated that he gave a presentation to the City Commission and handed out a letter (Exhibit B) and a climate change wish list (Exhibit C). He discussed the contents of the letter and wish list and asked that the Committee help to develop specific recommendations on climate change initiatives that the City could pursue in 2020. Chair Krempasky asked for time to review this information and discuss it at the next meeting.

The members briefly discussed the Go Green SAB campaign. Member Kaczmarsky noted that dark pavement radiates heat and causes an increase in AC use. Member Palmquist noted that the Rails-to-Trails bike path uses a pine bark or gravel instead on asphalt. The Committee discussed the proposed River-to-Sea Loop and the proposed visuals including asphalt path on A1A Beach Boulevard; not being attractive to visitors; and that the path may be better going through Mickler Boulevard.

Member Thomson suggested adding right-of-way permitting as a subitem on the agenda to discuss at future meetings. The Committee discussed this and noted that no proposed ordinance exists yet and Director Tredik has not indicated that this item is ready to be discussed. Secretary Fitzgerald stated that it could still be discussed under this item even if it is not specifically identified.

Member Palmquist stated that she thought the parking lot in front of the old Shell Shop [491 A1A Beach Boulevard] was a plaza. She noted that the area has been dug up for remodeling and suggested that trees could be planted there now before it is repaved.

7. Sustainable Stormwater Management Research

VI. OTHER COMMITTEE MATTERS

1. Scheduling Date for March Meeting Due to Presidential Preference Primary Election from March 4th to the 18th.

Motion: To move SEPAC meetings to the second Wednesday of each month beginning in February. **Moved by** Member Thomson. **Seconded by** Member Smith. Motion passed unanimously.

The Committee decided that their March meeting would be on Wednesday the 25th to accommodate the election.

VII. ADJOURNMENT

Chair Krempasky adjourned the meeting at 7:48 p.m.

Sandra Krempasky, Chair

ATTEST

Max Royle, City Manager

COMMISSION REPORT

January 2020

TO: MAYOR/COMMISSIONERS

FROM: ROBERT A. HARDWICK, CHIEF OF POLICE

DEPARTMENT STATISTICS – January 16 to February 13, 2020

CALLS FOR SERVICE 818
OFFENSE REPORTS 49
CITATIONS ISSUED 108
LOCAL ORDINANCE CITATIONS 7
DUI 7
TRAFFIC WARNINGS 486
TRESSPASS WARNINGS 8
ANIMAL COMPLAINTS 7
ARRESTS 17

- 1 Trespassing
- 1 Drug Equipment Possession
- 7 DUI
- 4 Battery
- 1 Possession – Cocaine
- 1 Driving w/ Suspended – Revoked License
- 1 Operate Motor Vehicle WO Valid License
- 1 Fraud

ANIMAL CONTROL:

- St. Johns County Animal Control handled 7 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES:

- W.A.V.E – Women Against Violent Encounters
- Law Enforcement Academy Presentation
- Champions Ride Daytona Speedway

MEMORANDUM

Date: February 18, 2020
To: Max Royle, City Manager
From: Bill Tredik, P.E., Public Works Director
Subject: Monthly Report

Funding Opportunities

Public Works has submitted applications to the following grant programs:

- Land and Water Conservation Fund Program Ocean Hammock Park
- SJRWMD Districtwide Cost Share Program Mizel Pond Weir

Public works will continue to explore additional funding opportunities in the coming months.

Maintenance Activities

Rights-of-way and Parkettes – Public Works has completed trimming of palm trees along A1A Beach Boulevard as well as trimming along the sidewalks on S.R. A1A. Palm trees trimming on S.R.A1A began the week of February 24, 2020. Public Works also continues to work with SEPAC to plan trees currently stored at the Public Works facility nursery.

Splash Park – Public Works has repainted the large shade structure above the play area at Splash Park and reinstalled the repaired shade structure tarp. Public works has also completed touch-up painting at the other facilities at Splash Park.

Mickler Boulevard Landscaping – Public is preparing updated landscaping plans for the eastern right of way of Mickler Boulevard for review by SEPAC. Construction of these improvements will occur in Spring 2020 upon completion of Mickler Boulevard Resurfacing, and subject to available funding.

Buildings – Maintenance of City buildings and grounds is ongoing. City Hall tough-up painting and pressure washing is complete. Maintenance of City Hall grounds, including installation of some additional brick walking area is scheduled for late February. Emergency egress improvements at Public Works are in final design and will be submitted to the County building department for approval.

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. The City has received our St. Johns River Water Management District Permit and submitted the final design (Phase 1 of the HMGP) to the Florida Division of Emergency Management (FDEM) for approval. Work will commence in 2020 upon FDEM approval of Phase 1 submittals, execution of the Phase 2 (Construction) contract, and bidding of the project. 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. The Commission authorized execution of a contract with the low bidder on February 3, 2020. Construction is anticipated to begin in early March and be complete by the end of July 2020.

Ocean Hammock Park [DESIGN] –Public Works is beginning formal design of Phase 2 components of the park and will be ready to move to construction in July 2020.

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 may include slip-lining of the existing drainage pipe, repair of pavement subbase and base at pipe joints, and resurfacing of the roadway.

Mickler Boulevard Paving [DESIGN] – Public Works has obtained geotechnical investigation necessary to proceed with design of paving improvements between Pope Road and 16th Street. Design is in process and paving is anticipated in Spring 2020.

Streets / Rights of Way

Lighting – Public Works is moving forward with the 19 new streetlights along S.R. A1A and A1A Beach Boulevard. The City is finalizing the locations of amber turtle streetlights, as well as the appropriate locations for 4000 kelvin versus 3000 kelvin LED lights. 4000 kelvin lights are considerably whiter (more blue wavelengths) than 3000 kelvin lights (softer/less blue) and may not be appropriate for all locations. Citywide conversion of streetlights to LED is to be considered at the April City Commission meeting.

Traffic Calming – Speed humps were rejected on the eastern portion of Atlantic Oaks circle by the residents. Public works continues to work with citizens in regard to the installation of speed humps on the western portion of the circle.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 2/19/2020

Finance

January financials have been reviewed and the City is trending on budget. Currently, our expenditures Citywide are at 28.6% with 33.33% of the year elapsed. A review of the Capital purchases for the year indicates we are moving forward with our projects and purchases for FY20.

Budget Resolution 20-01 has been submitted for approval. This resolution to the budget will recognize Solid Waste Franchise Fee and Permit Revenues received in the current year, adjust the budget for the expense of the OPEB report as required by GASB75, as well as pull funds from the Building Department Reserves to purchase additional equipment for the improvement of the department.

Solid Waste discussions continue with Public Works Director Bill Tredik as he reviews the current codes regarding Residential and Commercial collection.

Communications and Events

The City welcomes our new Communications and Events Coordinator, Melinda Conlon. Melinda is currently reviewing the TDC Grant information and brushing up on the Beach Blast Off Event from this year. She is also beginning to work on the upcoming Arbor Day event and becoming familiar with the details of her position.

Technology

The IT staff continues to work with staff on equipment and software needs.

Range of Checking Accts: First to Last Range of Check Dates: 01/01/20 to 01/31/20
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
001TDOPERATING							
42836	01/03/20	ADVAP010 ADVANCED AUTO PARTS				01/31/20	1499
20-00681	1	MAINTENANCE VEHICLE #129	33.48	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		63 1
42837	01/03/20	AFLAC005 AFLAC				01/31/20	1499
20-00667	1	INSURANCE PREMIUM	339.96	001-229-2100 Insurance-Other Employee Paid	G/L		49 1
42838	01/03/20	AMERIO60 AMERICAN HERITAGE LIFE INSURAN				01/31/20	1499
20-00665	1	INSURANCE PREMIUM	29.56	001-229-2100 Insurance-Other Employee Paid	G/L		47 1
42839	01/03/20	BAKER010 BAKER DISTRIBUTING CO.				01/31/20	1499
20-00643	1	BBO SUPPLIES-BLK CLOTH TAPE.	35.58	001-7200-572-4832 PARKS AND REC	Expenditure		20 1
42840	01/03/20	CHIEF020 CHIEFMART				01/31/20	1499
20-00621	1	SABPD GOLD COINS	320.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		13 1
42841	01/03/20	COLON010 COLONIAL SUPPLEMENTAL INSURANC				01/31/20	1499
20-00666	1	INSURANCE PREMIUM	572.28	001-229-2100 Insurance-Other Employee Paid	G/L		48 1
42842	01/03/20	COQUI005 COQUINA LAW GROUP PA				01/31/20	1499
20-00624	1	LEGAL-RETAINER NOV-19	6,000.00	001-1300-513-3100 FINANCE	Expenditure		15 1
20-00625	1	LEGAL-OTHER MATTERS NOV-19	1,557.50	001-1300-513-3100 FINANCE	Expenditure		16 1
			7,557.50				
42843	01/03/20	CSAB-030 CSAB - POLICE EDUCATION FUND				01/31/20	1499
20-00654	1	PE FROM FINES	117.49	001-351-500 Court Fines	Revenue		32 1
42844	01/03/20	FLAPA005 FLA-PAC				01/31/20	1499
20-00677	1	FLA-PAC CONFERENCE-PARRISH	150.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		59 1
42845	01/03/20	FLORI250 FLORIDA POWER & LIGHT COMPANY				01/31/20	1499
20-00658	1	ELECTRICITY	75.64	001-1900-519-4310 OTHER GOVERNMENTAL	Expenditure		36 1
20-00658	2	ELECTRICITY	84.37	001-3400-534-4310 GARBAGE	Expenditure		37 1
20-00658	3	ELECTRICITY	130.89	001-131-1000 Due From Road & Bridge Fund	G/L		38 1
20-00659	1	ELECTRICITY	829.80	001-1900-519-4310 OTHER GOVERNMENTAL	Expenditure		39 1

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CITY OF ST. AUGUSTINE BEACH
Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Seq	Acct
001TD	OPERATING			Continued				
42845	FLORIDA POWER & LIGHT COMPANY	Continued						
20-00659	2	ELECTRICITY	553.20	001-2400-524-4310	Expenditure		40	1
				PROT INSPECTIONS				
20-00659	3	ELECTRICITY	835.36	001-2100-521-4310	Expenditure		41	1
				LAW ENFORCEMENT				
20-00659	4	ELECTRICITY	194.56	001-7200-572-4310	Expenditure		42	1
				PARKS AND REC				
20-00659	5	ELECTRICITY	103.36	001-7200-572-4310	Expenditure		43	1
				PARKS AND REC				
			<u>2,807.18</u>					
42846	01/03/20	FLOWE010 FLOWERS BY SHIRLEY INC				01/31/20	1499	
20-00675	1	RON PARKER SPRAYS	125.00	001-2100-521-5290	Expenditure		57	1
				LAW ENFORCEMENT				
42847	01/03/20	FOPLO005 FOP LODGE 113				01/31/20	1499	
20-00663	1	MEMBERSHIP DUES-TODD SMITH	7.00	001-229-1000	G/L		45	1
				Miscellaneous Deductions				
42848	01/03/20	FRANK020 FRANKIE HAMMONDS				01/31/20	1499	
20-00668	1	REIMB TUITION-F HAMMONDS	645.94	001-2100-521-5430	Expenditure		50	1
				LAW ENFORCEMENT				
42849	01/03/20	GALLS010 GALLS LLC				01/31/20	1499	
20-00670	1	CREDIT MEMOS	315.16	001-2100-521-5210	Expenditure		52	1
				LAW ENFORCEMENT				
20-00671	1	TRAINING UNIFORMS	143.95	001-2100-521-5210	Expenditure		53	1
				LAW ENFORCEMENT				
20-00672	1	CSA JACKET	123.00	001-2100-521-5210	Expenditure		54	1
				LAW ENFORCEMENT				
20-00673	1	TWILL TROUSER-KELLY	88.00	001-2100-521-5210	Expenditure		55	1
				LAW ENFORCEMENT				
20-00678	1	UNIFORMS	234.95	001-2100-521-5210	Expenditure		60	1
				LAW ENFORCEMENT				
20-00679	1	UNIFORMS	188.53	001-2100-521-5210	Expenditure		61	1
			<u>463.27</u>	LAW ENFORCEMENT				
42850	01/03/20	GLACI005 GLACIER HEATING & A/C				01/31/20	1499	
20-00644	1	CITY HALL DUCT-2 NEW RETURNS	546.00	001-1900-519-4610	Expenditure		21	1
				OTHER GOVERNMENTAL				
42851	01/03/20	GRAIN010 GRAINGER				01/31/20	1499	
20-00645	1	PWD OFFICE DDOR	104.98	001-1900-519-4610	Expenditure		22	1
				OTHER GOVERNMENTAL				
20-00646	1	PWD OFFICE UPGRADE-INTERCOM SY	256.29	001-1900-519-6200	Expenditure		23	1
				OTHER GOVERNMENTAL				
			<u>361.27</u>					
42852	01/03/20	HAGAN020 HAGAN ACE MANAGEMENT CORP				01/31/20	1499	
20-00647	1	BBO STAGE SUPPLY-VELCRO	19.98	001-7200-572-4832	Expenditure		24	1
				- PARKS AND REC				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Seq	Num Acct
PO #	Item	Description						
001TDOPERATING			Continued					
42852	HAGAN ACE	MANAGEMENT CORP	Continued					
20-00648	1	CHEMICAL REFILLS	9.99	001-7200-572-5290	Expenditure		25	1
				PARKS AND REC				
20-00649	1	BBO RECYCLE BOX LINERS	7.99	001-7200-572-4832	Expenditure		26	1
				PARKS AND REC				
			37.96					
42853	01/03/20	HEATH010 HEATH ELECTRIC				01/31/20	1499	
20-00650	1	CITY HALL PARKING LOT LIGHTS	336.99	001-1900-519-4610	Expenditure		27	1
				OTHER GOVERNMENTAL				
20-00651	1	INSTALL HANDICAP BUTTON-C HALL	252.80	001-1900-519-4610	Expenditure		28	1
				OTHER GOVERNMENTAL				
			589.79					
42854	01/03/20	HICKS101 HICK'S LAND CLEARING & INCINER				01/31/20	1499	
20-00669	1	SW DISPOSAL FEES	30.00	001-3400-534-4940	Expenditure		51	1
				GARBAGE				
42855	01/03/20	HOMED010 HOME DEPOT				01/31/20	1499	
20-00628	1	PWD ALUM DOOR CLOSER	58.27	001-1900-519-4610	Expenditure		18	1
				OTHER GOVERNMENTAL				
20-00629	1	TOOL REPAIR RETURN	20.19	001-1900-519-5230	Expenditure		19	1
				OTHER GOVERNMENTAL				
			38.08					
42856	01/03/20	HRDIR005 HRDIRECT				01/31/20	1499	
20-00617	1	HR POSTERS	79.99	001-2100-521-5410	Expenditure		5	1
				LAW ENFORCEMENT				
20-00617	2	HR POSTERS	39.99	001-2400-524-5410	Expenditure		6	1
				PROT INSPECTIONS				
20-00617	3	HR POSTERS	40.00	001-1500-515-5410	Expenditure		7	1
				COMP PLANNING				
20-00617	4	HR POSTERS	79.99	001-1300-513-5410	Expenditure		8	1
				FINANCE				
20-00617	5	HR POSTERS	20.80	001-1900-519-5410	Expenditure		9	1
				OTHER GOVERNMENTAL				
20-00617	6	HR POSTERS	23.19	001-3400-534-5410	Expenditure		10	1
				GARBAGE				
20-00617	7	HR POSTERS	36.00	001-131-1000	G/L		11	1
				Due From Road & Bridge Fund				
			319.96					
42857	01/03/20	KATHI005 KATHI M HARRELL				01/31/20	1499	
20-00655	1	REIMBURSE PD GIFT CARDS	65.00	001-2100-521-5290	Expenditure		33	1
				LAW ENFORCEMENT				
42858	01/03/20	LEGAL005 LEGALSHIELD				01/31/20	1499	
20-00662	1	LEGAL INSURANCE	15.95	001-229-2100	G/L		44	1
				Insurance-Other Employee Paid				

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num
PO #	Item	Description					Seq Acct
001TDOPERATING			Continued				
42859	01/03/20	LIBER010 LIBERTY FLAGS				01/31/20	1499
20-00680	1	RON PARKER EVENT	94.40	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		62 1
42860	01/03/20	MIKES005 MIKE'S COLLISION CENTER				01/31/20	1499
20-00674	1	ACCIDENT REPAIRS VEHICLE #102	4,633.45	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		56 1
42861	01/03/20	NATIO090 NATIONWIDE RETIREMENT SOLUTION				01/31/20	1499
20-00664	1	DEFERRED COMPENSATION	1,714.52	001-235-0000 Deferred Compensation	G/L		46 1
42862	01/03/20	NORTH020 NORTHEAST FLORIDA LEAGUE OF CI				01/31/20	1499
20-00627	1	NFLC DINNER/MEETING BR 12-5	50.00	001-1300-513-4000 FINANCE	Expenditure		17 1
42863	01/03/20	PETTY050 PETTY CASH-BEVERLY RADDATZ					1499
20-00618	1	REIMB PETTY CASH	1.07	001-1300-513-4200 FINANCE	Expenditure		12 1
42864	01/03/20	SESAC010 SESAC				01/31/20	1499
20-00622	1	MUSIC LICENSE - BBO	460.00	001-7200-572-4832 PARKS AND REC	Expenditure		14 1
42865	01/03/20	SHERW010 SHERWIN WILLIAMS				01/31/20	1499
20-00652	1	CITY HALL STUCCO	51.47	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		29 1
42866	01/03/20	STAPL010 STAPLES				01/31/20	1499
20-00656	1	OFFICE TABLE	54.38	001-1300-513-5230 FINANCE	Expenditure		34 1
42867	01/03/20	SYMB010 SYMBOL ARTS				01/31/20	1499
20-00657	1	LIFE SAVING MERIT PINS	90.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		35 1
20-00676	1	LIFE SAVING PINS	20.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		58 1
			<u>110.00</u>				
42868	01/03/20	TODDS010 TODD SMITH				01/31/20	1499
20-00616	1	REIMBURSE TUITION-T SMITH	2,437.50	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		4 1
42869	01/03/20	WAL-M010 WAL-MART STORE#01-0579				01/31/20	1499
20-00488	1	MIXED NUTS & BOWLS	15.58	001-1100-511-5290 LEGISLATIVE	Expenditure		2 1
20-00488	2	MIXED NUTS & BOWLS	15.59	001-1500-515-5290 COMP PLANNING	Expenditure		3 1
20-00653	1	BBO RECYCLE BOX LINERS	60.70	001-7200-572-4832 PARKS AND REC	Expenditure		30 1

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	Ref Seq	Acct
PO #	Item	Description							
001TD	OPERATING			Continued					
42869	WAL-MART STORE#01-0579	Continued							
20-00653	2	PWD RECYCLE BOX LINERS	12.96	001-1900-519-5100	Expenditure		31	1	
				OTHER GOVERNMENTAL					
			104.83						
42870	01/03/20	WISEM010 WISEMAN FENCE & MORE INC.				01/31/20	1499		
20-00384	1	PWD FRONT GATE	4,200.00	001-1900-519-6200	Expenditure		1	1	
				OTHER GOVERNMENTAL					
42871	01/03/20	JIMPR005 JIM PRIESTER				01/31/20	1500		
20-00682	1	BBO-FIRST RESPONDERS	623.75	001-7200-572-4832	Expenditure		1	1	
				PARKS AND REC					
42872	01/17/20	ADVAN010 ADVANCED DISPOSAL		(Void Reason: MISPRINT)		01/17/20 VOID	1506		
20-00701	1	RECYCLE FEES	10,992.28	001-3400-534-3400	Expenditure		39	1	
				Garbage-Other Contractual Services					
42873	01/17/20	ADVAP010 ADVANCED AUTO PARTS		(Void Reason: MISPRINT)		01/17/20 VOID	1506		
20-00742	1	PD VEHICLE #109 PARTS	16.74	001-2100-521-4630	Expenditure		87	1	
				Law Enforcement-Vehicle Repair & Mainten					
20-00743	1	LIGHT FOR VEHICLE #129	18.19	001-2100-521-4630	Expenditure		88	1	
				Law Enforcement-Vehicle Repair & Mainten					
			34.93						
42874	01/17/20	ALLAM016 ALL AMERICAN ELECTRICAL OF NFL		(Void Reason: MISPRINT)		01/17/20 VOID	1506		
20-00753	1	REFUND-OVERPAYMENT	40.33	001-202-4000	G/L		109	1	
				Accounts Payable - Other					
42875	01/17/20	AMERIC10 AMERICAN CROSSROADS APPAREL CO				01/17/20 VOID	1506		
20-00694	1	BLDG UNIFORM HATS	60.00	001-2400-524-5210	Expenditure		34	1	
				Prot Inspections-Uniforms					
42876	01/17/20	ATLAN040 ATLANTIC DODGE-CHRYSLER-JEEP		(Void Reason: MISPRINT)		01/17/20 VOID	1506		
20-00775	1	VEHICLE #104 MAINT	36.55	001-2100-521-4630	Expenditure		141	1	
				Law Enforcement-Vehicle Repair & Mainten					
42877	01/17/20	ATTUV010 AT&T		(Void Reason: MISPRINT)		01/17/20 VOID	1506		
20-00749	1	INTERNET	45.47	001-1300-513-4100	Expenditure		98	1	
				Finance-Telephone					
20-00749	2	INTERNET	45.48	001-2400-524-4100	Expenditure		142	1	
				Prot Inspections-Telephone					
			90.95						
42878	01/17/20	BILLB005 WILLIAM BARRETT				01/31/20	1506		
20-00699	1	BBO PARKING	412.50	001-7200-572-4832	Expenditure		37	1	
				PARKS AND REC					
42879	01/17/20	BOZAR010 BOZARD FORD COMPANY				01/31/20	1506		
20-00695	1	VEHICLE #131 MAINTENANCE	48.99	001-2100-521-4630	Expenditure		35	1	
				LAW ENFORCEMENT					
20-00744	1	VEH#103 MAINT-LIFT ASSEMBLY	133.09	001-2100-521-4630	Expenditure		89	1	
				LAW ENFORCEMENT					

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CITY OF ST. AUGUSTINE BEACH
Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num	
PO #	Item	Description					Seq	Acct
001TDOPERATING				Continued				
42879	BOZARD	FORD COMPANY		Continued				
20-00745	1	VEH #132 MAINT-OIL CHANGE	28.73	001-2100-521-4630	Expenditure		90	1
				LAW ENFORCEMENT				
20-00774	1	PD VEHICLE #130 MAINT	27.43	001-2100-521-4630	Expenditure		140	1
				LAW ENFORCEMENT				
			238.24					
42880	01/17/20	CDWGO010 CDW GOVERNMENT INC.				01/31/20	1506	
20-00768	1	PD PRINTERS	540.00	001-2100-521-5230	Expenditure		134	1
				LAW ENFORCEMENT				
42881	01/17/20	CEDST005 CED-ST AUGUSTINE				01/31/20	1506	
20-00718	1	PD HO FLOURSCENT BULBS	38.25	001-1900-519-4610	Expenditure		57	1
				OTHER GOVERNMENTAL				
42882	01/17/20	COMCA015 COMCAST				01/31/20	1506	
20-00772	1	CABLE NEWS	65.40	001-2100-521-5290	Expenditure		138	1
				LAW ENFORCEMENT				
42883	01/17/20	COMMI010 COMMISSION FOR FLORIDA LAW				01/31/20	1506	
20-00736	1	PD SOFTWARE POWERSTANDARDS	450.00	001-2100-521-5440	Expenditure		82	1
				LAW ENFORCEMENT				
42884	01/17/20	CRAFT010 CRAFT'S TROPHIES & AWARDS INC				01/31/20	1506	
20-00771	1	PLAQUES	20.00	001-2100-521-4700	Expenditure		137	1
				LAW ENFORCEMENT				
42885	01/17/20	DARIA005 DARIANA AMBER FITZGERALD				01/31/20	1506	
20-00700	1	BBO INFO BOOTH SUPPLIES	10.63	001-7200-572-4832	Expenditure		38	1
				PARKS AND REC				
42886	01/17/20	DEPT0010 DEPT OF BUSINESS & PROF REGULA				01/31/20	1506	
20-00770	1	BLDG DEPT SURCHARGE	1,659.03	001-208-0000	G/L		136	1
				Due to Other Governments				
42887	01/17/20	FBINA010 FBINAA				01/31/20	1506	
20-00734	1	MEMBERSHIP-HARDWICK	115.00	001-2100-521-5420	Expenditure		81	1
				LAW ENFORCEMENT				
42888	01/17/20	FIRST070 FIRST BANKCARD				01/17/20 VOID		0
42889	01/17/20	FIRST070 FIRST BANKCARD				01/17/20 VOID		0
42890	01/17/20	FIRST070 FIRST BANKCARD				01/17/20 VOID		0
42891	01/17/20	FIRST070 FIRST BANKCARD				01/31/20	1506	
20-00418	1	CHEWY-DRY DOG FOOD K9 KILO	109.99	001-2100-521-4640	Expenditure		1	1
				LAW ENFORCEMENT				
20-00444	1	TAKEOUT-PD WAVE LUNCHEON	110.76	001-2100-521-5290	Expenditure		2	1
				LAW ENFORCEMENT				
20-00444	2	TAKEOUT-PD WAVE LUNCH TAX CR	7.21	001-2100-521-5290	Expenditure		3	1
				LAW ENFORCEMENT				

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001TD	OPERATING								
42891	FIRST BANKCARD	Continued							
20-00445	1	FLA-PAC CONF-CHRISTOPHER	150.00	001-2100-521-5440 LAW ENFORCEMENT	Expenditure		4	1	
20-00446	1	HOME DEPOT-SHOP VAC	99.97	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		5	1	
20-00499	1	AMAZON-PD VOICE RECORDER	46.95	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		6	1	
20-00502	1	HAMPTON-TRAINING TRAVEL-SMITH	109.00	001-2100-521-4000 LAW ENFORCEMENT	Expenditure		7	1	
20-00524	1	STAPLES-BLDG OFFICE SUPPLIES	103.96	001-2400-524-5100 PROT INSPECTIONS	Expenditure		8	1	
20-00532	1	BOAF MEMBERSHIP-GLENN BROWN	70.00	001-2400-524-5420 PROT INSPECTIONS	Expenditure		9	1	
20-00532	2	BOAF MEMBERSHIP-LACEY PIEROTTI	70.00	001-2400-524-5420 PROT INSPECTIONS	Expenditure		10	1	
20-00532	3	BOAF MEMBERSHIP-BRIAN LAW	70.00	001-2400-524-5420 PROT INSPECTIONS	Expenditure		11	1	
20-00580	1	WALGREEN-PD K9 KILO PHOTO	4.33	001-2100-521-5240 LAW ENFORCEMENT	Expenditure		15	1	
20-00581	1	UPS STORE-PD POSTAGE	17.86	001-2100-521-4200 LAW ENFORCEMENT	Expenditure		16	1	
20-00582	1	AMAZON-PD LOBBY MONITOR CABLE	41.49	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		17	1	
20-00583	1	HOME DEPOT-RETURN SHOP VAC	54.97	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		18	1	
20-00612	1	ENGLAND TRNG-EXAM PREP-WARD	69.00	001-2400-524-5430 PROT INSPECTIONS	Expenditure		19	1	
20-00613	1	MIKE HOLT-BLDG PUBLICATIONS	142.43	001-2400-524-5410 PROT INSPECTIONS	Expenditure		20	1	
20-00619	1	MAP-RETIREMENT SUPPLIES	250.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		21	1	
20-00620	1	DOLLAR TREE-SENIORS GIFT BAGS	14.00	001-2100-521-5240 LAW ENFORCEMENT	Expenditure		22	1	
20-00626	1	SHRM HR MAG-PROF MEMBERSHP-BR	199.00	001-1300-513-5420 FINANCE	Expenditure		23	1	
20-00634	1	FASTSIGNS-BBO RECYCLE STICKERS	232.50	001-7200-572-4832 PARKS AND REC	Expenditure		27	1	
20-00635	1	AMAZON-PD 5 UTILITY POUCHES	75.25	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		28	1	
20-00636	1	AMAZON-BLDG COMP-TEST UPGRADE	120.23	001-2400-524-5290 PROT INSPECTIONS	Expenditure		29	1	
20-00713	1	ASFPM BLDG MEMBERSHIP-LAW	165.00	001-2400-524-5420 PROT INSPECTIONS	Expenditure		51	1	
20-00721	1	AMAZON PRIME MEMBERSHIP-PWD	12.99	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		59	1	
			2,222.53						
42892	01/17/20	FLAGL030 FLAGLER CARE CENTER				01/31/20	1506		
20-00759	1	PD MEDICAL	498.00	001-2100-521-5250 LAW ENFORCEMENT	Expenditure		121	1	

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42892	01/17/20	FLAGLER CARE CENTER					
20-00759	2	PD MEDICAL	120.00	001-2100-521-5250	Expenditure		122 1
			378.00	LAW ENFORCEMENT			
42893	01/17/20	FLORI170 FLORIDA JANITOR & PAPER SUPPLY				01/31/20	1506
20-00690	1	JANITORIAL SUPPLIES	223.21	001-1900-519-5290	Expenditure		31 1
				OTHER GOVERNMENTAL			
20-00756	1	JANITORIAL SUPPLIES	144.85	001-1900-519-5290	Expenditure		110 1
				OTHER GOVERNMENTAL			
			368.06				
42894	01/17/20	FLORI180 FLORIDA LEAGUE OF CITIES, INC.					1506
20-00703	1	ADMIN FEE	124.92	001-207-2000	G/L		42 1
				Due To Debt Service Fund			
42895	01/17/20	FLOWE010 FLOWERS BY SHIRLEY INC				01/31/20	1506
20-00762	1	FUNERAL FLOWERS - GRAY	60.00	001-2100-521-5290	Expenditure		124 1
				LAW ENFORCEMENT			
42896	01/17/20	FOPLO005 FOP LODGE 113					1506
20-00769	1	MEMBERSHIP - TODD SMITH	7.00	001-229-1000	G/L		135 1
				Miscellaneous Deductions			
42897	01/17/20	GALLS010 GALLS LLC				01/31/20	1506
20-00737	1	PD UNIFORMS - HARRELL PANTS	141.42	001-2100-521-5210	Expenditure		83 1
				LAW ENFORCEMENT			
20-00738	1	PD UNIFORM-SILVER SABPD	230.95	001-2100-521-5210	Expenditure		84 1
				LAW ENFORCEMENT			
20-00739	1	PD UNIFORMS-BOOTS FOR CHIEF	133.95	001-2100-521-5210	Expenditure		85 1
				LAW ENFORCEMENT			
			506.32				
42898	01/17/20	HAGAN020 HAGAN ACE MANAGEMENT CORP				01/31/20	1506
20-00692	1	BBO SUPPLIES	72.95	001-7200-572-4832	Expenditure		33 1
				PARKS AND REC			
20-00725	1	PD LIGHT BULBS	21.96	001-1900-519-4610	Expenditure		74 1
				OTHER GOVERNMENTAL			
20-00726	1	SPLASH PARK MURIATIC ACID	23.36	001-7200-572-5290	Expenditure		75 1
				PARKS AND REC			
20-00727	1	PWD CONCRETE MIX	44.28	001-1900-519-6200	Expenditure		76 1
				OTHER GOVERNMENTAL			
20-00728	1	PWD PAINT BRUSH	18.36	001-1900-519-6200	Expenditure		77 1
				OTHER GOVERNMENTAL			
20-00733	1	PD KEYS	14.94	001-2100-521-5290	Expenditure		80 1
				LAW ENFORCEMENT			
			195.85				
42899	01/17/20	HEATH010 HEATH ELECTRIC				01/31/20	1506
20-00691	1	PWD GATE WIRING	187.50	001-1900-519-6200	Expenditure		32 1
				OTHER GOVERNMENTAL			

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PO #	Item	Description						Acct
001TD	OPERATING		Continued					
42900	01/17/20	HOMED010 HOME DEPOT				01/31/20		1506
20-00729	1	JANITORIAL SUPPLIES	34.50	001-1900-519-5290	Expenditure		78	1
				OTHER GOVERNMENTAL				
42901	01/17/20	INDIA010 INDIANHEAD BIOMASS SERVICES				01/31/20		1506
20-00707	1	SOLID WASTE DISPOSAL FEES	790.16	001-3400-534-4940	Expenditure		48	1
				GARBAGE				
42902	01/17/20	KATHI005 KATHI M HARRELL				01/31/20		1506
20-00761	1	TUITION REIMB - K HARRELL	996.29	001-2100-521-5430	Expenditure		123	1
				LAW ENFORCEMENT				
42903	01/17/20	LVHIE010 L.V. HIERS INC.				01/31/20		1506
20-00702	1	BULK FUEL	1,941.29	001-141-0000	G/L		40	1
				Inventories - Fuel				
20-00702	2	BULK FUEL	847.69	001-141-0000	G/L		41	1
				Inventories - Fuel				
			<u>2,788.98</u>					
42904	01/17/20	MAILF010 MAILFINANCE				01/31/20		1506
20-00723	1	MAIL MACHINE	99.21	001-1300-513-4430	Expenditure		70	1
				FINANCE				
20-00723	2	MAIL MACHINE	27.06	001-2100-521-4430	Expenditure		71	1
				LAW ENFORCEMENT				
20-00723	3	MAIL MACHINE	54.12	001-2400-524-4430	Expenditure		72	1
				PROT INSPECTIONS				
			<u>180.39</u>					
42905	01/17/20	MARIO010 MARIOTTI'S				01/31/20		1506
20-00764	1	UNIFORM DRYCLEAN SERVICE	150.16	001-2100-521-5210	Expenditure		131	1
				LAW ENFORCEMENT				
42906	01/17/20	MICRO010 MICROSOFT				01/31/20		1506
20-00766	1	PD ONLINE SVCS FOR NEW OFFICER *	54.26	001-2100-521-5290	Expenditure		132	1
				LAW ENFORCEMENT				
42907	01/17/20	NATIO090 NATIONWIDE RETIREMENT SOLUTION				01/31/20		1506
20-00767	1	DEFERRED COMP 1-17-20	1,714.52	001-235-0000	G/L		133	1
				Deferred Compensation				
42908	01/17/20	NETOP005 NETOP TECH INC				01/31/20		1506
20-00710	1	PD NHWC LICENSE RENEWAL	118.00	001-2100-521-4620	Expenditure		49	1
				LAW ENFORCEMENT				
42909	01/17/20	PATRI010 PATRICK'S UNIFORMS				01/31/20		1506
20-00740	1	HONOR GUARD SHOES-ABEL	103.99	001-2100-521-5210	Expenditure		86	1
				LAW ENFORCEMENT				
42910	01/17/20	POLKB005 POLK BROS ENT				01/31/20		1506
20-00698	1	BBO HOSP. SUITE REFRESHMENTS	100.00	001-7200-572-4832	Expenditure		36	1
				PARKS AND REC				

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PO #	Item	Description					Seq Acct
001TDOPERATING			Continued				
42911	01/17/20	QUILL010 QUILL LLC				01/31/20	1506
20-00716	1	OFFICE SUPPLIES	105.31	001-1300-513-5100	Expenditure		52 1
				FINANCE			
20-00716	2	OFFICE SUPPLIES	40.70	001-2100-521-5100	Expenditure		53 1
				LAW ENFORCEMENT			
20-00716	3	OFFICE SUPPLIES	22.43	001-1900-519-5100	Expenditure		54 1
				OTHER GOVERNMENTAL			
20-00716	4	OFFICE SUPPLIES	25.02	001-3400-534-5100	Expenditure		55 1
				GARBAGE			
20-00716	5	OFFICE SUPPLIES	38.82	001-131-1000	G/L		56 1
				Due From Road & Bridge Fund			
			232.28				
42912	01/17/20	SHERW010 SHERWIN WILLIAMS				01/31/20	1506
20-00730	1	PAINT FOR CITY HALL	87.05	001-1900-519-5290	Expenditure		79 1
				OTHER GOVERNMENTAL			
42913	01/17/20	SMITH010 SMITH BROS. PEST CONTROL				01/31/20	1506
20-00704	1	PEST CONTROL	25.00	001-1900-519-4610	Expenditure		43 1
				OTHER GOVERNMENTAL			
20-00704	2	PEST CONTROL	52.00	001-1900-519-4610	Expenditure		44 1
				OTHER GOVERNMENTAL			
20-00704	3	PEST CONTROL	30.00	001-1900-519-4610	Expenditure		45 1
				OTHER GOVERNMENTAL			
20-00704	4	PEST CONTROL	25.00	001-1900-519-4610	Expenditure		46 1
				OTHER GOVERNMENTAL			
20-00704	5	PEST CONTROL	52.00	001-1900-519-4610	Expenditure		47 1
				OTHER GOVERNMENTAL			
			184.00				
42914	01/17/20	STAPL010 STAPLES				01/31/20	1506
20-00746	1	OFFICE SUPPLIES	249.19	001-1300-513-5100	Expenditure		91 1
				FINANCE			
20-00746	2	OFFICE SUPPLIES	7.92	001-2100-521-5100	Expenditure		92 1
				LAW ENFORCEMENT			
20-00746	3	OFFICE SUPPLIES	10.95	001-2400-524-5100	Expenditure		93 1
				PROT INSPECTIONS			
20-00746	5	OFFICE SUPPLIES	8.85	001-3400-534-5100	Expenditure		94 1
				GARBAGE			
20-00746	6	OFFICE SUPPLIES	13.74	001-131-1000	G/L		95 1
				Due From Road & Bridge Fund			
20-00746	7	OFFICE SUPPLIES	7.94	001-1900-519-5100	Expenditure		143 1
				OTHER GOVERNMENTAL			
			298.59				
42915	01/17/20	STAUG110 ST AUGUSTINE RECORD				01/31/20	1506
20-00562	1	CEB LEGAL AD	71.80	001-2400-524-4810	Expenditure		12 1
				PROT INSPECTIONS			
20-00563	1	P&Z LEGAL AD	103.22	001-1500-515-4810	Expenditure		13 1
				COMP PLANNING			
20-00579	1	FINANACE LEGAL AD-IT MGR	44.88	001-1300-513-4810	Expenditure		14 1
				FINANCE			

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001TD	OPERATING							
42915	ST AUGUSTINE RECORD	Continued						
20-00630	1	FIN LEGAL AD-COMP PLAN	62.83	001-1300-513-4810	Expenditure		24	1
				FINANCE				
20-00631	1	FIN LEGAL AD-LAND USE	85.27	001-1300-513-4810	Expenditure		25	1
				FINANCE				
20-00632	1	FIN LEGAL AD-SJ RIVER WTR MGMT	152.58	001-1300-513-4810	Expenditure		26	1
				FINANCE				
			<u>520.58</u>					
42916	01/17/20	STJOH110 ST. JOHNS COUNTY SOLID WASTE				01/31/20	1506	
20-00748	1	DISPOSAL FEES - DEC 19	13,324.99	001-3400-534-4940	Expenditure		97	1
				GARBAGE				
42917	01/17/20	STJOH140 ST. JOHNS COUNTY UTILITY DEPAR				01/31/20	1506	
20-00722	1	WATER SERVICE - DEC 2019	125.62	001-7200-572-4320	Expenditure		60	1
				PARKS AND REC				
20-00722	2	WATER SERVICE - DEC 2019	58.16	001-7200-572-4320	Expenditure		61	1
				PARKS AND REC				
20-00722	3	WATER SERVICE - DEC 2019	75.50	001-7200-572-4320	Expenditure		62	1
				PARKS AND REC				
20-00722	4	WATER SERVICE - DEC 2019	154.06	001-7200-572-4320	Expenditure		63	1
				PARKS AND REC				
20-00722	5	WATER SERVICE - DEC 2019	106.64	001-2100-521-4320	Expenditure		64	1
				LAW ENFORCEMENT				
20-00722	6	WATER SERVICE - DEC 2019	321.87	001-1900-519-4320	Expenditure		65	1
				OTHER GOVERNMENTAL				
20-00722	7	WATER SERVICE - DEC 2019	214.58	001-2400-524-4320	Expenditure		66	1
				PROT INSPECTIONS				
20-00722	8	WATER SERVICE - DEC 2019	58.39	001-1900-519-4320	Expenditure		67	1
				OTHER GOVERNMENTAL				
20-00722	9	WATER SERVICE - DEC 2019	65.12	001-3400-534-4320	Expenditure		68	1
				GARBAGE				
20-00722	10	WATER SERVICE - DEC 2019	101.04	001-131-1000	G/L		69	1
				Due From Road & Bridge Fund				
			<u>1,280.98</u>					
42918	01/17/20	SUNLI010 SUN LIFE FINANCIAL				01/31/20	1506	
20-00758	1	PREMIUMS FEB-20	389.06	001-229-2100	G/L		112	1
				Insurance-Other Employee Paid				
20-00758	2	PREMIUMS FEB-20	4.56	001-1200-512-2300	Expenditure		113	1
				EXECUTIVE				
20-00758	3	PREMIUMS FEB-20	63.91	001-1300-513-2300	Expenditure		114	1
				FINANCE				
20-00758	4	PREMIUMS FEB-20	14.15	001-1500-515-2300	Expenditure		115	1
				COMP PLANNING				
20-00758	5	PREMIUMS FEB-20	45.10	001-1900-519-2300	Expenditure		116	1
				OTHER GOVERNMENTAL				
20-00758	6	PREMIUMS FEB-20	200.86	001-2100-521-2300	Expenditure		117	1
				LAW ENFORCEMENT				
20-00758	7	PREMIUMS FEB-20	40.63	001-2400-524-2300	Expenditure		118	1
				PROT INSPECTIONS				

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001	TD	OPERATING					
42918	SUN LIFE FINANCIAL	Continued					
20-00758	8	PREMIUMS FEB-20	50.31	001-3400-534-2300	Expenditure		119 1
				GARBAGE			
20-00758	9	PREMIUMS FEB-20	78.06	001-131-1000	G/L		120 1
				Due From Road & Bridge Fund			
			886.64				
42919	01/17/20	TATIC010 TACTICAL MEDICAL SOLUTIONS INC				01/31/20	1506
20-00773	1	FIRST AID SUPPLIES	383.75	001-2100-521-5250	Expenditure		139 1
				LAW ENFORCEMENT			
42920	01/17/20	THEBA005 THE BANCORP BANK				01/31/20	1506
20-00724	1	PD LEASE VEHICLE #128	389.49	001-2100-521-4431	Expenditure		73 1
				LAW ENFORCEMENT			
42921	01/17/20	TICHY010 WAYNE TICHY				01/31/20	1506
20-00757	1	TUITION REIMB-WAYNE TICHY	318.60	001-1900-519-5430	Expenditure		111 1
				OTHER GOVERNMENTAL			
42922	01/17/20	UNITE020 UNITED HEALTHCARE INSURANCE CO				01/31/20	1506
20-00751	1	INSURANCE PREMIUM FEB-20	7,722.57	001-229-2000	G/L		99 1
				Health Insurance-Employee Portion			
20-00751	2	INSURANCE PREMIUM FEB-20	3,311.49	001-229-2100	G/L		100 1
				Insurance-Other Employee Paid			
20-00751	3	INSURANCE PREMIUM FEB-20	706.25	001-1200-512-2300	Expenditure		101 1
				EXECUTIVE			
20-00751	4	INSURANCE PREMIUM FEB-20	7,040.50	001-1300-513-2300	Expenditure		102 1
				FINANCE			
20-00751	5	INSURANCE PREMIUM FEB-20	1,060.50	001-1500-515-2300	Expenditure		103 1
				COMP PLANNING			
20-00751	6	INSURANCE PREMIUM FEB-20	5,616.01	001-1900-519-2300	Expenditure		104 1
				OTHER GOVERNMENTAL			
20-00751	7	INSURANCE PREMIUM FEB-20	19,463.74	001-2100-521-2300	Expenditure		105 1
				LAW ENFORCEMENT			
20-00751	8	INSURANCE PREMIUM FEB-20	2,448.33	001-2400-524-2300	Expenditure		106 1
				PROT INSPECTIONS			
20-00751	9	INSURANCE PREMIUM FEB-20	6,264.01	001-3400-534-2300	Expenditure		107 1
				GARBAGE			
20-00751	10	INSURANCE PREMIUM FEB-20	9,720.00	001-131-1000	G/L		108 1
				Due From Road & Bridge Fund			
			63,353.40				
42923	01/17/20	USBAN005 US BANK VOYAGER FLEET SYS				01/31/20	1506
20-00712	1	PD FUEL 12/9/19-1/8/20	4,274.59	001-2100-521-5220	Expenditure		50 1
				LAW ENFORCEMENT			
42924	01/17/20	USPS0010 USPS-HASLER				01/31/20	1506
20-00689	1	POSTAGE	500.00	001-155-0000	G/L		30 1
				Prepaid Items			

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PO #	Item	Description					Seq Acct
001TD	OPERATING			Continued			
42925	01/17/20	VERIZ010 VERIZON WIRELESS				01/31/20	1506
20-00747	1	PD CELL PHONES	835.57	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		96 1
42926	01/17/20	WINDS005 WINDSTREAM				01/31/20	1506
20-00763	1	PHONES/INTERNET	703.51	001-1300-513-4100 FINANCE	Expenditure		125 1
20-00763	2	PHONES/INTERNET	1,465.64	001-2100-521-4100 LAW ENFORCEMENT	Expenditure		126 1
20-00763	3	PHONES/INTERNET	322.44	001-2400-524-4100 PROT INSPECTIONS	Expenditure		127 1
20-00763	4	PHONES/INTERNET	87.94	001-1900-519-4100 OTHER GOVERNMENTAL	Expenditure		128 1
20-00763	5	PHONES/INTERNET	146.56	001-3400-534-4100 GARBAGE	Expenditure		129 1
20-00763	6	PHONES/INTERNET	205.19	001-131-1000 Due From Road & Bridge Fund	G/L		130 1
			<u>2,931.28</u>				
42927	01/17/20	WISEM010 WISEMAN FENCE & MORE INC.				01/31/20	1506
20-00720	1	BBO-KID ZONE FENCING	990.00	001-7200-572-4832 PARKS AND REC	Expenditure		58 1
42928	01/17/20	ADVAP010 ADVANCED DISPOSAL				01/31/20	1507
20-00701	1	RECYCLE FEES	10,992.28	001-3400-534-3400 GARBAGE	Expenditure		2 1
42929	01/17/20	ADVAP010 ADVANCED AUTO PARTS					1507
20-00742	1	PD VEHICLE #109 PARTS	16.74	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		3 1
20-00743	1	LIGHT FOR VEHICLE #129	18.19	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		4 1
			<u>34.93</u>				
42930	01/17/20	ALLAM016 ALL AMERICAN ELECTRICAL OF NFL				01/31/20	1507
20-00753	1	REFUND-OVERPAYMENT	40.33	001-202-4000 Accounts Payable - Other	G/L		7 1
42931	01/17/20	AMERIC10 AMERICAN CROSSROADS APPAREL CO				01/31/20	1507
20-00694	1	BLDG UNIFORM HATS	60.00	001-2400-524-5210 PROT INSPECTIONS	Expenditure		1 1
42932	01/17/20	ATLAN040 ATLANTIC DODGE-CHRYSLER-JEEP				01/31/20	1507
20-00775	1	VEHICLE #104 MAINT	36.55	001-2100-521-4630 LAW ENFORCEMENT	Expenditure		8 1
42933	01/17/20	ATTUV010 AT&T				01/31/20	1507
20-00749	1	INTERNET	45.47	001-1300-513-4100 FINANCE	Expenditure		5 1

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PO #	Item	Description					Ref Seq Acct
001TDOPERATING							
42933	AT&T	Continued					
20-00749	2	INTERNET	45.48	001-2400-524-4100	Expenditure		6 1
				PROT INSPECTIONS			
			90.95				
42934	01/31/20	AFLAC005 AFLAC					1509
20-00828	1	INSURANCE PREMIUMS JAN-20	509.94	001-229-2100	G/L		69 1
				Insurance-Other Employee Paid			
42935	01/31/20	AMERIO60 AMERICAN HERITAGE LIFE INSURAN					1509
20-00787	1	DENTAL PREMIUMS	29.56	001-229-2100	G/L		23 1
				Insurance-Other Employee Paid			
42936	01/31/20	BOZAR010 BOZARD FORD COMPANY					1509
20-00812	1	VEHICLE #122 REPAIRS	3,383.89	001-2100-521-4630	Expenditure		59 1
				LAW ENFORCEMENT			
42937	01/31/20	CANON010 CANON FINANCIAL SERVICES					1509
20-00790	1	CANON LEASE & USAGE	47.84	001-1900-519-4430	Expenditure		26 1
				OTHER GOVERNMENTAL			
20-00790	2	CANON LEASE & USAGE	53.36	001-3400-534-4430	Expenditure		27 1
				GARBAGE			
20-00790	3	CANON LEASE & USAGE	82.80	001-131-1000	G/L		28 1
				Due From Road & Bridge Fund			
20-00790	4	CANON LEASE & USAGE	1.45	001-1900-519-5100	Expenditure		29 1
				OTHER GOVERNMENTAL			
20-00790	5	CANON LEASE & USAGE	1.62	001-3400-534-5100	Expenditure		30 1
				GARBAGE			
20-00790	6	CANON LEASE & USAGE	2.52	001-131-1000	G/L		31 1
				Due From Road & Bridge Fund			
20-00791	1	CANON LEASE & USAGE	125.00	001-2400-524-4430	Expenditure		32 1
				PROT INSPECTIONS			
20-00791	2	CANON LEASE & USAGE	63.66	001-2400-524-4700	Expenditure		33 1
				PROT INSPECTIONS			
20-00791	3	CANON LEASE & USAGE	125.00	001-2100-521-4430	Expenditure		34 1
				LAW ENFORCEMENT			
20-00791	4	CANON LEASE & USAGE	43.48	001-2100-521-4700	Expenditure		35 1
				LAW ENFORCEMENT			
20-00791	5	CANON LEASE & USAGE	125.00	001-1300-513-4430	Expenditure		36 1
				FINANCE			
20-00791	6	CANON LEASE & USAGE	81.87	001-1300-513-4700	Expenditure		37 1
				FINANCE			
			753.60				
42938	01/31/20	CLERK020 CLERK OF CIRCUIT COURT					1509
20-00803	1	FILING FEE	27.00	001-1300-513-5290	Expenditure		48 1
				FINANCE			
42939	01/31/20	COLON010 COLONIAL SUPPLEMENTAL INSURANC					1509
20-00826	1	INSURANCE PREMIUMS	572.28	001-229-2100	G/L		68 1
				Insurance-Other Employee Paid			

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PO #	Item	Description					Seq Acct
001TD	OPERATING						
		Continued					
42940	01/31/20	COMMU010 COMMUNICATIONS INTERNATIONAL I					1509
20-00795	1	RECERTIFICATIONS-LASERS/RADARS	780.05	001-2100-521-4620	Expenditure		39 1
				LAW ENFORCEMENT			
42941	01/31/20	CRAFT010 CRAFT'S TROPHIES & AWARDS INC					1509
20-00823	1	NAMEPLATE - GROOT	12.00	001-1100-511-4990	Expenditure		65 1
				LEGISLATIVE			
42942	01/31/20	CREAT005 CREATIVE FLEET MARKINGS LLC					1509
20-00800	1	REMOVE/REPLACE DECALS	720.00	001-2100-521-4630	Expenditure		88 1
				LAW ENFORCEMENT			
42943	01/31/20	CROWN020 CROWN SHREDDING LLC					1509
20-00810	1	SHREDDING SERVICE	172.24	001-1100-511-4970	Expenditure		57 1
				LEGISLATIVE			
42944	01/31/20	CSAB-030 CSAB - POLICE EDUCATION FUND				01/31/20	1509
20-00788	1	PE FROM FINES	80.98	001-351-500	Revenue		24 1
				Court Fines			
42945	01/31/20	CYNTH005 CYNTHIA ADERHOLD				01/31/20	1509
20-00849	1	REIMB TRAVEL-OCALA POLICE DEPT	95.24	001-2100-521-5430	Expenditure		82 1
				LAW ENFORCEMENT			
42946	01/31/20	DANAS010 DANA SAFETY SUPPLY					1509
20-00377	1	PATROL VEHICLE EQUIPMENT	1,798.99	001-2100-521-6410	Expenditure		9 1
				LAW ENFORCEMENT			
20-00377	2	PATROL VEHICLE EQUIPMENT	474.68	001-2100-521-6410	Expenditure		10 1
				LAW ENFORCEMENT			
20-00377	3	PATROL VEHICLE EQUIPMENT	1,347.84	001-2100-521-6410	Expenditure		11 1
				LAW ENFORCEMENT			
20-00377	4	PATROL VEHICLE EQUIPMENT	8,252.87	001-2100-521-6410	Expenditure		12 1
				LAW ENFORCEMENT			
20-00377	5	PATROL VEHICLE EQUIPMENT	1,118.69	001-2100-521-6410	Expenditure		13 1
				LAW ENFORCEMENT			
			12,993.07				
42947	01/31/20	DAVID030 DAVID JENSEN					1509
20-00807	1	38th ANL LAW ENF MEMORIAL SVC	20.00	001-2100-521-4000	Expenditure		54 1
				LAW ENFORCEMENT			
42948	01/31/20	DONOV005 DONOVAN GREEN					1509
20-00806	1	38th ANL LAW ENF MEMORIAL SVC	20.00	001-2100-521-4000	Expenditure		53 1
				LAW ENFORCEMENT			
42949	01/31/20	ENTER005 ENTERPRISE FM TRUST					1509
20-00825	1	VEH #125 FINAL LEASE PAYMENT	486.42	001-2100-521-4431	Expenditure		67 1
				LAW ENFORCEMENT			
42950	01/31/20	FIREW010 FIREWORKS BY SANTORE INC.					1509
20-00068	2	BBO FIREWORKS	12,500.00	001-7200-572-4832	Expenditure		1 1
				PARKS AND REC			

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001TD	OPERATING			Continued			
42951	01/31/20	FIRST075 FIRST COAST FIREARMS					1509
20-00797	1	OPTICS WEAPON - CARSWELL	430.00	001-2100-521-5230 LAW ENFORCEMENT	Expenditure		42 1
42952	01/31/20	FLOAT005 FLOATERS PORTABLE SANITATION					1509
20-00282	1	BBO PORTALETS	2,000.00	001-7200-572-4832 PARKS AND REC	Expenditure		2 1
20-00282	2	BBO PORTALETS	160.00	001-7200-572-4832 PARKS AND REC	Expenditure		3 1
20-00282	3	BBO PORTALETS	200.00	001-7200-572-4832 PARKS AND REC	Expenditure		4 1
20-00282	4	BBO PORTALETS	450.00	001-7200-572-4832 PARKS AND REC	Expenditure		87 1
			<u>2,810.00</u>				
42953	01/31/20	FLORI170 FLORIDA JANITOR & PAPER SUPPLY					1509
20-00821	1	JANITORIAL SUPPLIES	247.80	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		64 1
20-00839	1	JANITORIAL SUPPLIES	138.22	001-1900-519-5290 OTHER GOVERNMENTAL	Expenditure		78 1
			<u>386.02</u>				
42954	01/31/20	FLORI230 FLORIDA POLICE CHIEFS ASSOCIAT					1509
20-00848	1	2020 FUTURE CHIEFS REG-ASHLOCK	475.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		81 1
42955	01/31/20	FLOWE010 FLOWERS BY SHIRLEY INC					1509
20-00793	1	FLOWERS - GRAY	135.00	001-1300-513-5290 FINANCE	Expenditure		38 1
20-00808	1	FLOWERS-GRAY FUNERAL	60.00	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		55 1
			<u>195.00</u>				
42956	01/31/20	FOPLO005 FOP LODGE 113					1509
20-00855	1	MEMBERSHIP - TODD SMITH	7.00	001-229-1000 Miscellaneous Deductions	G/L		86 1
42957	01/31/20	FRANK020 FRANKIE HAMMONDS					1509
20-00850	1	REIMB EXP-BATTERIES FOR TRAILR	73.38	001-2100-521-4620 LAW ENFORCEMENT	Expenditure		83 1
42958	01/31/20	GILLE010 NATALIE GILLESPIE					1509
20-00809	1	REIMBURSEMENT-UNIFORM BELTS	67.29	001-2100-521-5210 LAW ENFORCEMENT	Expenditure		56 1
42959	01/31/20	HAGAN020 HAGAN ACE MANAGEMENT CORP					1509
20-00835	1	PLAYGROUND EQUIP REPAIR	29.97	001-7200-572-4610 PARKS AND REC	Expenditure		74 1
42960	01/31/20	HOMED010 HOME DEPOT					1509
20-00840	1	CITY HALL BUILDING MAINT	37.88	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		79 1

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001TD	OPERATING						
42961	01/31/20	HYATT005 HYATT REGENCY JACKSONVILLE					1509
20-00796	1	CJIS TRAINING-JACKIE PARRISH	325.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		40 1
20-00796	2	CJIS TRAINING-CYNTHIA ADERHOLD	325.00	001-2100-521-5430 LAW ENFORCEMENT	Expenditure		41 1
			650.00				
42962	01/31/20	JACKS010 JACKSON-HIRSCH INC.					1509
20-00838	1	OFFICE SUPPLIES	134.03	001-3400-534-5100 GARBAGE	Expenditure		77 1
42963	01/31/20	LEGAL005 LEGALSHIELD					1509
20-00802	1	LEGAL INSURANCE-T LARGE	15.95	001-229-2100 Insurance-Other Employee Paid	G/L		47 1
42964	01/31/20	LVHIE010 L.V. HIERS INC.					1509
20-00829	1	264 GALS REGULAR GAS 87 OCTANE	601.97	001-141-0000 Inventories - Fuel	G/L		70 1
20-00830	1	581 GAL DIESEL FUEL	1,448.96	001-141-0000 Inventories - Fuel	G/L		71 1
			2,050.93				
42965	01/31/20	MEMOR005 MEMORIES BY RIVERA LLC					1509
20-00799	1	K9 KILO CARDS	163.00	001-2100-521-4640 LAW ENFORCEMENT	Expenditure		44 1
42966	01/31/20	MIKAY005 MIKAYLA PRESTON					1509
20-00805	1	38th ANL LAW ENF MEMORIAL SVC	20.00	001-2100-521-4000 LAW ENFORCEMENT	Expenditure		52 1
42967	01/31/20	MORET010 MORE THAN INK					1509
20-00811	1	P2B ZONING SIGNS	237.50	001-1500-515-4700 COMP PLANNING	Expenditure		58 1
42968	01/31/20	NATIO090 NATIONWIDE RETIREMENT SOLUTION					1509
20-00854	1	DEFERRED COMPENSATION	1,714.52	001-235-0000 Deferred Compensation	G/L		85 1
42969	01/31/20	NATW0010 NATW					1509
20-00851	1	NATW MEMBERSHIP #FL300	35.00	001-2100-521-5240 LAW ENFORCEMENT	Expenditure		84 1
42970	01/31/20	NEXTR005 NEXTRAN					1509
20-00820	1	FUEL ADDITIVE	87.00	001-3400-534-5220 GARBAGE	Expenditure		63 1
42971	01/31/20	NORTH020 NORTHEAST FLORIDA LEAGUE OF CI					1509
20-00801	1	NFLC MEETING-ENGLAND & MILLER	50.00	001-1300-513-4000 FINANCE	Expenditure		46 1

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001TDOPERATING				Continued			
42972	01/31/20	PEOPL005 PEOPLEREADY FLORIDA INC					1509
20-00819	1	MAN POWER	327.18	001-3400-534-3400 GARBAGE	Expenditure		62 1
42973	01/31/20	POWER015 POWER DMS					1509
20-00760	1	PowerDMS0001 SUBSCRIPTION	3,130.11	001-2100-521-5440 LAW ENFORCEMENT	Expenditure		20 1
42974	01/31/20	QUILL010 QUILL LLC					1509
20-00789	1	TAX FORMS	48.96	001-1300-513-4700 FINANCE	Expenditure		25 1
42975	01/31/20	RYANJ005 RYAN J MASSEY					1509
20-00784	1	REFUND-TRANSIENT RENT-INELIGIB	196.25	001-367-100 Contractors License/Special	Revenue Permits		22 1
42976	01/31/20	SHERW010 SHERWIN WILLIAMS					1509
20-00836	1	CITY HALL STUCCO PAINT	49.43	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		75 1
20-00841	1	CITY HALL BUILDING MAINT	66.09	001-1900-519-4610 OTHER GOVERNMENTAL	Expenditure		80 1
			<u>115.52</u>				
42977	01/31/20	SHI00005 SHI INTERNATIONAL CORP					1509
20-00512	1	MDT FOR POLICE DEPT	119.04	001-2100-521-6430 LAW ENFORCEMENT	Expenditure		14 1
20-00512	2	MDT FOR POLICE DEPT	81.60	001-2100-521-6430 LAW ENFORCEMENT	Expenditure		15 1
20-00512	3	MDT FOR POLICE DEPT	2,494.71	001-2100-521-6430 LAW ENFORCEMENT	Expenditure		16 1
20-00697	1	MDT FOR POLICE DEPT	2,494.71	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		17 1
20-00697	2	MDT FOR POLICE DEPT	81.60	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		18 1
20-00697	3	MDT FOR POLICE DEPT	119.04	001-2100-521-5290 LAW ENFORCEMENT	Expenditure		19 1
			<u>5,390.70</u>				
42978	01/31/20	STAPL010 STAPLES					1509
20-00782	1	OFFICE SUPPLIES	47.59	001-1300-513-5230 FINANCE	Expenditure		21 1
20-00833	1	OFFICE SUPPLIES	58.39	001-1100-511-5100 LEGISLATIVE	Expenditure		72 1
			<u>105.98</u>				
42979	01/31/20	STJOH120 ST. JOHNS COUNTY TAX COLLECTOR					1509
20-00824	1	POSTAGE - TAXES	364.50	001-1300-513-4200 FINANCE	Expenditure		66 1
42980	01/31/20	SUNBE015 SUNBELT RENTALS					1509
20-00283	1	BBO LIGHT TOWERS	4,327.29	001-7200-572-4832 PARKS AND REC	Expenditure		5 1

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PO #	Item	Description						Acct
001TD	OPERATING							
42980	SUNBELT RENTALS	Continued						
20-00283	2	BBO LIGHT TOWERS CREDIT	2,383.84	001-7200-572-4832	Expenditure		6	1
				PARKS AND REC				
20-00283	3	BBO LIGHT TOWERS	198.22	001-7200-572-4832	Expenditure		7	1
				PARKS AND REC				
20-00283	4	BBO LIGHT TOWERS	198.23	001-7200-572-4832	Expenditure		8	1
				PARKS AND REC				
			1,943.44					
42981	01/31/20	TAYLO020 TAYLOR RENTAL						1509
20-00837	1	BBO STAGE RISERS	227.00	001-7200-572-4832	Expenditure		76	1
				PARKS AND REC				
42982	01/31/20	TOMNE010 TOM NEHL TRUCK COMPANY						1509
20-00817	1	VEHICLE #75 REPAIR	33.87	001-3400-534-4630	Expenditure		60	1
				GARBAGE				
20-00818	1	VEHICLE #77 REPAIR	57.45	001-3400-534-4630	Expenditure		61	1
				GARBAGE				
			91.32					
42983	01/31/20	VERIZ010 VERIZON WIRELESS						1509
20-00804	1	CELL PHONES	119.33	001-2400-524-4100	Expenditure		49	1
				PROT INSPECTIONS				
20-00804	2	CELL PHONES	233.69	001-3400-534-4100	Expenditure		50	1
				GARBAGE				
20-00804	3	CELL PHONES	233.68	001-131-1000	G/L		51	1
				Due From Road & Bridge Fund				
			586.70					
42984	01/31/20	WAL-M010 WAL-MART STORE#01-0579						1509
20-00834	1	OFFICE SUPPLIES	34.42	001-1900-519-5100	Expenditure		73	1
				OTHER GOVERNMENTAL				
42985	01/31/20	WATER015 WATERLOGIC						1509
20-00798	1	WATER SYSTEM	139.91	001-2100-521-5290	Expenditure		43	1
				LAW ENFORCEMENT				
Checking Account Totals								
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>			
	Checks:	141	9	201,948.66	11,255.04			
	Direct Deposit:	0	0	0.00	0.00			
	Total:	141	9	201,948.66	11,255.04			
101TD	BANKRDBRG							
20585	01/03/20	BUILD015 BUILDERS STAINLESS.COM				01/31/20		1498
20-00642	1	HARDWARE FOR ASH CAN INSTALL	4.25	101-4100-541-5310	Expenditure		7	1
				ROADS & BRIDGES				
20586	01/03/20	CMT00005 CMT				01/31/20		1498
20-00633	1	SAB HMGP PH2-MIZELL WEIR	4,858.00	101-4100-541-6383	Expenditure		2	1
				ROADS & BRIDGES				

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101TDBANKRDBRG			Continued				
20587	01/03/20	EVANS010 EVANS AUTOMOTIVE				01/31/20	1498
20-00639	1	VEHICLE #57 FUSE BOX REPAIR	548.94	101-4100-541-4630	Expenditure		4 1
				ROADS & BRIDGES			
20588	01/03/20	FLORI250 FLORIDA POWER & LIGHT COMPANY				01/03/20 VOID	0
20589	01/03/20	FLORI250 FLORIDA POWER & LIGHT COMPANY				01/31/20	1498
20-00623	1	ELECTRICITY-HOLIDAY LIGHTS	2,688.98	101-4100-541-5320	Expenditure		1 1
				ROADS & BRIDGES			
20-00660	1	ELECTRICITY	46.27	101-4100-541-4310	Expenditure		8 1
				ROADS & BRIDGES			
20-00660	2	ELECTRICITY	505.71	101-4100-541-4310	Expenditure		9 1
				ROADS & BRIDGES			
20-00660	3	ELECTRICITY	25.91	101-4100-541-4310	Expenditure		10 1
				ROADS & BRIDGES			
20-00660	4	ELECTRICITY	490.03	101-4100-541-4310	Expenditure		11 1
				ROADS & BRIDGES			
20-00661	1	ELECTRICITY	93.83	101-4100-541-5320	Expenditure		12 1
				ROADS & BRIDGES			
20-00661	2	ELECTRICITY	4,361.90	101-4100-541-5320	Expenditure		13 1
				ROADS & BRIDGES			
20-00661	3	ELECTRICITY	16.70	101-4100-541-4310	Expenditure		14 1
				ROADS & BRIDGES			
20-00661	4	ELECTRICITY	14.13	101-4100-541-4310	Expenditure		15 1
				ROADS & BRIDGES			
20-00661	5	ELECTRICITY	11.46	101-4100-541-4310	Expenditure		16 1
				ROADS & BRIDGES			
20-00661	6	ELECTRICITY	253.00	101-4100-541-4310	Expenditure		17 1
				ROADS & BRIDGES			
20-00661	7	ELECTRICITY	352.71	101-4100-541-4310	Expenditure		18 1
				ROADS & BRIDGES			
20-00661	8	ELECTRICITY	341.24	101-4100-541-4310	Expenditure		19 1
				ROADS & BRIDGES			
20-00661	9	ELECTRICITY	1,156.36	101-4100-541-4310	Expenditure		20 1
				ROADS & BRIDGES			
20-00661	10	ELECTRICITY	363.69	101-4100-541-4310	Expenditure		21 1
				ROADS & BRIDGES			
			10,721.92				
20590	01/03/20	GRAIN010 GRAINGER				01/31/20	1498
20-00640	1	HARDWARE TO INSTALL ASH CANS	107.55	101-4100-541-5310	Expenditure		5 1
				ROADS & BRIDGES			
20591	01/03/20	HOMED010 HOME DEPOT				01/31/20	1498
20-00637	1	POSTS-INSTALL ASH CANS	293.81	101-4100-541-5310	Expenditure		3 1
				ROADS & BRIDGES			
20592	01/03/20	STAUG050 ST AUGUSTINE ELECTRIC MOTOR W				01/31/20	1498
20-00641	1	LAKE SIDE PUMP DIAGNOSTIC	50.00	101-4100-541-5270	Expenditure		6 1
				ROADS & BRIDGES			

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PO #	Item	Description					Ref Seq Acct
101TDBANKRDBRG				Continued			
20595	01/17/20	AMERIC10 AMERICAN CROSSROADS APPAREL CO				01/31/20	1505
20-00693	1	PWD UNIFORM HATS	322.00	101-4100-541-5210 ROADS & BRIDGES	Expenditure		3 1
20596	01/17/20	CEDST005 CED-ST AUGUSTINE				01/31/20	1505
20-00719	1	HOLIDAY LIGHTS	55.49	101-4100-541-5310 ROADS & BRIDGES	Expenditure		7 1
20597	01/17/20	FLORI250 FLORIDA POWER & LIGHT COMPANY				01/31/20	1505
20-00705	1	ELECTRICITY-HOLIDAY LIGHTS	5.82	101-4100-541-5320 ROADS & BRIDGES	Expenditure		4 1
20-00750	1	ELECTRICITY	10.81	101-4100-541-4310 ROADS & BRIDGES	Expenditure		9 1
			<u>16.63</u>				
20598	01/17/20	HAGAN020 HAGAN ACE MANAGEMENT CORP				01/31/20	1505
20-00755	1	CONCRETE MIX-WOODLAND DRAINAGE	43.08	101-4100-541-5310 ROADS & BRIDGES	Expenditure		11 1
20599	01/17/20	NORTH010 NORTH FLORIDA IRRIGATION EQUIP				01/31/20	1505
20-00717	1	RECLAIMED WATER LINE SUPPLIES	123.28	101-4100-541-5270 ROADS & BRIDGES	Expenditure		6 1
20600	01/17/20	STJOH245 ST JOHNS SALES & SERVICE				01/31/20	1505
20-00754	1	BLADE FOR CUTTING BACK R.O.W.	37.75	101-4100-541-5290 ROADS & BRIDGES	Expenditure		10 1
20601	01/17/20	THELA020 THE LAKE DOCTORS				01/31/20	1505
20-00706	1	WATER MANAGEMENT SERVICE	595.00	101-4100-541-3400 ROADS & BRIDGES	Expenditure		5 1
20602	01/17/20	TRACT010 TRACTOR SUPPLY CREDIT PLAN				01/31/20	1505
20-00731	1	VEHICLE #66 REPAIR PARTS	9.99	101-4100-541-4630 ROADS & BRIDGES	Expenditure		8 1
20603	01/17/20	UNIVE035 UNIVERSAL ENGINEERING SCIENCES				01/31/20	1505
20-00310	1	MICKLER BLVD PAVEMENT EVALUATN	1,879.70	101-4100-541-6310 ROADS & BRIDGES	Expenditure		1 1
20-00311	1	11th ST PAVEMENT EVALUATION	2,988.15	101-4100-541-6310 ROADS & BRIDGES	Expenditure		2 1
			<u>4,867.85</u>				
20604	01/31/20	ADVAP010 ADVANCED AUTO PARTS					1508
20-00846	1	VEHICLE #61 OIL FILTER	5.00	101-4100-541-4630 ROADS & BRIDGES	Expenditure		10 1
20605	01/31/20	ALLEN020 ALLEN'S TOWING SERVICE					1508
20-00785	1	TOW SERVICE-WINCH & LIFT	425.00	101-4100-541-5290 ROADS & BRIDGES	Expenditure		1 1

February 14, 2020
11:58 AM

CITY OF ST. AUGUSTINE BEACH
Check Register By Check Date

Page No: 22

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num
PO #	Item	Description					Seq Acct
101TDBANKRDBRG Continued							
20606	01/31/20	CMT00005 CMT					1508
20-00827	1	SAB HMGP Ph2 DESGN-MIZELL WEIR	1,174.50	101-4100-541-6383	Expenditure		4 1
				ROADS & BRIDGES			
20607	01/31/20	CRAFT010 CRAFT'S TROPHIES & AWARDS INC					1508
20-00815	1	TREE PLAQUE	20.00	101-4100-541-5310	Expenditure		2 1
				ROADS & BRIDGES			
20608	01/31/20	DOGWA005 DOG WASTE DEPOT					1508
20-00816	1	MUTT MITT BAGS	604.40	101-4100-541-5310	Expenditure		3 1
				ROADS & BRIDGES			
20609	01/31/20	HAGAN020 HAGAN ACE MANAGEMENT CORP					1508
20-00844	1	BATTERY FOR IRRIGATION SYSTEM	6.99	101-4100-541-5270	Expenditure		8 1
				ROADS & BRIDGES			
20-00845	1	TREE PLANTING SUPPLIES	43.79	101-4100-541-5270	Expenditure		9 1
				ROADS & BRIDGES			
			50.78				
20610	01/31/20	LVHIE010 L.V. HIERS INC.					1508
20-00831	1	100 GALS MARINE FUEL	253.45	101-4100-541-5220	Expenditure		5 1
				ROADS & BRIDGES			
20611	01/31/20	NUTRI005 NUTRIEN AG SOLUTIONS INC					1508
20-00842	1	CITY HALL GRASS SEED	40.00	101-4100-541-5270	Expenditure		6 1
				ROADS & BRIDGES			
20612	01/31/20	SANF0005 SANFORD AND SON AUTO PARTS INC					1508
20-00847	1	VEHICLE #61 FUEL FILTER	114.76	101-4100-541-4630	Expenditure		11 1
				ROADS & BRIDGES			
20613	01/31/20	STJOH245 ST JOHNS SALES & SERVICE					1508
20-00843	1	CHAIN SAW REPAIR	61.47	101-4100-541-4620	Expenditure		7 1
				ROADS & BRIDGES			
Checking Account Totals							
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>		
	Checks:	26	1	25,404.90	0.00		
	Direct Deposit:	0	0	0.00	0.00		
	Total:	26	1	25,404.90	0.00		
Report Totals							
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>		
	Checks:	167	10	227,353.56	11,255.04		
	Direct Deposit:	0	0	0.00	0.00		
	Total:	167	10	227,353.56	11,255.04		

Totals by Year-Fund Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	0-001	165,073.85	394.72	36,480.09	201,948.66
ROAD & BRIDGE FUND	0-101	25,404.90	0.00	0.00	25,404.90
Total Of All Funds:		190,478.75	394.72	36,480.09	227,353.56

Totals by Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	001	165,073.85	394.72	36,480.09	201,948.66
ROAD & BRIDGE FUND	101	25,404.90	0.00	0.00	25,404.90
Total Of All Funds:		190,478.75	394.72	36,480.09	227,353.56

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
GENERAL FUND	0-001	165,073.85	0.00	0.00	0.00	165,073.85
ROAD & BRIDGE FUND	0-101	25,404.90	0.00	0.00	0.00	25,404.90
Total Of All Funds:		190,478.75	0.00	0.00	0.00	190,478.75

PENDING ACTIVITIES AND PROJECTS

Revised February 20, 2020

1. **PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER.** The reviews were discussed by the Commission at its January 14, 2020, continuation meeting. The Commission directed that that it be reminded in October 2020 to begin the reviews for the calendar year, with the reviews to be discussed at the Commission's December 7, 2020, meeting.
2. **LAND DEVELOPMENT REGULATIONS.** There two ordinances were on the agenda for the Commission's February 3rd meeting: a) a public hearing and second reading to adopt changes to the regulations; b) a proposed ordinance for dune protection. Both were approved. The first ordinance will have its second public hearing and final reading at the Commission's March 2nd meeting. The ordinance for dune protection will have its first public hearing and second reading at the same meeting. In addition, the Building Official will propose allowing by conditional use permit certain types of animals, such as chickens, as comfort animals. These are now prohibited in the City.
3. **COUNTY PIER PARK.** Mayor George by letter asked the former County Administrator to keep the City informed of plans to renovate the park. In early October 2019, 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 January 2020, the County Beach Services Division provided this update:
 - a. Pier shop expansion: As of January 2020, drawings from Engineer about complete. The County Commission will have to approve funding for the project. Renovations are to include new floors and fixtures, and new paint. 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 pier has been closed and the renovations were started in January 2020.
 - c. Pier parking lot has been restriped.
 - d. Replacing Ron Parker Park tennis courts: This project has been completed.

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 how to provide better and safer pedestrian access. Request for bids will be advertised for replacement of the 9th Street beach access walkover.

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 Statement, a Vision Statement, a Values Statement and a list of goals and the tasks each. The Commission reviewed the plan and provided comments at its January 14th continuation meeting. The City Manager is to make some revisions and bring the plan back at a future meeting.

5. **PARKING PLAN.** An outcome of the City Commission's joint meeting on March 19, 2018, with the Comprehensive and Zoning Board is the exploration of a pay-by-phone parking system. Mayor George informed the Commission of Gainesville's use of the technology. The Commission discussed Gainesville's system at its April 2nd meeting, and directed the City staff to prepare and advertise a Request for Proposals for a pay-by-phone system. Six proposals were received by the April 20th deadline. The City staff reviewed them and met with St. Augustine's parking enforcement staff, as that city is interested in having a similar system and has been exploring the matter longer than our City has. Initially, the City Commission said it favored both cities having the same system St. Augustine is adopting, which is a system offered by a company called Passport Labs. With that system, a person uses a smart phone app to pay to park. However, at a special meeting on January 8, 2019, the Commission learned that St. Johns County planned to advertise for paid parking proposals in January with the possible implementation of paid parking at the pier and other County beach parking lots in April 2019. The City Commission decided to change direction and adopt the same paid parking system that the County adopts. The Commission believes this would be less confusing for residents and visitors.

In the meantime, the City Commission has adopted an ordinance to raise the fine for illegal parking from \$20 to \$75, to set the fine for illegal parking in a handicapped space at \$250, and to authorize the City Manager to put parking regulation signs on City streets. The Commission considered adopting regulations for a residential parking permit plan but decided on a trial basis to have Resident Only signs posted on 13th and 14th Streets west of the Boulevard, where the residents have requested the signs.

The Commission held a special meeting on January 8th for public comment on the proposal to have paid parking. Nearly all the persons who spoke were not in favor of the proposal.

At the Commission's February 4th meeting, there were two parking-related topics. One was an ordinance on final reading to allow for the establishment of parking meter zones; the second was to be a discussion of residential parking permits. The Commission decided to delay action on both topics and to hold a special meeting on Tuesday, March 5th, with residents to discuss the residents' proposed solutions for how to protect residential neighborhoods from parking by beach visitors. At the Commission's April 1st meeting, the Commission decided to hold a special meeting on April 29th, to discuss the parking management plan submitted by the County, and to pass on first reading the

ordinance to establish the resident only parking system and ordinance to adopt changes to the City's parking regulations.

At the County Commission's April 2nd meeting, by majority vote it authorized the County staff to enter into negotiations with Republic Parking for a parking management plan with proposed parking fees of \$5 a day and \$50 for the year. On April 15th, Commissioner Samora, the City's Chief Financial Officer, Ms. Melissa Burns, and the City Manager met with the County Administrator, Mr. Michael Wanchick, and the County's Director of the Office of Management and Budget, Mr. Jesse Dunn, to discuss how the City could be involved in the negotiations with Republic so that both the City and the County would have one parking management plan. The City Manager later sent the locations and numbers of public parking spaces that could be included in the Republic plan. The City's total number of possible paid parking spaces is 152. The City Manager in a subsequent email reminded Mr. Dunn to include City staff in the negotiations with Republic. However, as that meeting wasn't arranged, the Manager contacted Republic for a meeting with City staff. In April, Mr. Dunne informed the Manager that the County likely would implement its paid parking plan in March 2020.

In the meantime, the City Commission at its April 29, 2019, reviewed a proposed ordinance to establish a residential parking permit system, made changes to the ordinance and asked the City Attorney to have a final draft for the June 10th regular meeting. The ordinance and one to amend the parking regulations in Chapter 19 of the City Code were adopted on final reading at that meeting.

Also, at the April 29th meeting, the Commission discussed the possibility of leasing the vacant property between 4th and 5th Streets on the west side of the Boulevard, south of the Marriott Hotel. It is owned by the company that owns the Marriott. The owner proposed 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.

At its March 2, 2020, meeting the City Commission will discuss possible parking improvements on City-owned plazas and streets.

6. JOINT MEETINGS: With the County Commission. No date has yet been proposed by either Commission for a joint meeting.

On February 10, 2020, the City Commission and Planning Board held a joint meeting. The topics discussed included communications, training for Board members, hiring a planner and providing more information to the Board. It was agreed to have a joint meeting every six months.

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 6:00 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 presented an ordinance to the City Commission at its December 2, 2019, meeting. After discussing the Department's objection, the Commission passed the ordinance on first reading. Its second public hearing was at the Commission's January 6th meeting, when the ordinance was approved on final reading. The ordinance and supporting information were sent to the Florida Department of Economic Opportunity for a final review. In late January, the DEO notified the City that it would conduct a compliance review and issue a Notice of Intent on March 6, 2020.

8. **UPDATING PERSONNEL MANUAL.** At the City Commission's February 3, 2020, meeting, the City Clerk proposed two amendments to the Manual: to designate Christmas Eve and Good Friday as holidays for the City employees; and policies for to provide compensation to the employees during emergencies. The Commission approved the additional holidays but asked the City Clerk to provide revised policies for compensation for the employees during declared emergencies. The revisions will be presented at a future meeting.

The Commission at its March 2nd meeting will consider amendments to the Manual prohibiting fraternization between supervisory and non-supervisory employees and animals other than American with Disabilities Act-recognized animals in city buildings.

9. 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. At its December 3rd continuation meeting, the Commission by a 3-2 vote approved a resolution to inform the Tax Collector of the City's intent to levy the non-ad valorem assessment for the collection of solid waste later in 2020. The signed resolution was sent to the Tax Collector, the Property Appraiser, and the Florida Department of Revenue.

At its January 6th meeting, the Commission reviewed and approved a proposal for increased fees for businesses and transient rentals from the Public Works Director. A resolution to adopt the fees is scheduled for the Commission's March 2nd meeting.

10. 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. At its January 13th continuation meeting, the Commission approved the agreement with FPL to have 19 new lights erected.
11. 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.
12. 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. At its January 13th continuation meeting, the Commission approved the agreement for lighting changes subject to the following conditions: 1) to verify that the City must pay for the additional lights along the Boulevard; 2) that the City Attorney review the interlocal agreement with the County and the state; 3) that the Public Works Director and Police Chief review FPL's recommendations and be judicious about the number of lights along the Boulevard and hold off on

changing any lights that might be converted to LEDs soon. The agreement with FP&L for the conversion will be on the agenda for the Commission's April 6th meeting.

13. CITIZEN SURVEY. The results of the survey are due by March 25, 2020.

14. CITY ATTORNEY SEARCH. City Attorney James Wilson announced his intention to resign at the Commission's April 1, 2019, 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. 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 and advertised the Request.

As of the November 8th deadline, 10 firms had submitted a proposal. At its December 3rd continuation meeting, the Commission modified the standards in the Request for Proposals, setting the maximum monthly retainer at \$6,000, and the fee for extra-legal work at \$175 an hour, and that the City wouldn't pay the costs for travel, copying, postage and paralegal legal services. The City Manager was directed to send the new standards to the 10 firms. The deadline for their responses was Friday, December 20, 2019. As of that date, five firms submitted a response, which were reviewed by the Commission at its January 6, 2020, meeting. The Commission interviewed the five firms at a special meeting on Monday, January 13th and at its continuation meeting on January 14th selected the firm of Paul, Elkind, Branz & Paul of DeLand. The current City Attorney, James Wilson, has drafted a contract, to which the law firm has made several proposed changes. The Commission reviewed the contract at its February 3rd meeting, deleted wording that provide payment of \$175 an hour for any regular work done in excess of 35 hours a month, and asked the City Attorney to discuss this change the Paul, Elkind, Branz & Paul.

At a special meeting on February 10th, the Commission agreed that Mr. Wilson would send a draft contract to the four firms that had been interviewed previously and to another one, Marks Gray, that had expressed interest in being considered. The responses from the firms were due on February 21st. The Commission will review them at its March 2nd meeting, which will begin at 5 p.m., an hour earlier than usual.

15. GRANTS. The Public Works Director has prepared and or will prepare applications for grants from the following agencies:

Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match would be \$35,500. Total project cost: \$142,000

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

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.

Land and Water Conversation Fund: Application was submitted January 31, 2020, for improvements to Ocean Hammock Park. Requested amount is \$200,000 with a 50% match from the City required.

St. Johns River Water Management District Cost Share Program: Grant applied for in February to provide funds for the new weir at the City's Mizell Road retention pond. The amount requested is \$600,000. On February 10th, the Public Works Director met with District staffers at their Palatka office to review the City's application. The application was submitted a week later.

16. REQUEST TO COUNTY LEGISLATION DELEGATION TO SUPPORT REQUEST FOR AN APPROPRIATION.

There was a possibility of the City obtaining an appropriation in the state's Fiscal Year 2121 budget for a project. The County's Legislative Delegation met on November 22nd. As that meeting, the City's Public Works Director requested an appropriation from the state of \$505,000, which would pay the City's share of the cost to build the new weir. During January, Commissioner Rumrell obtained an application form from Senator Travis Hutson's office. The Public Works Director filled out the form quickly and submitted it to the Senator's staff. However, in late January, Commissioner Rumrell was informed that the City's requested had not been included in the Florida House and Senate's respective budgets for Fiscal Year 2021. This topic will no longer be included in this Report.

17. 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.

18. REQUEST FOR FUNDING FROM TOURIST DEVELOPMENT COUNCIL FOR BEACH-RELATED PROJECTS.

The City Manager has asked the TDC Executive Director for the procedure for applying for TDC funding in Fiscal Year 2021 for beach-related projects, such as dune walkovers and improvements to public parking areas. The Public Works Director will prepare a proposal for the TDC's March meeting.

19. VIDEOING PORT COMMISSION MEETINGS. At its November 19th meeting, the Port Commission

approved paying the City to video the Port Commission's monthly meetings. The City's IT staff updated the cost estimate it provided earlier this year and presented it to the Port Commission at its December 17th meeting. The Port Commission held off deciding whether to accept the proposal until the City Commission reviewed it. At the Commission's January 13th continuation meeting, Mr. Anthony Johns, the City's IT Manager provided a report about the difficulties of the City doing the videoing. The Commission directed that the IT Manager and the City Manager inform the Port Commission that it would need to meet and sign the management control agreement with the Police Department, and would have to be aware that the staff doing the videoing might have to cease doing such if the staff were called to an emergency at the Police Department. Also, the Port Commission would have to pay for City staff time and overtime. The City Commission suggested the Port Commission schedule its

monthly meeting at a different time and date. The Port Commission usually meets the third Tuesday of each month at 3 p.m. The Port Commission has not yet responded to the City's proposal.

20. **NON-CONFORMING BUSINESS SIGNS.** The City's sign code has a height limit of 12 feet for business signs. A number of businesses have signs that exceed that height. According to the code, these signs must be made conforming by August 2023. The Building Official and his staff will notify the businesses of this requirement and will work with them to bring these signs into conformity.
21. **ORDINANCE CONCERNING E-SCOOTERS AND E-BICYCLES.** The City Attorney prepared an ordinance to prohibit the riding of these mobility devices on sidewalks and other regulations. The Commission reviewed the ordinance at its January 14th meeting, made some amendments to it and passed the ordinance on first reading. The Commission adopted the ordinance on final reading at its February 3rd meeting. This topic will no longer be included in this Report.