# AGENDA

**REGULAR CITY COMMISSION MEETING**
**MONDAY, SEPTEMBER 14, 2020 AT 6:00 P.M.**
**CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080**

***NOTICE TO THE PUBLIC***

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

**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. APPROVAL OF MINUTES OF THE SPECIAL COMMISSION MEETING OF JULY 27, 2020, AND REGULAR COMMISSION MEETING OF AUGUST 3, 2020.

V. ADDITIONS OR DELETIONS OF THE AGENDA

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

VII. PRESENTATIONS

A. Interview of Mr. Scott Andrew Babbitt for Position of Alternate on the Comprehensive Planning and Zoning Board.

VIII. PUBLIC COMMENTS

IX. COMMISSIONER COMMENTS

X. PUBLIC HEARINGS

1. Appeal of Comprehensive Planning and Zoning Board's Decision to Grant Post-Permit Modifications to Oceans Thirteen, 12 13th Street, Ms. Sandra Kulyk, Appellant (Presenter: Brian Law, Building Official)

2. Ordinance 20-XX, First Public Hearing and Second Reading: to Amend Section 6.02.03 of the Land Development Code for Provisions to Permit the Access of Private Property from Dead-End Streets (Presenter: Brian Law, Building Official)

XI. CONSENT

3. Comprehensive Planning and Zoning Board: Re-Appointment of Two Regular Members: Ms. Hester Longstreet and Mr. Chris Pranis

XII. OLD BUSINESS

4. Ocean Walk Subdivision Drainage Improvements: Update on Status (Presenter: Bill Tredik, Public Works Director)

5. Opening of 2nd Street West of 2nd Avenue: Review of Options and Costs, and Request to Approve a Special Assessment (Presenters: Max Royle, City Manager, and Bill Tredik, Public Works Director)

6. New Year's Fireworks Show: Update Report and Request for Commission to Decide Whether to Hold It (Presenter: Melinda Conlon, Communications and Events Coordinator)

7. Use of City Property Adjacent to Mizell Road Retention Pond: Review of Agreements to Allow Honeybee Hives and Consideration of Agreement with Ark Wildlife Rehabilitation for Injured Bird Recovery Facility (Presenter: Max Royle, City Manager)

XIII. NEW BUSINESS

8. Tourist Development Council: Approval of a Letter to Re-Appoint Commissioner Undine George as the City Representative (Presenter: Max Royle, City Manager)

9. Civil Rights Monument Adjacent to Former City Hall: Consideration of How to Highlight It (Presenter: Commissioner Undine George)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

## ***NOTICES TO THE PUBLIC***

1. **COMPREHENSIVE PLANNING AND ZONING BOARD.** Because of early voting and the primary elections, the Board will meet on Tuesday, September 15, 2020, at 6:00 p.m. in the Commission meeting room at city hall. Topics on the agenda may include: a. request for variance to reduce 10 feet of rear setback from 25 feet to 6.8 feet because of location of a sewer lift station on site for a proposed house; b. request to remove 420inch oak tree at 42 Ocean Pines Drive in the Anastasia Dunes subdivision.

2. **CITY COMMISSION FINAL HEARING ON FISCAL YEAR 2021 BUDGET.** It will be held on Monday, September 21, 2020, at 5:01 p.m. in the Commission meeting room.

**NOTE:**

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

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

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

# MINUTES

**SPECIAL BUDGET CITY COMMISSION MEETING**
**MONDAY, JULY 27, 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

Mayor England asked City Clerk Raddatz for roll call.

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

Also present were: City Manager Royle, City Attorney Douglas, Assistant City Attorney Lex Taylor, Police Commander Ashlock, City Clerk Raddatz, Finance Director Douylliez, Building Official Law, and Public Works Director Tredik.

IV. PROPOSED BUDGET FOR FISCAL YEAR 2021

A. Overview of Proposed Budget, Revenue Sources, and Property Tax Millage for Operating and Debt Purposes (Presenters: Max Royle, City Manager; Patricia Douylliez, Finance Director)

C. Review of Proposed Pay for City Employees (Presenter: Patty Douylliez, Finance Director)

D. Review of Capital Outlay Requests and Other Budget Matters (Presenters: Max Royle, City Manager, and Department Heads)

Mayor England introduced Item IV.A through IV.D and asked City Manager Royle and Finance Director Douylliez to give their report.

City Manager Royle advised this meeting is to set the tentative millage. Budget is balanced at 2.45 mills but recommended 2.6 in case there is more of a decrease in revenues because of COVID-19. He explained that we do not have May and June's revenues from the federal and state agencies, so the City is not sure if we will receive less than expected.

Finance Director Douylliez showed a PowerPoint presentation (Exhibit 1) which gave the information regarding the FY 20-21 budget. She recommended that the tentative millage be 2.60 because she still does not know what the revenues will be yet.

Commissioner George had no comments.

Commissioner Rumrell had no comments.

Vice Mayor Kostka had no comments.

Commissioner Samora had no comments.

Mayor England asked what percentage of capital outlays were carried over from last year.

Public Works Tredik advised that $325,000 total projects were deferred. He commented that the 3rd Lane drainage improvement is not in the budget and what was carried forward was $215,000.

Vice Mayor Kostka asked for a list of projects that would be done under drainage and resurfacing categories.

Public Works Director Tredik advised the projects for resurfacing are Mickler Boulevard, Atlantic Alley, Tide Ends Drive and Oceanside Circle. He commented that Mickler Boulevard North was deferred but is trying to do the rest of Mickler Boulevard because it is in poor condition. He advised that that makes up the $360,000. Drainage projects will be 11th Street at $115,000 and improvements in various locations will be $25,000. He said last year 11th Street was deferred but would be done under the drainage projects because he needs to replace the pipes.

Vice Mayor Kostka asked Public Works Director Tredik to send the Commission the Master Stormwater Master Plan.

Public Works Director Tredik advised that he would send the plan to the Commission and explained that several projects are in that plan and there are several projects to still be done.

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

Robert Vignato, 39 Lee Drive, St. Augustine, FL, requested that Mickler Boulevard North be done this year instead of being deferred.

Public Works Director Tredik advised that Mickler Boulevard North was deferred but will be done next year.

Clifford Wright, 8 Lee Drive, St. Augustine Beach, FL, asked why Ocean Walk is pending instead of being done now.

Mayor England advised that this has not been presented to the Commission and this meeting is for the proposed budget only. She then closed the Public Comments section and asked for any further Commission discussion.

Mayor England advised that the staff's recommendation is at 2.6 millage rate.

City Manager Royle advised that there the body cameras for Police Officers, drainage pipe on Mickler Boulevard and 2nd Street drainage are not in the proposed budget and the Commission will have to decide if they need to be done.

Mayor England asked Public Works Director Tredik if there would be any other projects that needed to happen this year.

Public Works Director Tredik advised no, just those three items. He advised that the others are being deferred because they are less critical.

Mayor England advised that on page 29 only the critical projects are included in the budget, nothing else. She asked how long the 3rd Lane drainage project has been deferred.

Public Works Director Tredik advised that he could do part of 3rd Lane and handled the worse of the erosion issue, so he is comfortable waiting on the rest of the project until FY 21-22. He advised that there will be $25,000 in this year's budget to accomplish small projects. He explained that on 2nd Street when it is opened, it would be a better time to do the piping in that area.

Mayor England advised that Commissioner George always suggests putting in underground utilities in as the City puts in piping and asked if there is anything in the budget for that.

Public Works Director Tredik advised that he did not have anything in this budget to convert overhead utilities to underground.

Commissioner George thanked Mayor England for bringing that up because it would minimize the expenses and maximize the benefits for the community.

Public Works Director Tredik explained that 2nd Street could be explored for underground utilities, but he does not know how much it costs. He said because it would be new and not a retrofit it could be done.

Commissioner Rumrell asked if the $35,000 for a Public Works building rendering was in the budget for this year because he did not want it this year due to all the projects that need to be done.

Public Works Director Tredik advised that it was not in the budget.

Mayor England advised that the reserves need to be increased and asked what amount would go to the reserves at 2.45 millage.

Finance Director Douylliez advised that there would be $183,000 put to the reserves at 2.45 mills. She explained that the City has currently $350,000 in reserves. She advised that it costs $450,000 per month to operate the City and the City should have at least two months of operating expenses in reserves.

Commissioner Samora asked how much money needs to be in the reserves.

Finance Director Douylliez advised $800,000 should be in reserves, which is what the auditors want in the City's reserves in two years.

City Manager Royle advised that the millage rate tonight is tentative, and the Commission could change the millage in the next two budget meetings after the revenues are disclosed.

Mayor England commented that she was very concerned about the reserves and drainage projects that need to be completed and are not in the budget for the upcoming fiscal year. She recommended setting the budget at 2.6 mills and see what revenues come in the next month. She remarked that the Commission has deferred projects for a couple of years now and it is important to put money back into reserves.

Commissioner George agreed with Mayor England. She explained that these are unusual times and at this stage the Commission should increase the millage as recommended. She recommended 2.6 millage rate at this time.

Vice Mayor Kostka explained that she was concerned about the City's financial situation and was not the fault of the residents or COVID-19. She agreed with replenishing the reserves, but keep in mind with the non-ad valorem tax for solid waste the millage is up to 2.66. So, if the Commission agrees to the 2.6 millage rate, then the real millage would be 2.81 this fiscal year.

Commissioner George asked if the non-ad valorem tax for trash start in 2021 or 2020.

Vice Mayor Kostka advised that it would start in this year's budget in November.

Commissioner Samora advised that the non-ad valorem tax for solid waste is offset by the lost revenues from the revenue sharing and the electric utility sharing, so it is a wash. He advised that there is too much unknown and in August the City should have more information to base the millage rate on. He then made a motion.

**Motion:** to approve the millage rate at 2.6. **Moved by** Commissioner Samora, **Seconded by** Mayor England.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passed unanimously.**

Mayor England moved on to Item B.

B. Discussion of Medical Insurance Plan for Employees (Presenter: Beverly Raddatz, City Clerk)

Mayor England introduced Item IV.B. and asked City Clerk / HR Director Raddatz to give her report.

City Clerk Raddatz recommended the Florida Municipal Insurance Trust due to their pricing and lower deductibles for the employees. She explained that it would save the City $60,000 next year in premiums and the employees would have the same insurance company and very similar benefits. She described the bidding process and how the Department Heads agreed with recommendation and asked the Commission to award the bid to Florida Municipal Insurance Trust (FMIT).

Mayor England asked if it was a one-year contract.

City Clerk Raddatz advised yes, that no insurance company will give more than one year because the estimate would depend on the employees age, health, etc. She explained that The Bailey Group has had the insurance for many years, and they were a wonderful company to deal with.

Vice Mayor Kostka thanked City Clerk Raddatz for her efforts and time she put in for the Request for Proposal. She advised it is nice to have choices and advised that St. Johns County is increasing the percentage that employees need to pay and she was glad that the Commission did not have to do that to the City's employees.

City Clerk Raddatz thanked the Commission for helping the employees with the benefits.

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

Mark Bailey, The Bailey Group, 1200 Plantation Island Drive S., #210, St. Augustine, FL, advised that the Commission is making the right decision on making the change. He commented that City Clerk Raddatz and her team did a great job and he has enjoyed the partnership with the City for 25 years. He remarked that The Bailey Group appreciated the City's trust and the transition in the same network makes it must easier. He offered his assistance to FMIT at any time. He thanked City Manager Royle and all the Department Heads for their partnership.

Mayor England thanked Mr. Bailey for his graciousness.

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

Commissioner Rumrell thanked City Clerk Raddatz and going through the benefit package and all the Department Heads seem to agree on this decision. He said it was a great opportunity and it was a win for everyone.

Mayor England asked for a motion to award the bid.

**Motion:** to approve the medical insurance with FMIT as proposed. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |

Commissioner George Yes
Commissioner Rumrell Yes
Commissioner Samora Yes
**Motion passed unanimously.**

Mayor England moved on to Item V.

V. PUBLIC HEARING FOR ORDINANCE 20-XX AND RESOLUTION 20-XX: TO REQUIRE MANDATORY WEARING OF FACE COVERINGS INSIDE BUILDINGS

Mayor England introduced Item V and asked City Attorney Taylor to give their report.

City Attorney Taylor advised that the ordinance is for final reading and explained the reason for the ordinance is to put the City in a legitimate standing if there were any legal opposition. He commented that the Resolution has the mechanism to sunset the ordinance when appropriate.

Mayor England asked if the previous passed resolution was still enforced.

City Attorney Taylor explained that that resolution is enforced and once the City passes the ordinance it would put the City in a better standing for any lawsuits that may arise.

Vice Mayor Kostka asked if verbiage could be changed on page 7, second to the last paragraph to say "it supports the Pledge of St. Johns County" instead of it saying they started the Pledge.

City Attorney Taylor said it could be changed and there would be no legal implications.

Commissioner George asked about the lawsuit that was saying wearing face coverings was unconstitutional.

City Attorney Taylor advised that the lawsuit in Palm Beach County found that mandating face coverings was not unconstitutional due to the health risks. He advised that there may be challenges for political reasons but does not believe that they would prevail.

Vice Mayor Kostka asked since there is a resolution in place, why does the City need an ordinance.

City Attorney Taylor advised that the City does not have clear emergency powers and so the ordinance would give the City validity for the mandate.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and asked City Attorney Taylor to read the title of the ordinance.

City Attorney Taylor read the title of the ordinance.

Mayor England asked for a motion.

**Motion:** to approve the ordinance as presented on second reading. **Moved by** Commissioner George, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | No |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passed 4 to 1.**

Mayor England asked for a motion to approve the resolution.

**Motion:** to approve the resolution as presented on second reading. **Moved by** Commissioner George, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passed unanimously.**

Mayor England moved to Item VI.E.

E. Setting the Tentative Property Tax Operating and Debt Millage, and the Date and Time for the First Public Hearing on the Budget (Presenter: Max Royle, City Manager)

Mayor England asked for a motion for the debt millage.

Commissioner Rumrell asked why the Ocean Hammock half cent tax funding stops in 2028 before the obligation was paid.

City Manager Royle advised that the half cent tax was approved in 2008 for 20 years or 2028 and then Ocean Hammock was purchased, and the debt was refinanced for a lower interest rate through the Florida League of Cities. He explained that there were other projects like the new city hall that was also done with the new refinanced rate and advised that Ocean Hammock Park was bought in stages. He commented that the voters only gave the City 20 years for the tax and the City would have to go back to the residents with another referendum.

**Motion:** to approve the debt service millage at .50. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passed unanimously.**

City Manager Royle asked the Commission to schedule the date and time for the two budget public hearings. He explained that the first Monday in September is Labor Day, so he suggested September 14, 2020 at 5:01 p.m. and after discussion it was suggested the other budget hearing to be on September 21, 2020 at 5:01 p.m.

**Motion:** set the next budget meeting for September 14, 2020 at 5:01 p.m. and the second hearing on the budget meeting on September 21, 2020 at 5:01 p.m. and the Regular Commission meeting has not changed. **Moved by** Mayor England, **Seconded by** Commissioner George.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passed unanimously.**

Mayor England recommended to the Commission to look at the employees' salaries because some salaries are under market. She advised that Finance Director Douylliez will be sending a summary of the salaries from the City of Green Cove Springs who did a formal survey through Evergreen Solutions and the PEPE Survey.

VI. ADJOURNMENT

**Motion:** to adjourn. **Moved by** Commissioner Samora, **Seconded by** Mayor England.

Roll Call was as followed:

| | |
|---|---|
| Commissioner Samora | Yes |
| Commissioner George | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner Rumrell | Yes |

**Motion passed unanimously.**

The meeting was adjourned at 6:57 p.m.

_____

Margaret England, Mayor

ATTEST:

_____

Beverly Raddatz, City Clerk

# MINUTES

**REGULAR CITY COMMISSION MEETING**
**MONDAY, AUGUST 3, 2020 AT 6:00 P.M.**
**CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080**

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I. CALL TO ORDER

Mayor 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 (virtually), Commissioner Rumrell (virtually), and Commissioner Samora.

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

IV. APPROVAL OF MINUTES OF THE EMERGENCY MEETING JULY 2, 2020, REGULAR COMMISSION MEETING OF JULY 6, 2020, THE REGULAR CONTINUATION MEETING OF JULY 7, 2020, AND SPECIAL COMMISSION MEETING JULY 7, 2020.

Mayor England asked if there were any changes to the minutes. Being none, Mayor England asked for a motion.

**Motion:** to approve the Emergency minutes of July 2, 2020, Regular Commission continuation meeting of July 6, 2020, Continuation of Regular Commission meeting on July 7, 2020 and the Special Commission meeting July 7, 2020. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

Motion passed unanimously.

Mayor England moved on to Item V.

## V. ADDITIONS OR DELETIONS OF THE AGENDA

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

City Manager Royle advised that there was one addition regarding a contract with Mayo Clinic for COVID-19 employee testing.

Mayor England added the item to New Business as Item 9.

Commissioner Rumrell requested the Commission to address Ocean Walk flooding.

Mayor England added the item to Old Business as Item 4.

## 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. Being none, Mayor England moved to Public Comments Item VIII.

## VII. PRESENTATIONS

None.

## VIII. PUBLIC COMMENTS

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, was disappointed under expenditures not seeing the solid waste subsidy because it is stealing from condo owners.

Ann Palmquist, 213 10th Street, St. Augustine Beach, FL, asked why the meeting is not being televised.

Richard Avoub, 712 Mickler Blvd., St. Augustine Beach, FL, spoke regarding the solid waste budget increasing and at this time with COVID-19 the City should be lowing the budget.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to all people to call in via telephone to participate in the meeting; wants a small civil rights museum at Pier Park; and wants the budget cut by 10%.

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

## IX. COMMISSIONER COMMENTS

Commissioner Rumrell gave no comments.

Commissioner George requested staff to highlight the civil rights monument at Pier Park and would like this on the September agenda. She suggested having businesses or the public donate to events at the monuments or to use the money from the Tree Board go towards the civil rights monument events.

Commissioner Samora Zoomed the St. Johns County Visitor and Convention Bureau (VCB) meeting and their major topic was the $2 million advance that the VCB gave to St. Johns County for advertising between June and end of September. He explained that the VCB will reserve half of the $2 million to roll into next year's budget. He commented that the City's mask policy was recognized at the meeting.

Vice Mayor Kostka asked what advertising areas St. Johns County has been doing.

Commissioner Samora advised the VCB Executive Board had to retool the entire promotional plan for the area to focus on drive-in visitors from Florida.

Vice Mayor Kostka advised that the Census meeting was on July 16th and explained that St. Johns County was ranked number 2 in the entire State of Florida and exceeded the 2010 County, State, and National response rates. St. Johns County report has over five percent of the national response rate with 68 percent participation so far today. St. Johns County showed a population increase of 25 percent. This is important because it will help generations that come because it effects the county, state, and national level funding figures the City will receive in the future. County Commissioner Jimmy Johns worked with 34 agencies to get the response rate that we accomplished. She explained that the public can still do the census reporting at my2020census.gov online or a census worker will come to your door to ask simple questions in August 11th. She advised that St. Johns County received millions of dollars from the CARES Act and asked staff what the City has put into the CARES Act. She advised that the City has only asked for $150,000 and asked for an explanation.

Finance Director Douylliez advised that the City requested reimbursement for staff overtime for closing and opening the beaches, sanitizing machines for the buildings, banners, masks, cleanings, restrooms for Ocean Hammock Park, but the deadline is not over for submission.

Vice Mayor Kostka asked staff to research what other items could be submitted for under the CARES Act.

Mayor England had no comments and moved on to Item 1.

## X. PUBLIC HEARINGS

1. Ordinance 20-09, Public Hearing and Final Reading: to Amend Section 10 of the City Code re: Solid Waste Collection Regulations (Presenter: Bill Tredik, Public Works Director)

   Mayor England introduced Item 1 and asked Public Works Director Tredik to give a staff report.

   Public Works Director Tredik showed a PowerPoint presentation (Exhibit 1) and explained the revising of Chapter 10 of the Code of Ordinances. He advised that he made modifications to the ordinance per the Commission's request at the first public hearing.

   Mayor England thanked staff for doing such a good job. She then opened the Public Comments section. The following addressed the Commission:

   Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, appreciated staff's work on this and asked to get rid of the solid waste collection subsidy.

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

   Commissioner Rumrell thanked Public Works Director Tredik for his hard work on this project.

   Commissioner Samora asked about the September 30th date for the commercial waste and asked if that will be enough time for implementation.

   Public Works Director Tredik advised yes. He explained that the cans have been ordered for the commercial customers, but the solid waste cans should be received before that date.

Commissioner George questioned under the residential section 10-4 (d) provision in the ordinance was not in the commercial section. She asked that (d) provision be put under the commercial section as well.

Public Works Director Tredik advised that it could and would be included.

City Attorney Taylor advised that a similar paragraph could be added to commercial section.

Commissioner George asked if this tax would be in effect on November 2020.

Public Works Director Tredik advised yes and that he would be sending another letter to the commercial owners before implementation starts.

Mayor England asked City Attorney Taylor to read the title of the ordinance.

City Attorney Taylor read the title of the ordinance.

Mayor England asked for a motion.

**Motion:** to approve the ordinance with the amendment to copy and paste in the residential section 10-4 (d) to the commercial section. **Moved by** Commissioner Rumrell, **Seconded by** Mayor England.

Roll Call was as followed:

| | |
|---|---|
| Commissioner George | No |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |

**Motion passes 4 to 1.**

Mayor England moved to Item 2.

2. Ordinance 20-10, Second Public Hearing and Final Reading: to Establish Mixed Use District Boundaries Along A1A Beach Boulevard (Presenter: Brian Law, Building Official)

Mayor England introduced Item 2 and asked Building Official Law to give a staff report.

Building Official Law advised that recommends as written and that there have been no changes from last month.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked if this ordinance would allow medical marijuana shops on A1A Beach Boulevard.

Building Official Law advised that medical marijuana shops can only operate on A1A South and not on A1A Beach Boulevard, so the mixed-use overlay would have no bearing on medical marijuana shops.

Mayor England closed the Public Comments section and asked for any further Commission comments. Being none, Mayor England asked City Attorney Taylor to read the title of the ordinance.

City Attorney read the title of the ordinance.

Mayor England made a motion.

**Motion:** to approve the ordinance on the mixed-use boundaries. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

| | |
|---|---|
| Commissioner Samora | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |

**Motion passes unanimously.**

Mayor England moved to Item 3.

## XI. CONSENT

None

## XII. OLD BUSINESS

3. Opening of 2nd Street West of 2nd Avenue: Review of Options and Costs (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 3 and asked Public Works Director Tredik to give a staff report.

Public Works Director Tredik advised there were a few changed circumstances. He explained that another owner has purchased the two lots that Mr. Kenney was going to purchase. The new owners are against the opening of 2nd Street. He explained that of the 16 homeowners on 2nd Street nine are in favor of opening 2nd Street, six are against opening 2nd Street and one did not give a response.

Mayor England advised that there needs to be 65% of the owners agreeing to the street opening.

Public Works Director Tredik advised that it has been the City's policy that there needs to be 65% of an agreement to change a street and allow for the special assessment.

Mayor England commented that there is not an applicant that wants to move forward with developing the lots currently and so the discussion should be done, but no vote should be taken at this time.

Public Works Director Tredik showed Exhibit 2, which shows the different ways the streets could be done to help in the development of the open lots and the drainage in the future and their costs analysis.

Discussion ensued regarding who would be paying for the drainage costs and whether legally the City would ask the residents to pay for drainage.

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

Marc Craddock, 116 2nd Street, St. Augustine, FL, advised that he and his wife are the new owners of the lots and requested not take any action today because he would not be developing the lots soon. He advised that 2nd Street is only 18 feet wide and is a safety hazard. Presented to the Commission Exhibit 3, maps of 2nd Street.

Regine DeTaledo, 309 St. George Street, St. Augustine, FL, opposed to development and has no plans to develop the lots and requested to pull this from the agenda.

Joe Pykosz, 109 3rd Street, St. Augustine Beach, FL, asked that when this is revisited to consider the businesses that would be operating on 1st and 3rd Street because of the safety issues.

Marilyn Garris, 613 Nautical Way, St. Augustine Beach, FL, was in favor of extending the road and has been waiting for the street for several years ago since she purchased her property.

Josh Patterson, 203 3rd Street, St. Augustine Beach, FL, explained that he was assured that the street would not be expanded when he purchased the home and asked that this not come up again.

James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine Beach, FL, commented that he represents eight lots owners on 2nd Street, and they want reasonable access and requested that this item be discussed.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, does not want to move this forward and to table it with extreme prejudice.

Mayor England closed the Public Comments section. She explained that nothing was ever formalized, and Commissions can change former Commission's decisions. She commented that this subject could be discussed and have action taken as this Commission wants to.

City Attorney Taylor advised that policies could be changed with new Commissions because it does not bind future Commissions' decisions. He explained that the Commission may want to have a special assessment or impact fees and anything extra would have to be done by the City. He explained that the lot owners have a reasonable expectation that they can develop their properties and when an application is received and the City does not do anything, then it could go to litigation.

Mayor England advised that this is a clean slate to consider what to do for all the residents and what can be charged.

Mayor England reopened the Public Comments section due to someone not being called. The following addressed the Commission:

Evelyn Hammock, 206 1st Street, St. Augustine Beach, FL, does not want development on 1st Street because of the parking issues, safety issues, and residents walking and riding their bikes.

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

Commissioner Samora commented that the owners have a right to have a street going to their property; however, with no applicant wanting it now nothing should be done at this time. He advised that no one wants the ingress and egress in their backyard. The plat was designed to

have 2nd Street and 2nd Avenue opened. He believes that there is a lot the Commission needs to consider.

Vice Mayor Kostka agreed with Commissioner Samora, but if the lot owners would develop 2nd Street being opened would make the most sense for emergency vehicles. She suggested to discuss it, but since there is no applicant the Commission cannot decide.

Building Official Law advised that the Comprehensive Plan, Transportation Element, clearly directs the City to pave all unpaved local roads.

Commissioner Rumrell advised that impact fees pay for new roads and we do have some impact fees coming from Embassy Suites construction. He asked staff if the lot owners were assessed and they do not want to pay, how does that work and if an applicant comes in, are they under a timeframe to develop?

City Attorney Taylor advised that there are rules and regulations when construction starts and ends, but if they cannot pay then it could be paid through impact fees or special assessments. He explained that the City would expect that the lot owners would pay to move forward.

Discussion ensued regarding a house usually generates $20,000 toward impact fees; not moving forward until the money is received; not taking action without an applicant; following the plat design; wanting the street to be done properly like a smart street; protecting the green space as much as possible; and making all improvements for utilities in the street when it is being done.

It was the consensus of the Commission to table this item until an application is received.

Mayor England moved to the added item regarding Ocean Walk flooding.

** Added Item: <u>Ocean Walk Flooding on Mickler Blvd.</u>

Mayor England introduced Item 4 and asked Public Works Director Tredik to give a staff report.

Public Works Director Tredik showed Exhibit 4 and explained all the work that was done during the expected Hurricane Isaias. He explained his concepts he would like to do to stop the flooding and commented that it would be expensive to do. He suggested backflow prevention on both ends and explained that there is a hump in the middle of the pipe on Mickler Boulevard. He remarked that more piping may need to be done and to have a stormwater pumping station between the two connections. He explained short-term and long-term goals and advised that keeping Ocean Walk homes from never flooding is not cost-effective, but a smaller system would protect the properties.

Mayor England asked when the rain hits the ground where the pipe is underneath, are there places when the water will go to get into the pipe>

Public Works Director Tredik advised yes, it is the underdrainage system. He explained that there are low spots in Ocean Walk and in those areas, it may be tricky, but there are options, such as tie-ins from yards.

Commissioner Rumrell advised that the plan is excellent, but the City needs to update the 2004 master stormwater drainage plan. He empathizes with the residents on Lee Drive and in the Ocean Walk community and explained that this has been an issue before but is more of an issue now. He suggested that City Attorney Taylor write a letter to the engineer and the

contractor who installed the piping to explained the problems and asked them to come to the City to verify the piping and the design of the plan. He advised that if the piping is wrong it needs to come out. He said that Public Works Tredik has done a good and timely job, but this would be the next step.

Public Works Director Tredik advised that the construction was per the plans and he could write a letter to the engineer and contractor who installed the piping. He explained that the engineer informally emailed that he was defending his design.

Mayor England asked that Public Works Director Tredik, Commissioner Rumrell and City Attorney Taylor get together to write a more formal letter based on the problems and explained to them exactly what the problems are.

Commissioner Rumrell explained that the end of last year the contractor missed 280 feet of piping in their cost analysis and asked for more money, so he is concerned that if something of that magnitude was missed, maybe they missed something else. Lee Drive residents would appreciate the City doing all we can immediately.

Commissioner George agreed with Commissioner Rumrell. She asked if there was independent quality control on site to verify that the pipe diameters were correct.

Public Works Director Tredik advised that the City verified it and the length of the pipe error made by the contractor was in the tabulation figures, but the contractor did have the piping in the plans.

Mayor England asked if the contractor and the engineer are the same company.

Public Works Director Tredik advised no, they are two separate companies.

Commissioner George asked if the engineer of the plans was the same company.

Public Works Director Tredik advised that the engineer is, but the name of the company has changed over the years.

Commissioner George asked City Attorney Taylor to read the contract. She asked that City Attorney Taylor answer whether the initial writer of the stormwater plan would bear any liability on this or not since the plan may have been flawed due to waiting so long to implement it. She asked for cost estimates on the interim plan and the long-term plan.

Public Works Director Tredik advised no he did not have costs estimates, but he could have them at the next Commission meeting. He explained that it will be a preliminary plan until the survey is received to formulate the cost estimate. The interim plan would have a tighter estimate for the Commission next meeting. He commented that there will be daytime construction, but not at night so the residents are not disturbed. There will be some disruption as with any major project. He commented that he did not feel the piping is the issue and would be a benefit to the residents with some tweaking. He is researching 16th Street flow to go quicker to the Mizell pond.

Commissioner George asked if a holding pond has been considered.

Public Works Director Tredik advised no and does not believe that it would show much. He suggested that the water needs to move to Mizell pond, and the City is building the weir pump station so it can handle the water. He suggested conveyance instead of storage. The proposed weir would accommodate elevation of seven feet and the pumps will be over 100

feet per second maximum capacity. The weir would be able to withstand a hurricane like Hurricane Matthew.

Commissioner George advised that the ditch would need greater capacity since the ditch was covered up because it holds less volume than it did. She requested the volume spread of water with the pumps working and the Mizell pond working based upon the different storm events and water accumulation events.

Public Works Director Tredik advised that he did not have the software for that. The private pond on 16th Street the elevation was two feet higher than the pond in Lakeside Park, so if the water can get quicker to Mizell, it would elevate a lot of flooding.

Mayor England asked if the engineer has the software to model it.

Public Works Director Tredik advised yes, but the City does not have the software. He explained that the City does need to update the stormwater drainage master plan.

Commissioner Samora asked if the short-term and long-term plans were done by Public Works Director Tredik.

Public Works Director Tredik advised yes. He explained that in the meantime staff would use pumps to block the flow into Ocean Walk.

Commissioner Samora asked whether the City has the easements to do the long-term plan.

Public Works Director Tredik advised no, not at this time. He would have to do more research on it.

Commissioner Samora advised that he agrees with Commissioner Rumrell that the City pays for engineering services and they have an error and omissions insurance if there was a mistake. He wants to get the engineer involved formally and was concerned about implementing anything like backflow prevention into a pipe that may not be designed for it. He wants the engineer on notice that the City is checking to see that everything was done correctly and wants the engineer's verification that if we do make modifications to improve the drainage on Lee Drive, that it would not have an even worse effect.

Vice Mayor Kostka agreed with Commissioners Rumrell and Samora to make sure that the pipes are in correctly because it is the City's obligation and requested to update the master stormwater drainage plan. She thanked Public Works Director Tredik for his work on this.

Mayor England advised that this is an update from Public Works Director Tredik and asked what will be done if there is a storm event in the future.

Public Works Director Tredik advised that he is cleaning the muck out of the ditch and he would watch any storm event closely and if necessary, block off the flow and pump down from the existing inlets. He explained that he had on hold a large pump in case it was needed. He suggested to move quickly on his interim plan because of hurricane season but will have to talk with Finance Director Douylliez on the financial aspect.

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

Travis Tabor, 15 Lee Drive, St. Augustine Beach, FL, said that his house will be under water during the next storm event and it causes a lot of stress, so the City needs to fix the problem.

Clarissa Jones, 46 Lee Drive, representing 9 Lee Drive, St. Augustine Beach, FL, asked for speedy action because 9 Lee Drive has flooded twice already.

Tasha Stanton, 44 Lee Drive, St. Augustine Beach, FL, explained that the water flow has changed since the development of Ocean Ridge and requested an independent engineer.

Benk Dagells, 34 Lee Drive, St. Augustine Beach, FL, asked that the pipe to be removed.

James Dougherty, 11 Lee Drive, St. Augustine Beach, FL, advised that the water flow is worse and advised that none of the water on Lee Drive can get to the pipe because on Mickler Boulevard the piping is 6" below the pipe.

Karen Kempler, 30 Lee Drive, St. Augustine Beach, FL, reviewed the drainage plan and it says its purpose was to improve drainage from 11th Street to Pope Road and asked why it did not take into account the drainage from Ocean Walk when Ocean Walk has the lowest elevations in the City. Not updating the stormwater drainage plan before this project was done does not make sense and was shortsighted for the City.

Mark Kempler, 30 Lee Drive, St. Augustine Beach, FL, explained that the Ocean Walk community was not notified and now people walk through the resident's backyards because there is no ditch.

Phil Wilson, 14 Lee Drive, St. Augustine Beach, FL, lives next to main drain and he loves the closure of the ditch, but not sure that if the piping works. There is always standing water and that needs to be corrected.

Raphael Saler, 27 Lee Drive, St. Augustine Beach, FL, thanked the Commissioners and staff who have come out to Ocean Walk to look at the problem and believe that the City did it backwards because the pumps should have been in before the piping. The homeowners did not get notices.

Matt Territo, 12 Lee Drive, St. Augustine Beach, FL, agreed with Public Works Director Tredik's plans and advised that since the piping was installed the water has gotten worse. He explained that the underdrainage would be in three sides of his property and would like to know what would be done.

Earl Ward, 10 Lee Drive, St. Augustine Beach, FL, explained that Ocean Walk have had numerous flooding on the north end of Lee Drive and agrees with installing the pumps along with the piping.

Nancy Lorch, 25 Lee Drive, St. Augustine Beach, FL, advised that the flooding has been worse since installing the pipes. She advised the flood leaves quickly; however, since the piping the flooding took days to leave and the flooding of homes was worse. She said this will bring property values down.

Clifford Wright, 8 Lee Drive, St. Augustine Beach, FL, asked to bring back the engineer to check the system.

Adel Wright, 8 Lee Drive, St. Augustine Beach, FL, explained that when a storm event happened the flooding went to sidewalk and now it floods the backyard for more than three days, which never happened before.

Clint Stoever, 43 Lee Drive, St. Augustine Beach, FL, advised that there was an increase of flooding and advised that the water is not getting into the pipes.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked for a scientific expert from the University of Florida's Engineering and Construction Management Department for free or cheap.

Mayor England closed the Public Comments section.

It was the consensus of the Commission to have City Attorney Taylor formally write a letter to be sent to the engineer of record and installer of pipe.

4. Former Police Garage West of Former City Hall: Review of Lease with St. Augustine Beach Civic Association (Presenter: Max Royle, City Manager)

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

City Manager Royle advised that this was discussed at the last meeting and City Attorney Taylor and the Civic Association created an agreement which allows the Civic Association to lease the property on behalf of themselves and three other organizations. He explained that Mr. Jones, President of the Civic Association, has discussed electricity and modifications to the building for the Civic Association to have access to the building. He commented that Mr. Jones is available if the Commission needs any answers regarding the Civic Association.

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

Ann Palmquist, 213 10th Street, St. Augustine Beach, FL, requested the City do a Request for Proposal on this item because it is not opened to the public and the Art Association may want to expand and are interested in the building. She requested an audit of the building before and after the Civic Association leaves.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, asked to not award this lease because the Civic Association is a 501 (c ) 4 and it doesn't share their books and excluded the Deaf and Blind Band at their concerts.

Bill Jones, P.O. Box 840127, St. Augustine, FL, thanked City Attorney Taylor for creating the lease, but takes offense to several things said. He explained that the Art Association has had a key to the building for four years and are one of the members of the lease. IRS changed the Civic Association's designation from a 501 ( c) 3 to a 501 (c ) 4. He explained that the Civic Association has been a good partner with the City on many events for the community and disagrees with the few who do not like the Civic Association. He said we look forward to leasing the building from the City and explained that the building is uninhabitable and is used only for storage.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked the Commission to table this and reject the lease. He advised that the Civic Association is an all-white supremacy group that said they opposed the civil rights museum being placed in the City and that they didn't want to use SNAP money for the Farmers Market so west St. Augustine residents would not come to the City. He asked the finances of the Civic Association to be audited. This should be a license not a lease.

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

City Attorney Taylor advised that the lease gives the City a contractual agreement where the City sets the terms and the lease is at-will or month to month so if either party does not want to continue the lease, it can be terminated. He advised that if anyone wants to use the facility,

they could bring it to the attention of the City Manager and the Commission could change the relationship with the Civic Association. He explained that the space is not habitable and cannot be used for many purposes other than storage.

Mayor England advised that the building is not air conditioned, so it is not up to a normal storage space.

Discussion ensued regarding if the use changes, the building would have to be under current building standards; the tenants needing to have insurance for their use; a copy of the tenant's insurance would be at city hall yearly; the tenants and the City have a month to month lease in case either party wants to terminate the lease within 90 days; concerns regarding a five-year lease for $1 annually; the Civic Association benefits the community; the City having budget concerns; City being obligated for the building structure; whether to charge $50 a month for storage; other charitable organizations have been notified; whether to change the notice to 60 days, and have a three-year lease and charge $100 annually.

Mayor England suggested a 60 days' notice clause, a three-year lease, and to charge $100 annually.

Commissioner Samora advised that he would support 60 day notice and three-year lease. He explained that the Civic Association is building a partition between the Police Department and them at their costs and he is not worried about what the City charges the Civic Association.

Commissioner George supported Mayor England's suggestions.

Mayor England asked Mr. Jones to come to the podium.

Mr. Jones asked what the value of the 400 square feet lease for the City and whether the City really needs $100 annually to save the budget. He explained that the Civic Association does not have the same income as before. He commented that the Scenic Highway organization brings thousands of people to the City, Civic Association helps local businesses, and was stunned that $99 a year would matter.

Mayor England advised that it covers administrative costs.

Mayor England asked for a motion.

**Motion:** to approve the lease with the following changes: the fee would be $100 a year, the term of the lease would be three years and the termination clause would be 60 days instead of 90 days. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | No |
| Commissioner George | No |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passes 3 to 2.**

Mayor England moved to Item 5.

5. Solid Waste Non-Ad Valorem Assessment: Request for Approval of Interlocal Agreement with the Tax Collector (Presenter: Max Royle, City Manager)

Mayor England introduced Item 5 and asked City Manager Royle to give a staff report.

City Manager Royle advised under Florida Statutes 197.3632 there needs to be a written agreement with the Tax Collector that spells out the terms of what the Tax Collector does for us and allows the Tax Collector to collect part of the money for his services. City Attorney Taylor prepared the agreement and it is similar the one previous Commission approved in 2011 for the first non-ad valorem assessment. He recommended approval.

Mayor England asked to correct typos in paragraph two and three.

As no Commissioners had any comments, Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and then made a motion.

**Motion:** to approve the agreement. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

| | |
|---|---|
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |
| Mayor England | Yes |

**Motion passes unanimously.**

Mayor England moved to Item 6.

6. Ordinance 20-XX, First Reading: to Amend Section 6.02.03 of the Land Development Code for Provisions to Permit the Access of Private Property from Dead-End Streets (Presenter: Brian Law, Building Official)

Mayor England introduced Item 6 and asked Building Official Law to give a staff report.

Building Official Law advised the only change was that extensions may be granted for 30-day intervals at a fee of $53 as authorized by the Public Works Director. The fee amount is the cost of a revision permit fee.

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

Fiona Godfrey, 240 Bluebird Lane, St. Augustine Beach, FL, asked what this ordinance does.

Mayor England advised that this ordinance would allow the City to establish a permit fee for vehicle access on dead end street to a resident's lot if approved by the Public Works Director for a limited period.

Ms. Godfrey opposes a barricade being put up.

Lee Godfrey, 240 Bluebird Lane, explained that he came to the meeting for the barricade.

Mayor England closed the Public Comments section and asked for any further Commission comments. Being none, Mayor England closed the Public Comments section or Commissioner comments she asked City Attorney Taylor to read the title of the ordinance.

City Attorney Taylor read the title of the ordinance.

Mayor England made a motion.

**Motion:** to approve the ordinance for first reading. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passes unanimously.**

**Motion:** to extend the meeting to 10:00 p.m. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |

**Motion passes unanimously.**

Mayor England moved to Item 7.

## XIII. NEW BUSINESS

7. Use of City Property Adjacent to Mizell Road Retention Pond: Review of Requests to Lease Parts for Injured Bird Recovering Facility and for Honeybee Hives (Presenter: Max Royle, City Manager)

Mayor England introduced Item 7 and asked City Manager Royle to give a staff report.

City Manager Royle advised Diane Spoden is here to request a lease of a portion of Mizell Road to help an Eagle Scout with a project for honeybee hives. Ms. Spoden would manage the beehives, which would be in a very small area that would be away from the public. He advised that Ms. Spoden is a Master Beekeeper and is managing similar beehive groupings of over 30 hives.

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

Diane Spoden, 7424 A1A S, St. Augustine, FL, advised that a young lady requested to help the beekeepers as an Eagle Scout project. She already built five beautiful beehives and where the

lease would limit public access. She explained that it is healthy to manage bees rather than allow feral bees to come onto the property. She would not comprise the bird facility that is located there and would like to locate the bees on the opposite side of the bird facility. She commented that the birds and the bees are compatible, and she would mow the yards next to the bees so staff would not have to worry about the bees.

Mayor England asked if the Ark knows that the bees would be coming.

Ms. Spoden advised not that she was aware of.

Mayor England asked Ms. Spoden to notify the Ark.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that he is in support the lease.

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

Commissioner George commented that it was a great idea to support the beehives.

Commissioner Rumrell agreed and said it would be a great opportunity for the City.

Vice Mayor Kostka asked where the beehives will be located.

Public Works Director Tredik advised that he does not have the final location but asked that when they are located to consider where staff is doing berm work on Mizell pond.

Vice Mayor Kostka thought it was a great idea.

Commissioner Samora agreed.

City Manager Royle advised that City Attorney Taylor would have to draft a contract on the terms and what is allowed and not allowed. He could bring the contract back under Consent Agenda at the next Commission meeting.

Mayor England made a motion.

**Motion:** to approve that we approve going forward with the lease for the beehives and that our City Attorneys work on the agreement to come back next month along with an agreement with the Ark and that both parties are aware of their existence on the property. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |
| Commissioner George | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |

**Motion passes unanimously.**

Mayor England moved to Item 8.

8. Resolution 20-XX: Establishing Fees Related to Commercial Solid Waste Collection, Disposal and Recycling (Presenter: Bill Tredik, Public Works Director)

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

Public Works Director Tredik advised the resolution modifies the fees regarding commercial solid waste collection, disposal and recycling and Exhibit A sets the rate at $178 a year. He explained that the only change to the resolution is that it adds the condominiums and apartment complex fees.

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

Commissioners George, Rumrell and Samora had no questions.

Vice Mayor Kostka asked whether the residential rates were not higher than the commercial rates.

Public Works Director Tredik advised yes.

Mayor England made a motion.

**Motion:** to approve the resolution. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |

**Motion passes unanimously.**

Mayor England moved to Item 9.

9. Mayo Clinic Agreement: to Establish COVID-19 Testing for City Employees (Presenter: Beverly Raddatz, City Clerk)

Mayor England introduced Item 8 and asked City Clerk Raddatz to give a staff report.

City Clerk Raddatz explained that the City of St. Augustine has an agreement with Mayo Clinic to have the COVID-19 tests results of any employee within a two-day period. She reminded that if we passed the agreement with Mayo Clinic, employees could go back to work quickly and not wait seven to fourteen days to get their test results.

Mayor England asked what would happen with this contract when we change to Florida Municipal Insurance Trust (FMIT) in October.

City Clerk Raddatz advised that she checked with them and they were checking with United Healthcare to make sure that the City would be allowed free testing.

Commissioner Rumrell had no questions.

Commissioner George asked if this contract would apply to the Commission.

City Clerk Raddatz advised that the Commissioners are employees and could be covered under the City's insurance if they worked 25 hours a week. She explained that United Healthcare's requirement is that all employees must work at least 25 hours a week.

Commissioner George asked why the Commission then was not covered by the City's health insurance plan.

City Clerk Raddatz advised that the Commission could bring up the subject about the City paying the premiums for their health care and their dependent care.

Commissioner George thanked City Clerk Raddatz and advised that the appropriate time would be during the budget season; however, how would this go through someone else's health insurance.

City Clerk Raddatz advised that COVID-19 testing has been offered for free from United Healthcare. It will end in October, unless the free testing benefit is extended.

Commissioner George said for the record that she has had no problems with getting tested with all the traveling she had to do within the last several months and the question was not for her, but for the Commission and her colleagues. She advised that the Commission should discuss it with City Clerk Raddatz if they are interested in getting tested.

Vice Mayor Kostka advised that in Exhibit A it says that for compensation for the test if not covered by the City would be $46.00. She explained that the advantageous part of this is that a person can be tested and have their results back in two days. She said that currently it takes between five to seven days to get test results and when COVID-19 first start testing took between seven and fourteen days.

Commissioner George agreed that Vice Mayor Kostka's point was well made.

Commissioner Samora asked if Flagler Hospital would do the same type of contract.

City Clerk Raddatz advised no; however, she would check into it for the Commission.

Vice Mayor Kostka advised that Flagler Hospital is having a five to seven-day turnaround currently.

Mayor England asked if staff could find a program similar would be closer to the City would that be great.

City Clerk Raddatz advised that she has not seen Flagler Hospital doing that, but she would check.

Commissioner Samora advised that he would not want to hold this up and asked City Clerk Raddatz to reach other facilities, but to go on with the contract.

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

Ed Slavin, P.O. Box 3084, St. Augustine Beach, FL, supports the contract and commended the City Clerk for taking the initiative to do it. He explained that there needs to be contact tracing and more personal protective equipment for the employees.

Mayor England closed the Public Comments section and then made a motion.

Mayor England asked for a motion.

**Motion:** to approve the Professional Services Agreement with Mayo Clinic COVID-19 testing subject to final review and approval by the City Attorney. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Commissioner George | Yes |
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |

**Motion passes unanimously.**

Mayor England moved to Item XIV.

## XIV. STAFF COMMENTS

Mayor England asked City Manager Royle to give the staff.

City Manager Royle the Commission for getting through all the items because the voting machines will be delivered tomorrow.

Public Works Director Tredik advised the Commission that he met with a gentlemen for the electric vehicle charging station and very soon there should be a charging station in the parking lot.

## XV. ADJOURNMENT

**Motion:** to adjourn. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Commissioner Samora | Yes |
| Commissioner George | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |
| Commissioner Rumrell | Yes |

Motion passed unanimously.

The meeting was adjourned at 9:52 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:** August 12, 2020

**SUBJECT:** Interview of Mr. Scott Andrew Babbitt for Position of Alternate on the Comprehensive Planning and Zoning Board

The Junior Alternate's position will be open in November. Mr. Babbitt has applied to serve. His application is attached, and he has been invited to your meeting for the customary interview. There are no other applicants at this time.

dotloop signature verification: dlp.io/d

# 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: Scott Andrew Babbitt

Address: 70 Atlantic Oaks Cir.,Unit B, St.Augustine Beach, Florida 32080

Phone #: (904)-903-0729 E-Mail Address: scottbabbittrealty@gmail.com

How long have you been a legal resident of the City of St. Augustine Beach? 7 years

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: Licensed Real Estate Agent

Educational background: B.A in Business Administration Flagler College Graduate

Past work experience: Top-Producing Real Estate agent on The DJ and Lindsey Team at Ancient City Real Estate (2017-2020)
Owner/Operator of the Impact Group at Momentum Realty (Present)

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. National Association of Realtors 2. _____

dotloop signature verification:

3. _____ 4. _____

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership: 70 Atlantic Oaks Circle, St.Augustine Beach, Florida 32080
.19 Acres 4 bedroom 2 bath Duplex

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.)
The Impact Group at Momentum Realty

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. Jon Brooks & Brittany Brooks- CEO/Broker of Momentum Realty (904)-570-1216
2. Richard Lahey- CEO/Owner of Harris Miniature Golf LLC (570)-575-5812
3. Frank Timmons-Captain and owner of Off the Grid Fishing Charters (904)-669-1475

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.)

Born and raised near the shore of Southern New Jersey, I was taught from a young age that hard work, honesty, and an open mind will lead to great success. Being from a shore town similar to St.Augustine Beach, I immediately fell in love with this town and its people when I moved here in 2013. Over the years, as a local top-producing real estate agent I have grown very familiar with the lands of not only St.Augustine Beach, but St.Augustine in general and I have a very positive outlook towards the future of this city. Growing up in a construction family, I have some familiarity with reading blueprints, technical drawings and diagrams as I dealt with many of them hands on when constructing miniature golf courses around the world for Harris Miniature Golf. I would love nothing more than to have a seat on the Planning and Zoning Board. I know my knowledge of the area and youth will be a great asset to the board for years to come.

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.

Scott Babbitt — dotloop verified 05/05/20 3:55 PM EDT HGIB-59MS-WSF0-KBH1

Signature

05/05/2020

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!*

Agenda Item #__1__

Meeting Date__9-14-20_

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** August 28, 2020

**SUBJECT:** Appeal of Comprehensive Planning and Zoning Board's Decision to Grant Post-Permit Modifications to Oceans Thirteen, 12 13th Street, Ms. Sandra Kulyk, Applicant

## INTRODUCTION

Oceans Thirteen is the new, two-story, mixed use (commercial/residential) building on the northeast corner of 13th Street and A1A Beach Boulevard. It has been built in a commercial land use district and still is under construction.

Attached as pages 1-8 is a summary prepared by the Building Official of the approvals granted in past years by the Planning Board for this project. The most recent action by the Board was at its July 21, 2020, meeting when it, according to the meeting's minutes (pages 32-36 attached), approved by a 5-2 vote the following motion (page 36):

1. The corners of the ground floor wooden deck addition shall be cut back to a minimum of five feet of useable space, not to exceed a maximum of six feet.
2. The landscaping on the north side of Oceans Thirteen shall be reviewed by the City's Sustainability and Environmental Planning Advisory Committee (SEPAC) for the Committee's recommendations concerning the landscaping for the five-foot buffer.
3. Materials used for the new retaining wall shall be consistent with materials used for the existing retaining wall.
4. The staff comments by the Public Works Director to the Building Official regarding post-permit modifications to Oceans Thirteen shall be adhered to, incorporated as part of the approval of these modifications and forwarded to SEPAC. The staff comments are attached as pages 37-38.

Ten days after the Board's decision on July 21st, Ms. Sonia Kulyk, 114 13th Street, filed an application to appeal the Board's decision to the City Commission.

## ATTACHMENTS

Attached for your review is the following information:

a. Pages 1-8, a memo from the Building Official, in which he provides a brief history of City decisions concerning the property at 12 13th Street.

b. Pages 9-31, a memo from Ms. Bonnie Miller, the Building Department's Executive Assistant, and the application made by Sunsation Real Estate to the Planning Board for approval of post-permit modifications to the building under construction at 12 13th Street.

c. Pages 32-36, the minutes of that part of the Planning Board's July 21st meeting when it approved the post-permit modifications.

d. Pages 37-38, the staff comments by the Public Works Director that were incorporated in the Board's motion to approve the modifications.

e. Pages 30-65, Ms. Kulyk's appeal to the Commission of the Board's approval of the modification.

## RULES GOVERNING APPEALS

The rules governing appeals to the Commission of Planning Board decisions are in Sections 12.06.02 through 12.06.04 of the Land Development Regulations. These sections state:

12.06.02: A developer, an adversely affected party, or any other person who appeared orally or in writing before the comprehensive planning and zoning board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance, conditional use permit for a home occupation, or any appeal under section 12.06.01 reached at the conclusion of an administrative hearing to the city commission by filing a notice of appeal with the [Building] Department within thirty (30) days of the date of the decision.

Section 12.06.03: The notice of appeal shall contain:

A. A statement of the decision to be reviewed, and the date of the decision.

B. A statement of the interest of the person seeking the review.

C. The specific error alleged as the grounds of the appeal.

Section 12.06.04: When a decision is appealed to the city commission, the commission shall conduct the hearing in compliance with the following procedures as supplemented where necessary:

A. Scope of review.

   1. The city commission's review shall be limited to the record and applicable law.

   2. The commission shall have the authority to review questions of law only, including interpretations of this Code, and any constitution, ordinance, statute, law, or other rule or regulation of binding legal force. For this purpose, an allegation that a decision of the decision-maker is not supported by competent substantial evidence in the record as a whole is deemed to be a question of law. The commission may not reweigh the evidence but must decide only whether any reasonable construction of the evidence supports the decision under review.

B. The city commission shall find whether in its opinion error was made, and within the terms of this Code affirm, reverse, or modify the decision appealed as it deems just and equitable.

C. Appeals from the decision of the city commission shall be appealed to the circuit court.

## SUGGESTED PROCEDURES FOR THE HEARING

They are:

1. For the City Attorney first to brief you on the sections of the Land Development Regulations quoted above and what they allow and do not allow you to do concerning the written record and the appeal.
2. Mr. Law then presents the background of the initial application for the post-permit modifications to the Planning Board and the Board's decision.
3. Ms. Kulyk then presents her appeal to you and tells you why she believes the Board erred in granting the modifications. Please note that she cannot present any new evidence. Her appeal must be confined to the material that was presented to the Planning Board by Sunsation Real Estate, the memos from the Public Works Director and the minutes of that part of the Board's July 21st meeting when by majority vote it approved the post-permit modifications
4. Mr. Tom Marsh, agent for Sunsation Real Estate, then speaks about the application for the modifications. Again, he cannot present any new evidence but address only matters in the material that was submitted to the Planning Board at its July 21st meeting.
5. Then public comment.
6. Then Commission discussion and by motion and vote deciding one of three decisions based on the record:
    - to support the Board's decision to approve the post-permit modifications
    - to reverse that decision
    - to modify that decision

## City of St. Augustine Beach Building and Zoning Department

**TO:** **Max Royle**

**FROM:** **Brian Law**

**SUBJECT: 12 13th Street**

**DATE:** **8-18-2020**

**This memo is a brief history of the mixed use structure located at 12 13th street. On November 21st 2017 the Comprehensive Planning and Zoning Board approved mixed use district application MU 2017-01 with a 5-2 vote for the construction of a 2 story structure with 2 commercial units on the bottom floor and 2 residential transient rental units on the 2nd floor. Please see the approved minutes below from the November 21st meeting:**

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*"A. Mixed Use File No. MU 2017-01, continued from the Board's August 15, 2017, September 19, 2017, and October 17, 2017 regular monthly meetings, for proposed new construction ofa mixed use building, Oceans Thirteen, consisting of combined commercial and residential use on Lots 62, 63, and 64, Atlantic Beach Subdivision, ot 12 13th Street, Thomas J. O'Hara, Applicant*

*Mr. Larson said as outlined in his stoff memo, the size of the proposed mixed use building has been reduced, both in square footage ond from a three-story structure to two stories, and the porking as shown on the site plan is in accordance with City Code. The first floor will have two commercial use units and the second floor will have two residential rental units. The proposal meets the mixed use size limits, minimum floor area requirements, and the height of the building will be under 35 feet. Setback requirements for a mixed use structure basically run from zera to 25 feet, and this building will have a 20-foot front yard setback and a front porch feature that extends out five feet, so it will have a 15-foot front setback aff the Boulevard, which certainly meets the intent of the City's mixed use ordinance. The minimum lot size for mixed use is 8,500 square feet, and this site is a total of 14,172 square feet. The colors of the building will be in accordance with the approved color pallets in the Building and Zoning Department, and the application includes a preliminary landscape plan, which shows a mixture of palms, wax myrtles and dwarf wax myrtles, which will act as a screening buffer to the parking thot comes off the alleyway that is 14th Lane.*

*Ms. West said she has questions on the parking as required in subsection 3.02.02.01 .J of Ordinance Na. 07-13. There's an existing parking area on the south side of this property, abutting 13th Street, but as this has been submitted as a mixed use application, it needs to adhere to the mixed use parking requirements, which call for a five-foot-wide landscape buffer*

*between the edge of the parking area and the right-of-way ofthe adjacent street. She doesn't see where that buffer area is.*

*Mr. Larson said a landscape buffer for the parking for the mixed use building, which is on the north side of the property site adjacent to 14th Lane, is shown on the submitted landscape plan. The existing parking space in front, which has been there for a number of years, will serve as the handicap space for the new mixed use building. There is not a buffer between the existing parking for the existing residential duplex on the site, because you can't landscape the right-of-way.*

*Ms. West said she's just trying to get confirmation that what is submitted is not in accordance with the mixed use ordinance, and asked if this is accurate. This inquiry is not intended to be dropped as a surprise, it was all codified in the email she sent to Mr. Larson and Mr. Wilson two months ago, asking this very question as to how this complies with the mixed use parking requirements.*

*Mr. Larson asked for a determination from Mr. Wilson as to how to handle the existing structure.*

*Mr. Wilson said the plain language of the Code says there shall be a buffer and parking shall be placed in the rear or at the side. As he believes the parking is on the side, a landscape buffer, five feet in width between the edge of the parking area and the right-of-way of the adjacent street, is required. He asked if this means a landscape buffer shall be placed behind the vehicles, or if it means the parking spaces should be moved inside.*

*Mr. Larson said that's what he's asking Mr. Wilson. There is an existing parking area on the site that has been there for at least the past 17 years he's worked for the City.*

*Mr. Wilson said there's not a drive aisle here, so he asked if vehicles currently park on both sides of the existing building.*

*Mr. Larson said no, they just park in the front of the building adjacent to 13th Street.*

*Ms. West said there is no exception in this ordinance for existing parking.*

*Mr. Wilson said he doesn't see any exceptions here without an application for exception, although there is just simply nowhere to put the parking and comply with the parking requirements as they are written in the mixed use ordinance. They also have the issue of how this has been enforced in the past. The last time this application was before the Board, the parking for the new mixed use building was actually partially in the right-of-way, and now, it's out of the right-of-way.*

*Mr. Larson said right. Places like Sunset Grille and Cone Heads have no buffer, so it seems like they're restricting the applicant to something nobody else has been forced to do.*

*Mr. Wilson said that's an issue they may have to deal with at the Commission level, as that's where this will have to go, if there's some sort of an appeal to any decision the Board makes on this.*

*Ms. West said that's fine. At least for this Board, she doesn't think the mistakes ofthe past should govern the Baard's actions moving forward. They have the explicit requirements of an existing ordinance on how to apply mixed use criteria. This site plan doesn't meet that, sa if the Baard members want to dictate their decisions based on post mistakes, that's certainly not how she wants to proceed moving forward, as she wants to adhere to the existing requirements. From what she's hearing, this does not meet those existing requirements, as there are no exceptians, no application for a variance from the mixed use ordinance, and this has been pending for months now. She doesn't understand why everybody is scratching their heads acting like this is the first time the parking issue has been raised, as it's been raised multiple times, and it has not been addressed.*

*Mr. Larsan said his recommendation to the Baard, then, would be ta move to deny the application.*

*Bob Morgen, 1928 River Lagoon Trace, St. Augustine, Flarida, 32092, engineer for the project, said this is the third time he has been before this Baard ta present this application, and the landscape plan has been provided every time. There has not been one mention about that buffering at any af the previous meetings. There is screening and buffering along every possible boundary on this property site, they've reduced the size of the building, and architecturally designed it with as much articulatian as possible. You can't put screening behind the parking spaces on 13th Street and 14th Lane, as you can't buffer a parking area behind vehicles like that. There has to be some common sense somewhere in relation to what they're trying to do to make this orea loak better than it does now. They're not asking for an exception, they've got all the parking and everything is buffered. The parking is all maintained an site, the areo will be landscaped, the building size and parking have been reduced, and they've complied with all afthe Board's concerns.*

*Mr. Mitherz said the existing handicap space on the pad on the front side of the property abutting 13th Street is still in the right-of-way.*

*Mr. Morgen said they left this handicap parking space alone, because it's canducive toward better American with Disabilities Act (ADA) accessibility to the side of the new mixed use building.*

*Mr. Wilson said he'd like to clarify something, because if they're talking about creating a buffer between the existing parking in the right-of-way of 13th Street, that's parking that has serviced the existing building that has been there for an untold number of years. He doesn't think the Board can order the applicant ta change anything about that existing parking. The parking on 14th Lane for the new mixed use building has two drive aisles with a one-way drive aisle area and it olsa has a buffer between the 14th Lane right-of-way and the parking area. The only parking to which the mixed use ordinance might apply and which does not have a buffer are the three new concrete parking spaces that back onto 14th Lane directly from the front of the new mixed use building. There's no buffer around this parking, as there can't be a buffer there. The other parking spaces adjacent to 14th Lane are buffered legally. He doesn't think they have any right to tell the applicant to change the existing parking that serves as parking for an existing*

*building, or to build a buffer between this existing parking and the right-of-way, as this really isn't part of this application.*

*Ms. West said she's curious as to why her email inquiry on this very provision in the mixed use ordinance wasn't brought to the attention of the applicant. It's really discouraging to hear Mr. Morgen mention this evening that this was the first he's heard of this concern about the buffering. This was something she raised in an email to staff and all of the Board members, and she very explicitly noted the ordinance provision, so she doesn't understand why staff has not been working with the applicant on trying to adhere to the provisions of the mixed use ordinance.*

*Mr. Larson said staff has worked with the applicant. If you look at the landscape plan showing all the palms and wax myrtles, you will see this provides the screening required by the mixed use ordinance. As Mr. Wilson said, the existing parking is for the existing building.*

*Ms. West said with all due respect, Mr. Larson just recommended the Board deny the application, because it doesn't adhere to the terms of the ordinance.*

*Ms. Sloan said she really likes what has been done and resubmitted, as she thinks it is a very nice plan. Changing the mixed use building from three stories to two essentially is really nice for the Boulevard, because a lot of folks are very upset with how high a lot of structures are. This project has been reworked and made to look quite nice at a lower level, and it has a lot ofgood landscaping and quite a bit af buffering. She understands what Ms. West is saying about the parking, and that the project may still not be in compliance, but with everything else that has been done, it will certainly enhance the Boulevard in the kind of uses the City's Vision Plan calls for. Again, she doesn't see how landscaping can be done behind parking spaces, because the parking spaces can't then be accessed. She sees this as a sort of a minor hindrance considering that everything else is a great impravement and this project would be a very nice addition to the Boulevard.*

*Ms. West said she actually agrees with Ms. Sloan that the changes made to the landscaping and the building itself are good improvements, however, she's also equally concerned with the precedent-setting effect of basically ignoring the provision of the mixed use ordinance that states parking located at the side of the structure shall, which is not open to negotiation, be required to have landscape buffers that are five feet in width from the edge of the parking area to the right-of way. The purpose of this provision is to basically avoid mossing out structures on a lat and to have adequate parking and an acceptable building mass without taking it all the way out to the property lines, taking existing parking areas into consideration. She respectfully disagrees that the way this has been applied in the past shauld dictate how they go forward in the future, and she does not see any exceptions to this provision of the ordinance that would allow for that type af consideration. In her opinion, strict adherence to the ordinance is important maving forward.*

*Mr. Mitherz said he actually, by accident, met Mr. Morgen at Starbucks a few times, so they've seen each other and talked once ar twice, and he wanted to disclose this as ex parte*

*communication. He'd certainly agree that the current design is nicer than the first site plan that was submitted. The handicap parking space is a pad that was there, and from what he's heard, just because it was there it's going to be left there, even though it's in the right-of-way, which he doesn't agree with, as he doesn't think it should be left just because it's been there for an indeterminate number of years. It needs to be a bonafide handicap space. The building has been reduced from three stories to two, but the overall height of the building has only been reduced two feet, so it's not like the massing of the building has come down much, although he does agree it looks nicer.*

*Ms. Longstreet said if the Board is not addressing the existing duplex and the four parking spaces for the duplex in the right-of-way of 13th Street as part of this application, which isn't changing any of that, her main concern for 13th Street is that handicap space. She asked if there is a possibility that space could be turned so that instead of keeping it in the same spot as a pull-in space, it could be repositioned so that it would be a side-angled space, and not in the right-of-way.*

*Mr. Wilson said from a legal standpaint, the problem he has with messing with the existing grandfathered parking is that this parking has been there for a number of years, and if the Board does something to deprive the applicant of this parking, he thinks there is the possibility of some action being filed against the City, based on the denial of the use of this parking. To him, those spaces in front of the duplex on 13th Street have been grandfathered as part of the use of the property for years, and nothing's going to change in their use based upon the proposed new building. New parking spaces will be put in to serve the new building, so for the Board to tell the applicant the grandfathered spaces that have been there for years need to be changed, because of this mixed use application, when the use of the existing duplex isn't changing at all, is beyond what the Board is really supposed to consider. The Board is looking at the new structure and new parking proposed on the site, and whether it meets the intent of the Code and mixed use ordinance.*

*Ms. Langstreet asked if the handicap space will be used for the new building. She understands the four spaces on the right-of-way of 13th Street are grandfathered-in because of the existing duplex, but if that grandfathered handicap space will be used for handicap parking for the new building, this isn't talking about something being grandfathered-in to the existing duplex. This space is currently used by people as a space to park their boats and motorcycle trailers, nobody uses it as a handicap space, and it has not been marked as a handicap space. She thinks if this space is going to be used as an ADA-compliant parking space for the new building, therein lies the problem.*

*Mr. Wilson said it is still an existing parking space that has been there far as long as anyone can remember, and he's very uncomfortable with the Board considering this space as part of the application and denying the application based on a parking space and a building that has been there for 50 years or more. The Board should be considering the effect of the new building and the new parking, and should not be revisiting the old construction that has been there for 50 years or more.*

*Ms. West said just for clarification, on a property rights issue, no one is forcing the applicant to make this application, and no one is depriving him of his current existing property rights. She wants the Board to understand no one is trying to deprive the applicant of a vested property right.*

*Mr. Kincaid said he agrees with Ms. Sloan, and thinks what's proposed is going to be an addition to the Boulevard. He likes the buffering, and if what they're hung up on are parking spaces that have existed forever, and are asking the applicant to change that now just because he happens to be submitting an application under the mixed use, he doesn't see any benefit in the Board depriving the community of the beautification that is possible here. He thinks what's been done meets the spirit and intent of what they're trying to do in the City, and he doesn't have a problem with it.*

*Ms. West asked for public comment. There was none.*

*Ms. Odom said as she disclosed as ex parte communication when this application previously came before the Board, she's sold this property three times, so she knows this duplex building fairly well. If her memory serves her correctly, when she sold it the first time in 2005, there was a handicap space where this space is currently located, but over time, it kind of just went away, because as Ms. Longstreet said, boats, motor homes, etc., were parked there. When she sold this property in the past, she marketed it as mixed use, as part of the marketing technique was to do something to beautify the Boulevard and utilize the property better. She agrees with some of the other Board members in that she'd hate to see the Board throw this application out and leave the property the way it is, because she thinks what is proposed would be a great addition to the City.*

*Ms. Longstreet said her ex parte is that she lives on 13th Street, and when she saw the first site plan for this project, she didn't like it, and was very upset with what was proposed, and not just because she lives on 13th Street. She's happy with the way the project has been redone, as she thinks the applicant has done due diligence in changing things to make it look aesthetically pleasing, and she applauds the applicant for working on it and redaing it to make it look and appear much better.*

*Mr. Thomas asked if the proposed mixed use structure meets the parking requirements per City Code, and if the three parking spaces that are not buffered on the northwest corner of the property site adjacent to 14th Lane are, or are not, required to meet the parking requirements.*

*Ms. West said in her opinion, an interpretation of this provision of the mixed use ordinance does not just require these three parking spaces to be buffered, but also the existing parking spaces, including the handicap space, so they're talking about eight parking spaces in clear noncompliance. Her problem with this is not so much this particular building, but the precedent this will set moving forward in approving mixed use developments along the Boulevard, which is that you can pretty much chuck the parking provisions out the window, as they're not being adhered to.*

*Mr. Thomas said as a counterpoint, he thinks the buffering provision in the mixed use ordinance would apply to the three new parking spaces on the northwest comer of the property site, but not so much to the existing parking for the duplex adjacent to 13th Street. He's not sure not requiring the existing parking for the duplex to be buffered will set a precedent, because he doesn't know how often they're going to run into a similar situation, where there are four existing grandfathered spaces on a property site for which a mixed use application has been submitted.*

*Ms. West said if the City intended for a grandfathering provision to apply, this would have been put in that provision of the ordinance. However, there is no such provision in the ordinance, so the concept that they are somehow depriving a property right because of that existing parking doesn't hold. In her opinion, there are eight parking spaces that do not comply with the Code, and this is her sole problem with the entire project. She agrees it looks significantly better than it did the last time it was before the Board, and that the landscaping is a huge improvement, but she can't, in good conscience, allow for a flash-forward of future applicants to base their applications on a decision that is basically going to ignore the provisions of the mixed use ordinance, especially when it pertains to the issue of parking, which is such a very difficult topic in the City.*

*Motion: to approve the revised application submitted for Mixed Use File No. MU 2017-01, for mixed use development, Oceans Thirteen, at 12 13th Street, St. Augustine Beach, Florida, 32080. Moved by Mr. Kincaid, seconded by Ms. Sloan, passed 5-2 by roll-call vote, with Ms. Longstreet, Ms. Odom, Ms. Sloan, Mr. Thomas, and Mr. Kincaid assenting, and Mr. Mitherz and Ms. West dissenting. "*

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**During the May 21st 2019 Planning and Zoning meeting the contractor approached the Planning and Zoning meeting and asked to reduce the decks on the second floor west side in size and separate them for customer privacy. This was recognized and approved by the Board with a 7-0 vote. Please see the minutes below:**

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*"Tom Marsh, Palmetto Builders LLC, PMB 266, St. Augustine, Florida, 32080, gave a status update on the Oceans Thirteen project at L2 13th Street and presented a proposed modification of a reduction of a balcony on the exterior side of the building facing A1A Beach Boulevard.*

*Patricia McCully, L29 L3th Street, St. Augustine Beach, Florida, 32080, said she wants the builder to careful with what is built because it's a sensitive piece of property with bikers and pedestrians,*

*Motion: to approve the proposed redesign and modification of the site plan as presented. Moved by Mr. Holleran, seconded by Ms. Sloan, passed 7-0 by unanimous voice-vote."*

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**During the course of the 9th of June it was noted by the Building Official that the first floor decks on the West side were not in conformance with the approved plans. As this building is a Mixed Use District Building approved by the Planning and Zoning Board all changes must**

**comply with section 12.01.04 Post Permit Changes of the City of St. Augustine Beach Land Development Regulations and be applied for in the same manner.**

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*Sec. 12.01.04. - Post-permit changes.*

*After a permit has been issued, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of the permit without first obtaining a modification of the permit. A modification may be applied for in the same manner as the original permit. A written record of the modification shall be entered upon the original permit and maintained in the files of the department.*

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**As this was not done prior to construction of the first floor deck the Building Official issued a Stop Work Order on the construction of the western first floor decks as per sections 107.4 and 114 of the 2017 FBC locally adopted model administrative code. The stop work order was placed by the City Building Inspector on the western french door glazing. The applicants did apply for the post permit change to the Planning and Zoning Board on the 21st of July with revised site plans and elevations. This revision modified the original parking lot layout and the relocated the handicap accessible spot to the north side of the building. This revision also extended the western decks to promote handicap accessibility around the structural columns supporting the 2nd floor decks above. This revision was reviewed by the St. Johns County Fire Department with no comments/issues, the Public Works Director with minimal comments regarding landscaping. The Planning and Zoning Board approved this post permit modification with a 5-2 vote. On the 31st of July an appeal of the Planning and Zoning Boards decision was filed with the Building and Zoning Department as per section 12.06.02 of the Land Development Regulations. Please see code below:**

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*Sec. 12.06.02. - Appeals from decisions of the comprehensive planning and zoning board.*

*A developer, an adversely affected party, or any person who appeared orally or in writing before the comprehensive planning and zoning board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance, conditional use permit for a home occupation, or an appeal under section 12.06.01 reached at the conclusion of an administrative hearing to the city commission by filing a notice of appeal with the Department within thirty (30) days of the date of the decision.*

*(Ord. No. 91-7, § 2; Ord. No. 92-7, § 15; Ord. No. 93-14, § 9)*

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**The individual who filed the appeal must demonstrate an error of the Planning and Zoning Boards decision based upon factual data. The original decision for the approval for the Mixed Use order from November 2017 is not to be appealed as it has exceeded the 30 day time period. The post permit change approved on the 21st of July is the only available option to be appealed to the City Commission. The Building and Zoning Department asks that the City Commission and the City attorney review the residents appeal application as per section 12.06.02 of the Land Development Regulations.**

# City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM
BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

To: Comprehensive Planning & Zoning Board
From: Bonnie Miller, Executive Assistant
CC: Brian Law, Building Official
Date: 07-15-2020
Re: Mixed Use File No. MU 2020-02

Mixed Use File No. MU 2020-02 is for post-permit modifications to a mixed use development previously approved by the Planning and Zoning Board on November 21, 2017, for Oceans Thirteen, a two-story, 3,395-square-foot total under roof mixed use building consisting of two commercial units on the first floor and two residential units on the second floor in a commercial land use district on Lots 62, 63 and 64, Atlantic Beach Subdivision, on the northeast corner of A1A Beach Boulevard and 13th Street, at 12 13th Street.

Tom Marsh of Palmetto Builders, contractor and agent for Sunsation Real Estate LLC, property owner and applicant, has submitted this mixed use application for post-permit modifications for parking space reconfiguration and a 1,117-square-foot ground floor wood deck addition to the Oceans Thirteen building. Reconfiguration of the 13 parking spaces (12 regular parking spaces and one handicap accessible space) on the northeast side of the Oceans Thirteen building adjacent to 14th Lane is required to accommodate staircases not accurately detailed on the originally submitted site plan and elevation drawings of the building. The 1,117-square-foot ground floor wood deck addition per the supporting data stated on the mixed use modification application provides adequate wheelchair accessibility around the front of the building and around the porch columns at the entries to the commercial units.

The original approval for Oceans Thirteen per Mixed Use Order File No. MU 2017-01 is included in the mixed use modification application, along with the original site, landscape, parking and floor plans and building elevations. The ground floor wood deck addition promotes the purpose of the mixed-use district per Section 3.02.02.01 of the City's Land Development Regulations (LDRs) and A1A Beach Boulevard Corridor Vision Plan, which encourages a mixture of retail and business uses that exhibit the physical design characteristics of pedestrian-oriented, storefront shopping and business enterprise.

The Building and Zoning Department advises the Board to consider this application based on compliance of the proposed post-permit modifications with the mixed-use district specifications in Section 3.02.02.01 of the LDRs.

Sincerely,

*Bonnie Miller*

Bonnie Miller
Executive Assistant
Building and Zoning Department

# City of St. Augustine Beach Building and Zoning Department
## Mixed Use Application

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which mixed use development is being sought:

   Lot(s) 62 & 63 & 64 Block(s)_____ Subdivision 2-50 ATLANTIC BCH LOTS 62 & 63

   Street Address 12 13th ST

2. Location (N, S, W, E): N Side of (Street Name): 13th STREET

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

4. Real estate parcel identification number(s): 1674600000

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

   SUNSATION REAL ESTATE LLC

6. Current land use classification: COMM / RES PER MIXED USE FILE No. 2017-01

7. Description of proposed mixed use development: Commercial_____ Business Use_____

   Single-Family Residential_____ Multi-Family Residential (Number of Units)_____

   Commercial and Residential (Business Use for Commercial and Number of Single-Family or Multi-Family Residential Units) MODIFYING ORIGINAL MIXED USE ORDER TO ADD 1,117 S.F. OF WOOD DECK OF GROUND FLOOR AND RECONFIGURATION OF THE PARKING SPACES.

8. Supporting data which should be considered by the Board: RECONFIGURATION OF PARKING IS NEEDED TO ACCOMODATE STAIRCASES NOT SHOWN ACCURATELY ON ORIGINAL SITEPLAN. WOOD DECK ADDITION PROVIDES ADEQUATE WHEELCHAIR ACCESSIBILITY AROUND THE FRONT OF THE BUILDING AND AROUND THE PORCH COLUMNS AT THE COMMERCIAL ENTRIES.

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

( ) Legal description of property

( ) Copy of warranty deed

( ) Owner Permission Form (if applicable)

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

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

( ) Survey to include all existing structures and fences

( ) Elevations and overall site plan of proposed mixed use development reflecting definitions and architectural details per Section 3.02.02.01 of the City's Land Development Regulations

( ) Other documents or relevant information to be considered

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

If approved, the order granting the mixed use development will be effective for a period of two (2) years, at the end of which time, applicant shall be required to commence construction of the mixed use development. Such order granting the mixed use development shall be transferable with the property based on the submittal to the Comprehensive Planning and Zoning Board. Any modification of that approved by the Planning and Zoning Board shall be subject to reapplication to the Board.

RICHARD T. MARSH

Print name (owner or his/ her agent) | Print name (applicant or his/her agent)

6/10/20

Signature/date | Signature/date

PMB 266 1093 A1A BEACH BLVD ST. AUG. FL 32080

Owner/agent address | Applicant/agent address

(904) 669-2024

Phone number | Phone number

**All agents must have notarized written authorization from the property owner(s)**
**Mixed use orders shall be recorded prior to issuance of the building/development permit**
** Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions.**

Date: 6/10/2020

Mixed Use File #: MU 2020-02

Applicant's name: SUNSATION REAL ESTATE

Applicant's address: 12 13th St. St. AUGUSTINE FL 32080

For mixed use development at: OCEAN'S 13 MODIFICATION TO EXISTING

## Charges

Application Fee: $300.00 Date Paid: 6-15-2020

Legal Notice Sign: $7.50 Date Paid: 6-15-2020

Received by DM

Date 6-15-2020

Invoice # I901757

Check # 012126

# Definition—Mixed Use Application

This application is used for a consideration of a new structure or a modification to an existing structure using the allowances for mixed use districts as defined in Section 3.02.02.01 of the City of St. Augustine Beach Land Development Regulations. The following is the documentation required for consideration of the request by the Comprehensive Planning and Zoning Board for the City of St. Augustine Beach. Failure by the applicant to provide the required information will result in the request being continued to the Board's next regular monthly meeting after which the information is provided.

# Mixed Use Application Checklist

The following items shall be provided for review of mixed use applications by the City's Comprehensive Planning and Zoning Board, in accordance with Section 3.02.02.01 of the City's Land Development Regulations.

1) A formal site plan showing the lot size, setbacks, proposed structure size, floor area, and parking shall be provided. The minimum lot area for mixed use is 8,500-square-feet unless approved by variance after application to the Planning and Zoning Board. The minimum floor area for a mixed use structure is 800 square feet or 25 percent of the lot area (whichever is greater) for lots with street frontage of 50 feet width or more. For 50 feet or less street frontage, the minimum floor area is 20 percent of the lot area. The gross first floor area for any commercial establishment shall not exceed 15,000 square feet. For separate commercial or residential use, the minimum first floor area shall be 1,000 square feet.

2) Structure height, the number of stories and setbacks shall be clearly designated on the formal site plan, and be in accordance with the height restrictions for mixed use development per Sections 3.02.02.01.E and 3.02.02.01.F of the City's Land Development Regulations. All parking for retail, business, restaurant uses and garage openings for residential use shall be placed in the rear or at the side. Parking located at the side of a structure shall be required to have landscape buffers, five (5) feet in width between the edge of the parking area and the right-of-way of the adjacent street. All plant materials used shall be three-gallon minimum container size. Landscape plans shall also be subject to approval by the St. Augustine Beach Beautification Advisory Committee. Access to the parking shall be from the numbered or lettered streets perpendicular to A1A Beach Boulevard. Hotel/motel parking can be placed in front of the structure.

3) All signage, ground and wall signs in mixed use development shall be subject to approval from the Comprehensive Planning and Zoning Board in compliance with Section 3.02.02.01.K of the City's Land Development Regulations. Proposed size and location of signage shall be included on the formal site plan submitted for mixed use development.

4) Notification of all property owners within a radius of 300 feet of the property for which the mixed use application is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the mixed use development is requested. **This list**

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

5) A fee of $307.50 will be charged for the mixed use development administrative procedure, which includes the legal notice sign and legal advertising. The applicant will be required to post the legal notice sign on the property for which the mixed use application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the meeting date at which the mixed use application will be heard by the Comprehensive Planning and Zoning Board.

6) A final order on each approved mixed use application shall be made within thirty (30) days of the last hearing at which the application was considered. Each final order shall contain findings upon which the Comprehensive Planning and Zoning Board's order is based and may include such conditions and safeguards prescribed by the Board for the approval of the matter, including reasonable time limits which action pursuant to such order shall be begun or completed or both.

7) Appeal of decisions on mixed use applications granted by the Comprehensive Planning and Zoning Board shall be made to the City Commission for a fee of $107.50, which includes the legal notice sign and legal advertising. The applicant will be required to post the legal notice sign on the property for which the mixed use application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the meeting date at which the mixed use appeal application will be heard by the City Commission.

8) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

PROPERTY APPRAISER
Eddie Creamer

# St. Johns County, FL

**Tax Bill**

My Tax Bill

**Estimate Taxes**

Tax Estimator

**2019 TRIM Notice**

2019 TRIM Notice

**2018 TRIM Notice**

2018 TRIM Notice

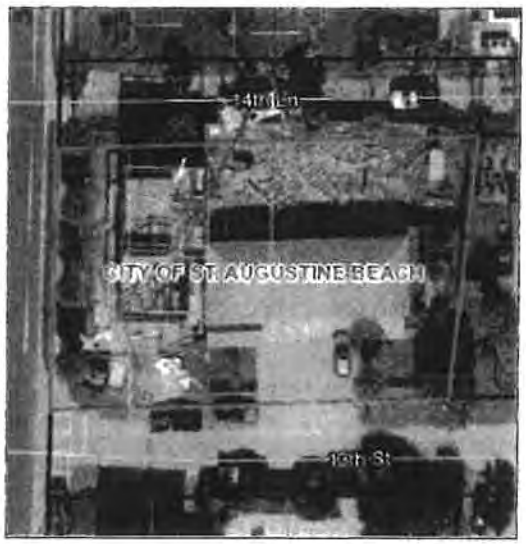
## Summary

| | |
|---|---|
| **Parcel ID** | 1674600000 |
| **Location Address** | 12 13TH ST<br>SAINT AUGUSTINE 32080-0000 |
| **Neighborhood** | Atlantic Beach East (MF) (672.06) |
| **Tax Description*** | 2-50 ATLANTIC BCH LOTS 62 & 63 & ALL LOT 64 (EX R/W RD A1A) OR4651/1219(Q/C)<br>*The Description above is not to be used on legal documents. |
| **Property Use Code** | Multi-Family (Less than 10 Units) (0800) |
| **Subdivision** | Atlantic Beach Subdivision Of Anastasia |
| **Sec/Twp/Rng** | 34-7-30 |
| **District** | City of St Augustine Beach (District 551) |
| **Millage Rate** | 16.9195 |
| **Acreage** | 0.320 |
| **Homestead** | N |

## Owner Information

| | |
|---|---|
| **Owner Name** | Sunsation Real Estate LLC 100% |
| **Mailing Address** | 1 2ND LN<br>SAINT AUGUSTINE, FL 32080-0000 |

## Map



## Valuation Information

| | 2020 |
|---|---|
| Building Value | $170,502 |
| Extra Features Value | $0 |
| Total Land Value | $585,900 |
| Agricultural (Assessed) Value | $0 |
| Agricultural (Market) Value | $0 |
| Just (Market) Value | **$756,402** |
| Total Deferred | $6,652 |
| Assessed Value | **$749,750** |
| Total Exemptions | $0 |
| Taxable Value | **$749,750** |

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

## Historical Assessment Information

| Building Value | Extra Feature Value | Total Land Value | Ag (Market) Value | Ag (Assessed) Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|
| $95,691 | $0 | $585,900 | $0 | $0 | $681,591 | $681,591 | $0 | $681,591 |
| $61,652 | $0 | $527,310 | $0 | $0 | $588,962 | $588,962 | $0 | $588,962 |
| $62,414 | $0 | $527,310 | $0 | $0 | $589,724 | $552,860 | $36,864 | $552,860 |
| $63,175 | $0 | $439,425 | $0 | $0 | $502,600 | $502,600 | $0 | $502,600 |
| $82,787 | $546 | $446,800 | $0 | $0 | $530,133 | $499,064 | $31,069 | $499,064 |
| $78,845 | $655 | $374,195 | $0 | $0 | $453,695 | $453,695 | $0 | $453,695 |
| $39,158 | $656 | $374,195 | $0 | $0 | $414,009 | $414,009 | $0 | $414,009 |
| $43,783 | $765 | $248,811 | $0 | $0 | $293,359 | $293,359 | $0 | $293,359 |
| $46,696 | $875 | $276,457 | $0 | $0 | $324,028 | $324,028 | $0 | $324,028 |
| $43,783 | $984 | $307,175 | $0 | $0 | $351,942 | $351,942 | $0 | $351,942 |

## Building Information

| | | | |
|---|---|---|---|
| **Building** | 1 | **Roof Structure** | Gable Hip |
| **Actual Area** | 2385 | **Roof Cover** | Composite Shingle |
| **Conditioned Area** | 1882 | **Interior Flooring** | Ceramic Tile |
| **Actual Year Built** | 1955 | **Interior Wall** | Drywall |
| **Use** | Duplex | **Heating Type** | Air Duct |
| **Style** | 01 | **Heating Fuel** | |
| **Class** | N | **Air Conditioning** | Central |
| **Exterior Wall** | Concrete Stucco | **Baths** | |

| Category | Type | Pct |
|---|---|---|
| Exterior Wall | Concrete Stucco | 100% |
| Roofing Structure | Gable Hip | 100% |
| Roofing Cover | Composite Shingle | 100% |
| Interior Walls | Drywall | 100% |
| Interior Flooring | Ceramic Tile | 100% |
| Heating Type | Air Duct | 100% |
| Air Conditioning | Central | 100% |
| Frame | Masonry | 100% |
| Plumbing | 16 Fixtures | 100% |
| Electrical | Average | 100% |
| Foundation | Concrete Perimeter Footing | 100% |
| Condition | Good | 100% |
| Floor System | Concrete Slab | 100% |
| Condition | Good | 100% |

| Description | Conditioned Area | Actual Area |
|---|---|---|
| BASE AREA | 1760 | 1760 |
| FINISHED ENCLOSED PORCH | 122 | 153 |
| FINISHED OPEN PORCH | 0 | 192 |
| PATIO | 0 | 136 |
| MASONRY UTILITY | 0 | 144 |
| Total SqFt | 1882 | 2385 |

## Land Information

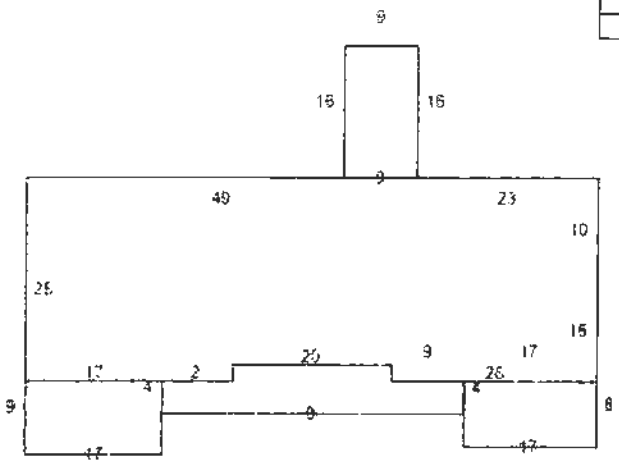
| Use Description | Front | Depth | Total Land Units | Unit Type | Land Value |
|---|---|---|---|---|---|
| Multi-Family (Less than 10 Units) | 65 | 93 | 65 | EF | $282,100 |
| Multi-Family (Less than 10 Units) | 70 | 93 | 70 | EF | $303,800 |

## Sale Information

| Recording Date | Sale Date | Sale Price | Instrument Type | Book | Page | Qualification | Vacant/Improved | Grantor | Grantee |
|---|---|---|---|---|---|---|---|---|---|
| 12/7/2018 | 11/9/2018 | $230,000.00 | QC | 4651 | 1219 | U | I | O'HARA THOMAS J | SUNSATION REAL ESTATE LLC |
| 12/7/2018 | 11/7/2018 | $100.00 | CD | 4651 | 1216 | U | I | O'HARA KRISTIN B | O'HARA THOMAS J |
| 4/5/2016 | 3/31/2016 | $100.00 | WD | 4172 | 1528 | U | I | O'HARA KRISTIN B & O'HARA THOMAS J | O'HARA THOMAS J |
| 4/14/2015 | 4/10/2015 | $595,000.00 | WD | 4013 | 1184 | Q | I | FORDE ANDRE | O'HARA KRISTIN B & O'HARA THOMAS J |
| 12/17/2012 | 12/14/2012 | $410,000.00 | WD | 3657 | 1662 | Q | I | KANE KARIN L TRUSTEE | FORDE ANDRE |
| | 7/15/2005 | $700,000.00 | WD | 2488 | 187 | Q | I | THOMSON CRAIG & RAINVILLE CHARLYN | KANE KARIN L TRUSTEE |
| | 11/20/1997 | $167,000.00 | WD | 1279 | 127 | Q | I | GREEN RAYMOND L & MARGARET A | THOMSON CRAIG & RAINVILLE CHARLYN |
| | 6/1/1993 | $37,700.00 | WD | 996 | 1193 | U | I | BLONDELL KEITH,KAREN L | GREEN RAYMOND L,MARGARET A |
| | 6/1/1993 | $37,700.00 | WD | 996 | 1192 | U | I | KRAMER RALPH W,EDITH VIOLA | BLONDELL KEITH,KAREN L |
| | 6/1/1993 | $37,700.00 | WD | 996 | 1191 | U | I | KRAMER LUTHER E,PEGGY | KRAMER RALPH W,EDITH VIOLA |
| | 1/1/1984 | $84,400.00 | | 625 | 643 | Q | I | | KRAMER LUTHER E,PEGGY |
| | 1/1/1978 | $42,000.00 | | 367 | 774 | U | I | | |

## Sketch Information

| | Room Type |
|---|---|
| | MUT |
| | PATIO |
| | FINISHED OPEN PORCH |
| | FINISHED ENCLOSED PORCH |
| | Base |




No data available for the following modules: Exemption Information, Extra Feature Information.

Instr #2018087714 BK: 4651 PG: 1219, Filed & Recorded: 12/7/2018 2:17 PM #Pgs:2
Hunter S. Conrad,Clerk of the Circuit Court St. Johns County FL Recording $18.50 Doc. D $1,610.00

Prepared by and return to:
**Vickie A. Rianda**

**Island Title of St. Augustine LLC**
**2085 A1A South, Suite 206**
**St. Augustine, FL 32080**
**904-471-7272**
File Number: **18-10496**

[Space Above This Line For Recording Data]

# Quit Claim Deed

**This Quit Claim Deed** made this 9th day of **November, 2018** between **Thomas J. O'Hara, a married person,** whose post office address is **211 Sequams Lane Center, West Islip, New York 11795,** grantor, and **SUNSATION REAL ESTATE LLC, a Florida limited liability company,** whose post office address is **211 Sequams Lane Center, West Islip, New York 11795,** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in **St. Johns County, Florida** to-wit:

**Lots 62, 63 and that part of 64 lyng Easterly of the East right of way line of State Road A-1-A, Atlantic Beach Subdivision of Anastasia Methodist Assembly Grounds, according to the plat thereof recorded at Map Book 2, Page 50, in the Public Records of St. Johns County, Florida.**

**Parcel Identification Number: 167460-0000**

**Subject to covenants, restrictions, reservations and easements of record, if any, and taxes for the current and subsequent years.**

**Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.**

**To Have and to Hold**, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTime®

Signed, sealed and delivered in our presence:

Witness Name: Carolyn Neary-Wicks

Witness Name: Carolyn Dean

Thomas J. O'Hara (Seal)

State of New York
County of Nassau

The foregoing instrument was acknowledged before me this 9th day of November, 2018 by Thomas J. O'Hara, He [_] is personally known to me or [ ] has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: Carolyn Dean

My Commission Expires: 11-21-2022

CAROLYN DEAN
NOTARY PUBLIC, State of New York
No. 01DE5036122
Qualified in Nassau County
Commission Expires November 21, 2022

# City of St. Augustine Beach

2200 A1A South
St. Augustine Beach, Florida 32080
WWW.STAUGBCH.COM

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

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

## Owner's Authorization Form

Tom Marsh, Palmetto Builders is hereby authorized TO ACT ON BEHALF OF

Thomas Joanne O'Hara Doug Dori Carr "Sussation Real Estate LLC", the owners(s) of the property described in the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Augustine Beach, Florida, for an application related to a development, land use, zoning or conditional or special use permit or other action pursuant to an application for:

12 13th St Mixed Use App - Revision to Deck + Parking

By signing, I affirm that the legal owner(s), as listed on the recorded warranty deed on file with the St. Johns County Clerk of Courts, have been notified of the above application.

I further understand incomplete or false information provided on this form may lead to revocation of permits and/or termination of development activity.

Signature of Owner(s) [signatures]

Printed Name(s) Thomas O'Hara, Joanne O'Hara, Douglas Carr, Donia Carr

Address of Owner(s) 12nd Lane St Aug 32080, 111 Marshride Dr St Aug Fl 32080

Telephone Number of Owner(s) 631-867-8373 or 904-412-9898

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 15th day of June, 2020

by Joanne O'Hara, Thomas O'Hara, Douglas Carr, Donia Carr who is personally known ____ or who has produced identification (type of identification produced) DL's

Signature of Notary Public—State of Florida [signature]

Notary Stamp/Seal/Commission Expiration Date:

HEATHER PROFFITT
Notary Public - State of Florida
Commission # GG 925955
My Comm. Expires Oct 24, 2023
Bonded through National Notary Assn.

Public Records of St. Johns County, FL
Clerk number: 2018013083
BK: 4508 PG: 1160
2/27/2018 3:22 PM
Recording $52.50

**BEFORE THE COMPREHENSIVE PLANNING AND ZONING BOARD OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA**

In re:

**APPLICATION OF THOMAS J. O'HARA, FOR MIXED USE DEVELOPMENT FOR PROPOSED NEW CONSTRUCTION OF A TWO-STORY, 3,395-SQUARE-FOOT TOTAL-UNDER-ROOF MIXED USE BUILDING, OCEANS THIRTEEN, IN A COMMERCIAL LAND USE DISTRICT IN THE MIXED USE DISTRICT ON LOTS 62, 63, AND 64, ATLANTIC BEACH SUBDIVISION, AT 12 13TH STREET, ST. AUGUSTINE BEACH, FLORIDA 32080**_____/

## ORDER APPROVING MIXED USE DEVELOPMENT (MU 2017-01)

This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on November 21, 2017, upon Application (MU 2017-01) by Thomas J. O'Hara, for mixed use development to allow for proposed construction of a two-story, 3,395-square-foot total-under-roof mixed use building, Oceans Thirteen, consisting of 1,375 total square feet of covered commercial space on the first floor and 2,020 total square feet of covered residential space on the second floor, in a commercial land use district in the mixed use district at 12 13th Street, St. Augustine Beach, Florida 32080. The Comprehensive Planning and Zoning Board having considered the Application, received public comments, and upon motion duly made, seconded and passed, the Board found that the Application was approved subject to the following:

1. The mixed use development shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all plans, drawings, and renderings.

2. The landscaping plan provided with the application shall be reviewed by the City of St. Augustine Beach Beautification Advisory Committee.

3. A violation of the conditions listed above shall void the approval granted herein.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

**DONE AND ORDERED** this 19th day of December, 2017, at St. Augustine Beach, St. Johns County, Florida.

**COMPREHENSIVE PLANNING AND ZONING BOARD**
**CITY OF ST. AUGUSTING BEACH, FLORIDA**

Bonnie Jean Miller
NOTARY PUBLIC
STATE OF FLORIDA
Commit FF042361
Expires 3/30/2020

**By:** _____
**Jane West, Chairperson**

**STATE OF FLORIDA**
**COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this 19th day of December 2017, by Jane West, who is personally known to me.

_____
**Signature of Notary Public--State of Florida**

| | |
|---|---|
| **From:** | Brian Law |
| **To:** | PJ Webb |
| **Cc:** | Bonnie Miller |
| **Subject:** | RE: OUTSIDE ATTACHMENT:FW: Modifications to Oceans 13, 12 13th Street |
| **Date:** | Tuesday, July 7, 2020 2:17:57 PM |

PJ

Thanks for the response, the applicant has not disclosed any intent to cover the deck.

Brian W Law CBO, CFM, MCP
City of St. Augustine Beach
Director of Building and Zoning
2200 A1A South
St. Augustine Beach, FL 32080
(904) 471-8758
blaw@cityofsab.org

**From:** PJ Webb <pwebb@sjcfl.us>
**Sent:** Tuesday, July 7, 2020 1:59 PM
**To:** Brian Law <blaw@cityofsab.org>
**Subject:** OUTSIDE ATTACHMENT:FW: Modifications to Oceans 13, 12 13th Street

* * * * * This message originated from outside of your organization! DO NOT click any links or open any attachments unless you validate the sender and know the content is safe. Please forward this email to IT@cityofsab.org if you believe the email is suspicious. * * * * *
Hey Brian,

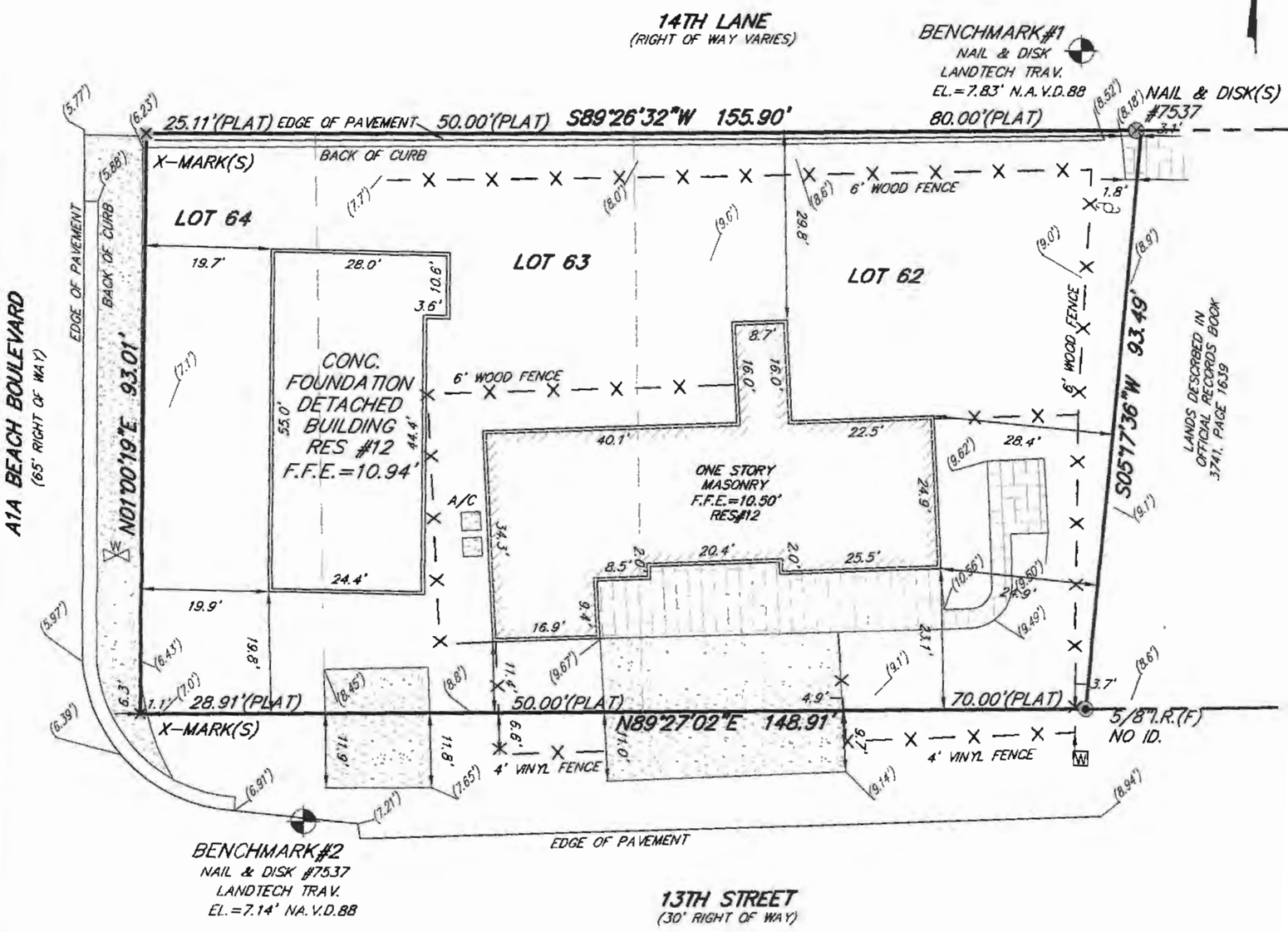
After looking at the change in site plan I do not see anything that would negatively affect Fire Rescue, even with the new deck. Just out of curiosity have you heard if the deck will be covered? It does not appear to be based on the site plan. Thanks.

*PJ Webb*
St. Johns County Fire Rescue
Plans Examiner
Office: 904-209-1744
4040 Lewis Speedway
St. Augustine, FL 32084

# MAP SHOWING SURVEY OF

LOTS 62, 63 AND THAT PART OF 64 LYING EASTERLY OF THE EAST RIGHT OF WAY LINE OF STATE ROAD A-1-A, ATLANTIC BEACH SUBDIVISION OF ANASTASIA METHODIST ASSEMBLY GROUNDS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 2, PAGE 50, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO:
DOUG CARR




AREA = 0.33 ± ACRE.
OR 14,172 ±, sq. f

## LEGEND

| | | | |
|---|---|---|---|
| A/C | – AIR CONDITIONER PAD | RES. | – RESIDENCE |
| ID. | – IDENTIFICATION | ℄ | – CENTERLINE |
| N.A.V.D. | – NORTH AMERICAN VERTICAL DATUM | ≠ | – DENOTES NOT TO SCALE |
| sq. ft. | – SQUARE FEET | W | – WATER METER |
| I.P.(F) | – IRON PIPE FOUND | | – EXPOSED CONCRETE |
| I.R.(F) | – IRON ROD FOUND | | – COVERED AREA |
| I.R.(S) | – 5/8" IRON ROD SET (PSM#4620) | | |

GRAPHIC SCALE
20 0 10
1"=20'

GENERAL NOTES:
- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not beheld liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor, nothing hereon shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes here under shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities of foundations were located or determined by this survey.
- For building setbacks call the appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Deed or plat measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown hereon are only those above ground, visible objects observed by the surveyor.
- This survey is certified to the last field date.
- This survey does not reflect or determine ownership.
- The specific rights implied by this survey are not transferable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

NOTE:
THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.

- According to the Federal Emergency Management Agency FIRM Map No: 125146-0382J effective date: 12/07/2018 , the property described hereon lies in Zone XS
- Basis of bearing structure: REFER TO SURVEY
- Job Address: 12 13TH STREET
- Basis of elevations: N.A.V.D.88

| JOB NO. | LAST FIELD DATE | SCALE | F.B./PAGE | CHK. BY |
|---|---|---|---|---|
| 17-0136 | 10/29/2019 | 1"=20' | 757/24 | N.H.F. |

TYPE: BOUNDARY

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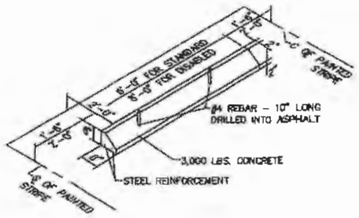
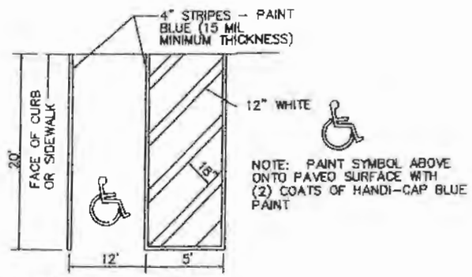
NICHOLAS H. FRANKLIN
Associates, Inc.
LAND SURVEYOR'S
6170 A1A S# 316
ST. AUGUSTINE, FLORIDA 32080
(904) 471-6877 FAX (904) 471-6876

Not valid without the signature and the original r a Florida licensed surveyor and mapper. Addition to survey maps or reports by other than the sig prohibited without the written consent of the

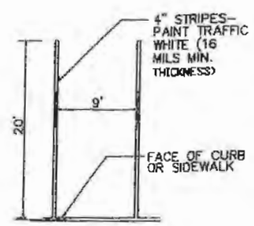
NICHOLAS H. FRANKLIN, P.L.
FOR LANDTECH AND ASSOCIATES L




**WHEEL STOP**

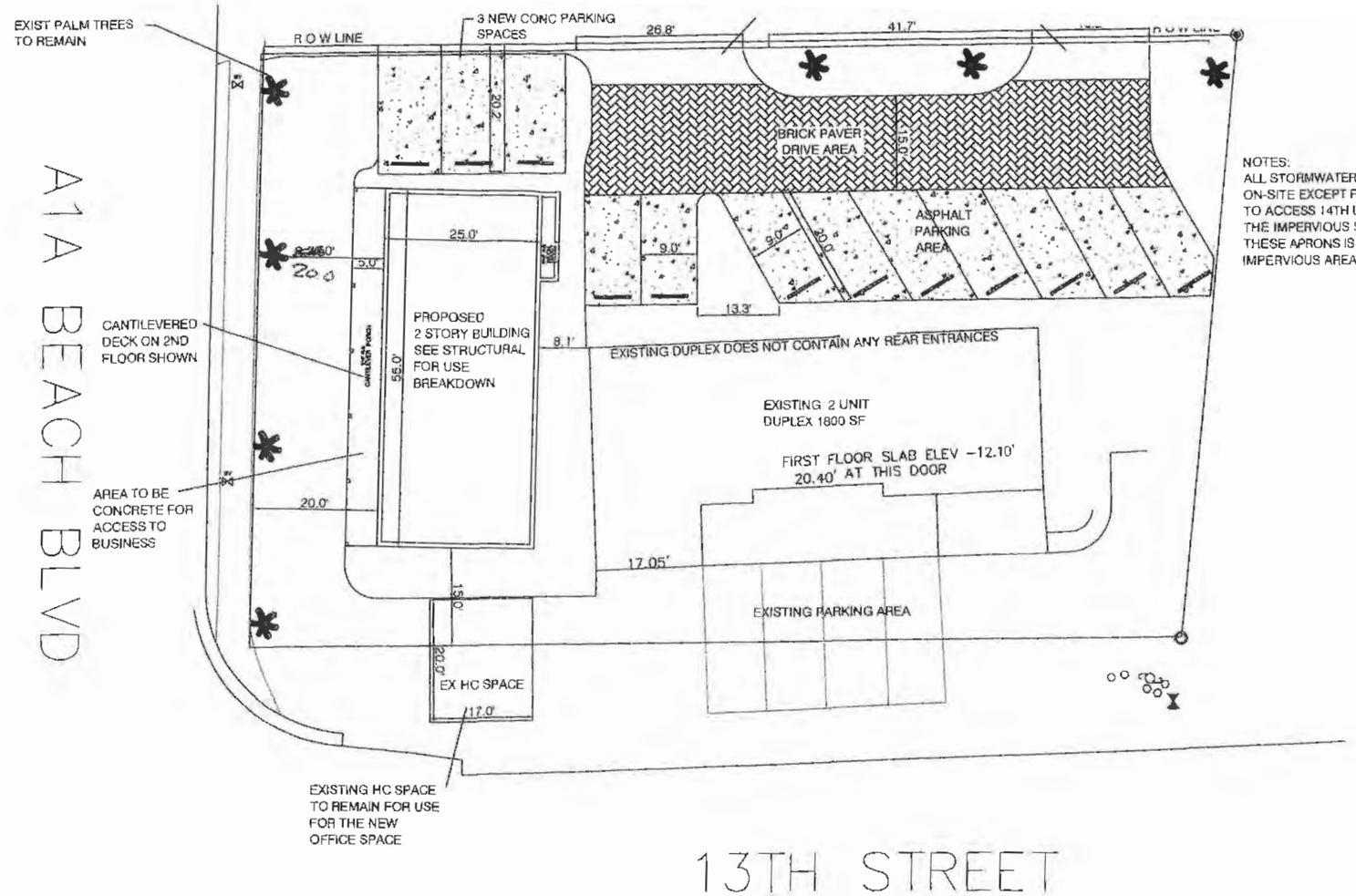



**DISABLED PARKING**




Adjacent to Sidewalk

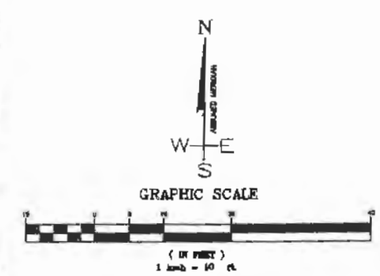
**STRIPING DETAIL**




NOTES:
ALL STORMWATER TO BE CONTAINED ON-SITE EXCEPT FOR THE DRIVE APRONS TO ACCESS 14TH LANE
THE IMPERVIOUS SERFACE AREA FOR THESE APRONS IS INCLUDED IN THE IMPERVIOUS AREA FOR THE SITE

| SITE DATA TABLE | | | |
|---|---|---|---|
| **TOTAL SITE** | | | |
| EXIST WETLANDS | 0 SF | 0AC | 0% |
| EXIST UPLANDS | 14,172SF | 0.33AC | 100% |
| TOTAL SITE | 14,172SF | 0.33AC | 100% |
| **SITE DEVELOPMENT DATA** | | | |
| EXIST PARKING / BLDG A | 2,913SF | 0.06AC | |
| NEW BLDG B | 1,375SF | 0.03AC | |
| TOTAL BUILDING AREA | 4,211SF | 0.09AC | |
| NEW CONC PARKING | 1,489SF | 0.04AC | |
| TOTAL IMPERVIOUS AREA | 5,675SF | 0.13AC | 40% |
| OPEN / PAVERS SPACE | 8,472SF | 0.19AC | 60% |

| PARKING CALCULATIONS | | | |
|---|---|---|---|
| USE | QUANTITY | REQUIREMENT | REQUIRED |
| OFFICE | 1,375SF | 1 SP / 250SF | 6 |
| 2BR UNIT | 2 UNITS | 2 SP / UNIT + 1 VISITOR | 6 |
| TOTAL REQUIRED | | | 12 SPACES |
| TOTAL PROVIDED | | | 12 SPACES |




| Date | Revisions |
|---|---|
| | |

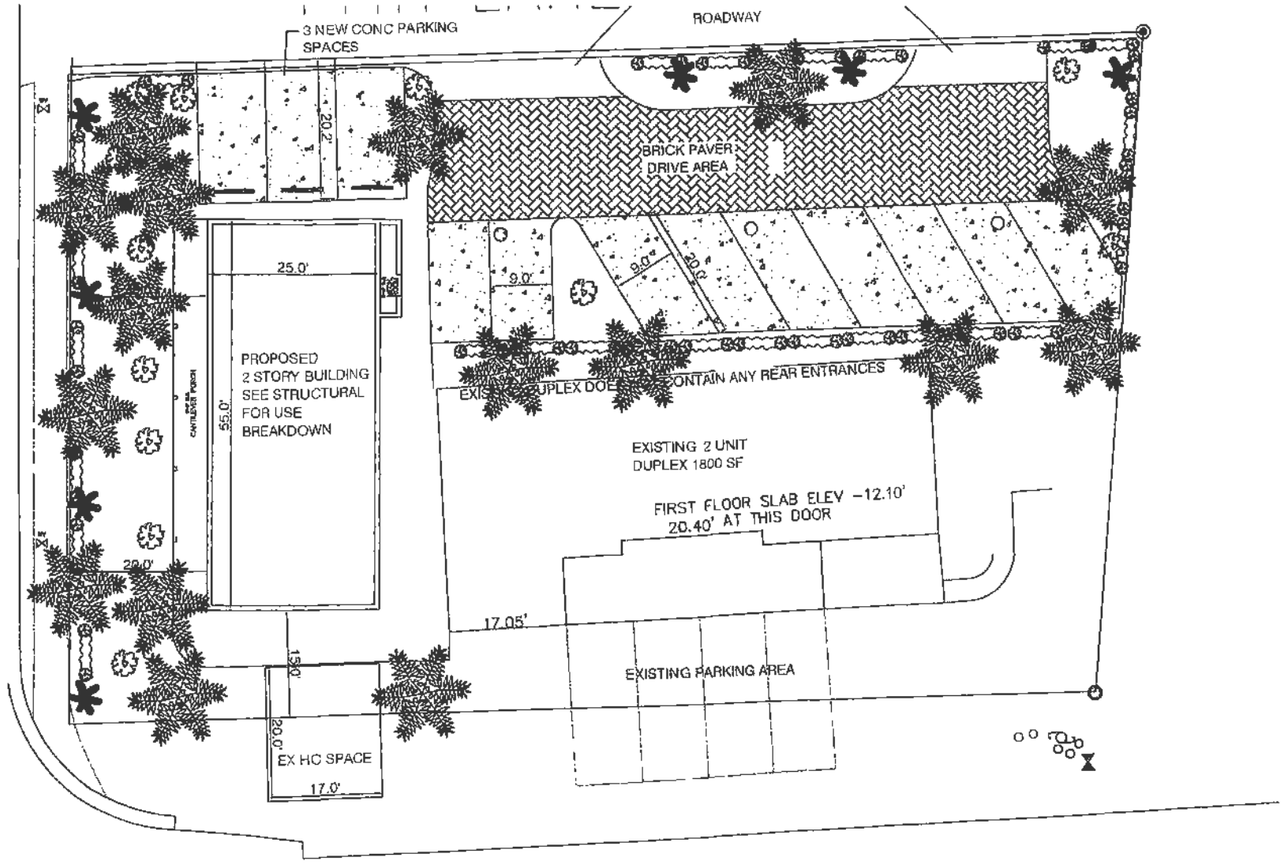
1525 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32092
904-814-7633
C.A. #30792
RGM Engineering, Inc.

# OCEANS THIRTEEN

## OVERALL SITE PLAN

ROBERT G. MORGEN JR., P.E.
#38119

11-01-17




A1A BEACH BLVD

13TH STREET

DWARF WAX MYRTLES
*Myrica cerifera var. pumila*

WAX MYRTLES(MULTI TRUNK) 12 EA @ 6" = 6 x 12 = 72"

CABBAGE PALMS 6 - 15' CLEAR TRUNK 16 EA @ 3" = 3 x 16 = 48"

TOTAL INCHES = 120"

PLANT MATERIAL SHALL CONFORM TO THE STANDARDS FOR GRADE #1 OR BETTER AS GIVEN IN THE LATEST "GRADES AND STANDARDS FOR NURSERY PLANTS, PART 1 AND PART 2," FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES OR TO THE STANDARDS AS GIVEN IN THE LATEST "AMERICAN STANDARD FOR NURSERY STOCK," AMERICAN NATIONAL STANDARDS INSTITUTE

NOTES:

1 ALL REQUIRED CONTINUOUS SHRUB LINES WILL BE PLANTED AT THE REQUIRED MINIMUM HEIGHT WHICH IS 24" HIGH WHEN PLANTED WITH MAX 3' SPACING AND NOT BY CONTAINER SIZE

2 100% OF THE NEW LANDSCAPING WILL BE IRRIGATED BY PRIVATE WELL.

3. 4" OF PINE BARK OR PINE STRAW MULCH MIN. 5 FT DIAM NO CLOSER THAN 6" TO TRUNK WILL BE PROVIDED AROUND ALL NEW PLANTED MATERIALS

4 VEGETATION THAT EXCEEDS 25 FT IN HEIGHT AT MATURITY SHOULD NOT BE PLANTED ANY CLOSER THAN 10 FT OF THE VERTICAL PLANE OF AN EXISTING POWER LINE, EXCLUDING SERVICE WIRES

5.BALLED AND BURLAPPED STRAPPING WIRE, AND ANY SYNTHETIC MATERIAL SHALL BE REMOVED PRIOR TO FINAL INSPECTION WIRE BASKETS SHOULD BE CUT AWAY FROM TOP ONE THIRD OF ROOT BALL

6 NON-CANOPY TREES SHALL NOT BE PLANTED CLOSER THAN 10 FT FROM OTHER TREES AND CANOPY TREES NO CLOSER THAN 20-30 FT DEPENDING ON SPECIES

7 SOIL IN TREE ISLANDS SHALL HAVE AT LEAST 12" OF SUITABLE SOIL FOR TREE PLANTINGS, AND BE VOID OF ANY CONSTRUCTION DEBRIS OR UNSUITABLE MATERIAL.

8. TREE PLANTINGS SHALL NOT BE PLANTED CLOSER THAN 7.5 FT FROM THE CENTERLINE OF UNDERGROUND UTILITIES

9 ALL IRRIGATION SYSTEMS ARE TO BE ALL LOW VOLUME WATER EFFICIENT IRRIGATION FOR WATER CONSERVATION
LOW VOLUME IRRIGATION NOT TO EXCEED 30 GALLONS PER HOUR
EXAMPLES OF LOW VOLUME IRRIGATION INCLUDE DRIP SOAKER,BUBBLER, TRICKLE OR MICRO SYSTEMS.

10. THE TREES TO BE PLANTED WILL BE ON A BUBBLER SYSTEM AND THE SHRUBS PLANTED WILL BE DRIP SYSTEM

11 SOD WILL BE BAHIA AND WILL ONLY REQUIRE INITIAL IRRIGATION TO ESTABLISH

12. TREES SHALL HAVE MINIMUM HEIGHT OF (8) EIGHT TO (10) TEN FEET AND (2) TWO INCHES OF CALIPER

N
W E
S
HORIZONTAL DATUM ASSUMED

GRAPHIC SCALE
10 0 5 10 20 40
( IN FEET )
1 inch = 10 ft.

| Date | Revisions |
|---|---|
| | |

1925 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32092
904-814-7633
C.A. #30799

RGM Engineering, Inc.

# OCEANS THIRTEEN

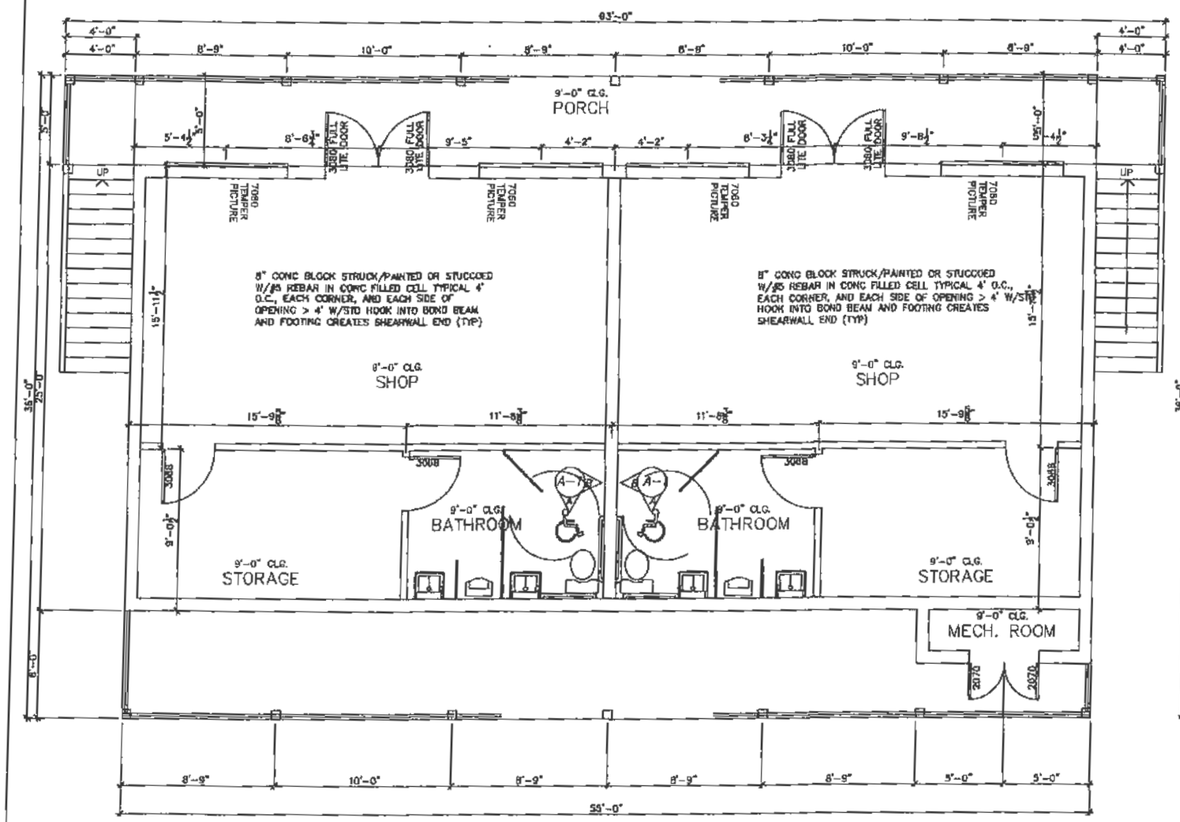
## LANDSCAPE PLAN

ROBERT G MORGEN JR., P.E.
#58118

6-21-17

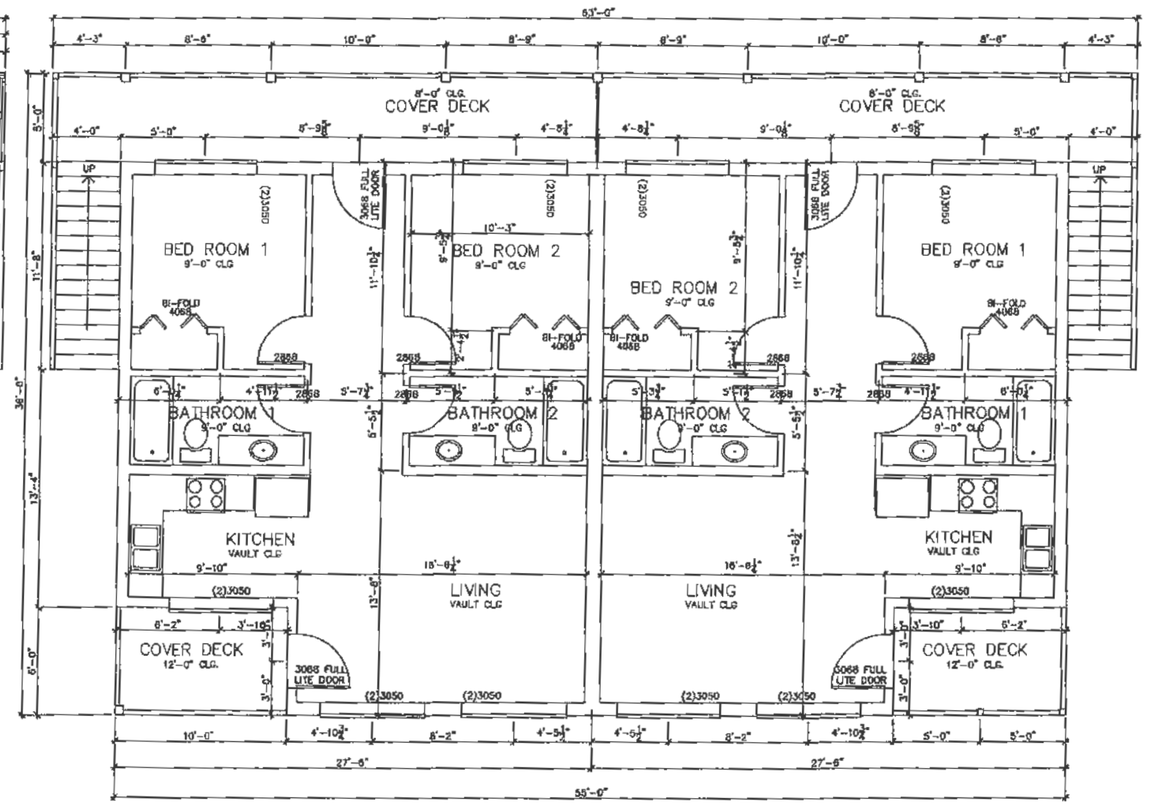
6
OF 8

-26-




1ST FLOOR PLAN COMMERCIAL

SCALE: 1/4"=1'-0"




2ND FLOOR PLAN RESIDENTIAL

SCALE: 1/4"=1'-0"

SQUARE FOOTAGE TABULATION

| | |
|---|---|
| 1ST FLOOR COMMERCIAL | 1375 |
| 1ST FLOOR TOTAL COVERED | 1375 |
| 2ND FLOOR LIVING | 1585 |
| 2ND FLOOR FRONT DECK | 315 |
| 2ND FLOOR REAR DECK | 120 |
| 2ND FLOOR TOTAL COVERED | 2020 |
| TOTAL | 3395 |

DRAWING SHEET INDEX

| | |
|---|---|
| 1 | COVER SHEET |
| 2 | FOUNDATION PLAN |
| 3 | 1ST, 2ND, & 3RD FLOOR & RO |
| 4 | EXTERIOR ELEVATIONS |
| 5 | ELECTRICAL PLANS |
| 6 | DETAILS |
| 7 | DETAILS |
| 8 | |
| 9 | |
| 10 | |

ROBERT G. MORGEN JR., P.E.
#38118
1928 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32092
904-814-7633
C.A. #30756
R G M ENGINEERING, INC.

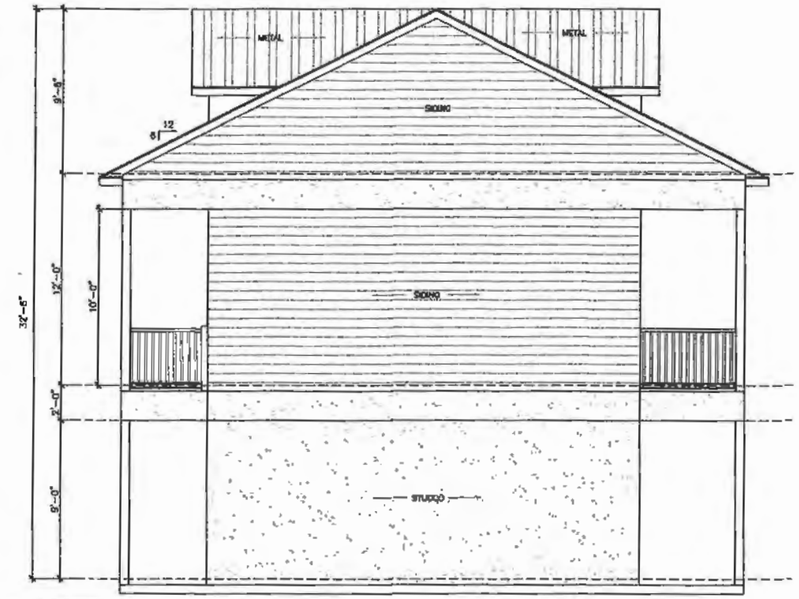
SIGNED (DESIGNER)

OCEANS THIRTEEN
12 13TH STREET
BUILDING 6,227 SQ. FT.

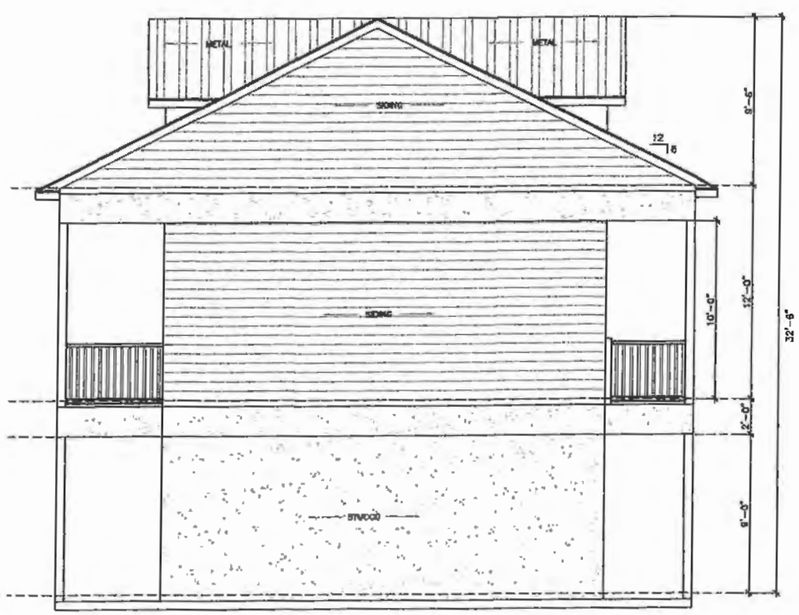
DRAWN BY K.E.B.
DATE 6-23-17
SCALE
CHECKED BY R.G.M.
PLAN NO
SHEET NO 3 OF 7

-27-

FRONT ELEVATION
SCALE: 1/4"=1'-0"




RIGHT ELEVATION
SCALE: 1/4"=1'-0"




LEFT ELEVATION
SCALE: 1/4"=1'-0"

REAR ELEVATION
SCALE: 1/4"=1'-0"

DRAWING SHEET INDEX

| | |
|---|---|
| 1 | COVER SHEET |
| 2 | FOUNDATION PLAN |
| 3 | FLOOR PLANS / ROOF PLAN |
| 4 | EXTERIOR ELEVATIONS |
| 5 | ELECTRICAL PLANS |
| 6 | DETAILS |
| 7 | DETAILS |
| 8 | |
| 9 | |
| 10 | |

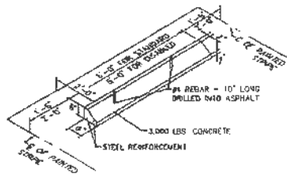
ROBERT G. MORGEN JR., P.E.
#58118
1928 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32092
904-814-7633
C.A. #30789
ENGINEERING, INC.

SIGNED (DESIGNER)

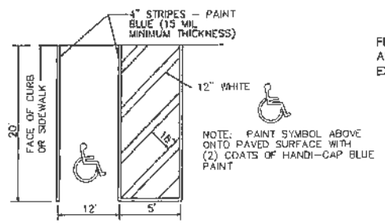
OCEANS THIRTEEN
12 13TH STREET
BUILDING 6,227 SQ. FT.

| | |
|---|---|
| DRAWN BY | K.E.B. |
| DATE | 6-23-17 |
| SCALE | SCALE |
| CHECKED BY | R.G.M. |
| PLAN NO | |
| SHEET NO | 4 OF 7 |

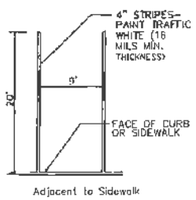
-28-



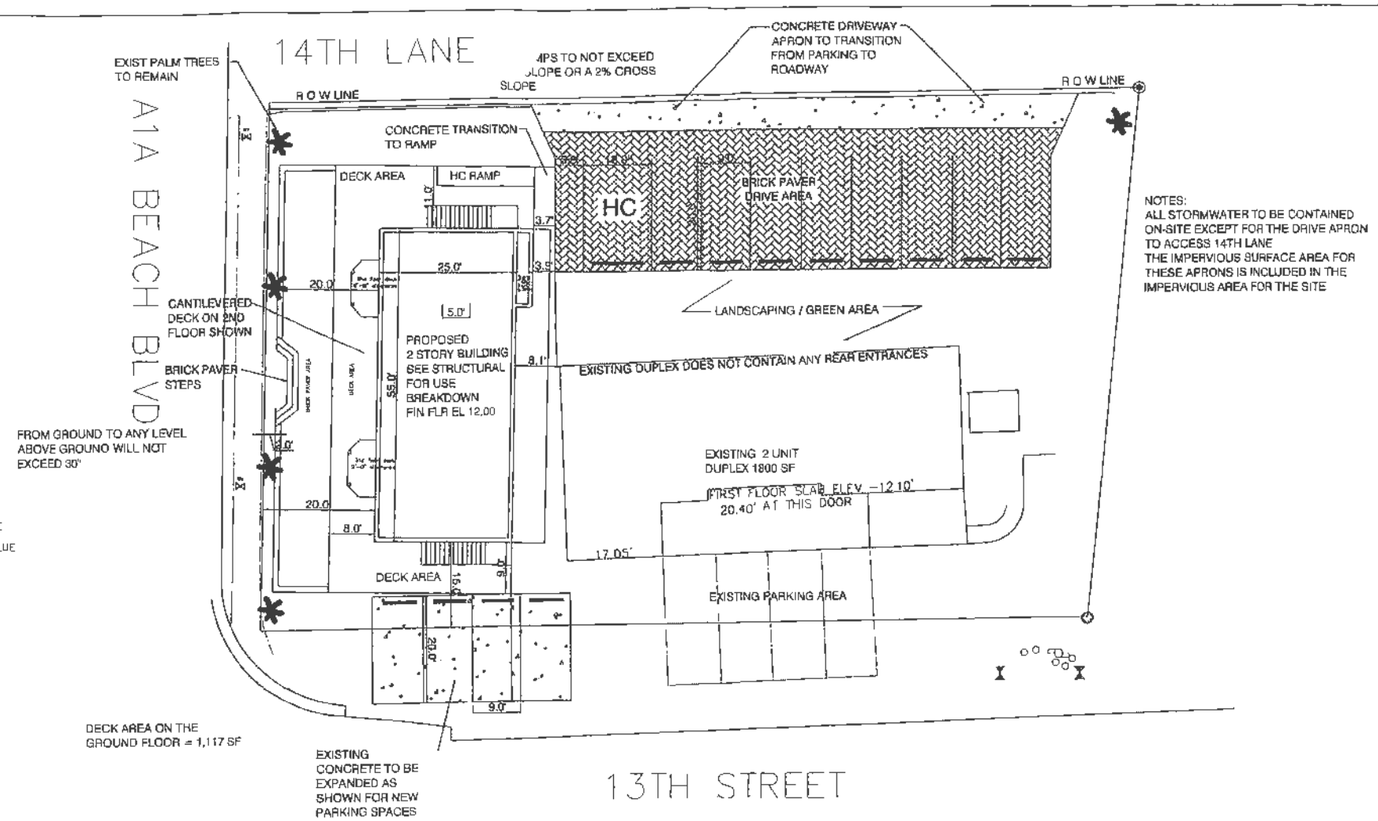

**WHEEL STOP**




**DISABLED PARKING**




**STRIPING DETAIL**




NOTES:
ALL STORMWATER TO BE CONTAINED ON-SITE EXCEPT FOR THE DRIVE APRON TO ACCESS 14TH LANE
THE IMPERVIOUS SURFACE AREA FOR THESE APRONS IS INCLUDED IN THE IMPERVIOUS AREA FOR THE SITE

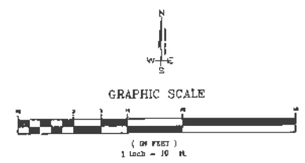
**SITE DATA TABLE**

| TOTAL SITE | | | |
|---|---|---|---|
| EXIST WETLANDS | 0 SF | 0 AC | 0% |
| EXIST UPLANDS | 14,372SF | 0.33AC | 100% |
| TOTAL SITE | 14,372SF | 0.33AC | 100% |

| SITE DEVELOPMENT DATA | | | |
|---|---|---|---|
| EXIST PARKING / BLDG A | 2,013SF | 0.05AC | |
| NEW BLDG B | 1,375SF | 0.03AC | |
| TOTAL BUILDING AREA | 4,218SF | 0.09AC | |
| NEW CONC PARKING | 1,489SF | 0.04AC | |
| TOTAL IMPERVIOUS AREA | 5,575SF | 0.13AC | 20% |
| OPEN / PAVERS SPACE | 8,472SF | 0.19AC | 80% |

**PARKING CALCULATIONS**

| USE | QUANTITY | REQUIREMENT | REQUIRED |
|---|---|---|---|
| OFFICE | 1,375SF | 1 SP / 250SF | 6 |
| 2BR UNIT | 2 UNITS | 2 SP / UNIT + 1 VISITOR | 6 |
| TOTAL REQUIRED | | | 12 SPACES |
| TOTAL PROVIDED | | | 12 SPACES |




| Date | Revisions |
|---|---|
| 6-23-18 | SITE MODIFIED PER FIELD CONSTRUCTION CONDITIONS |

1928 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32092
904-614-7633
C.A. #30723

RGM Engineering, Inc.

# OCEANS THIRTEEN

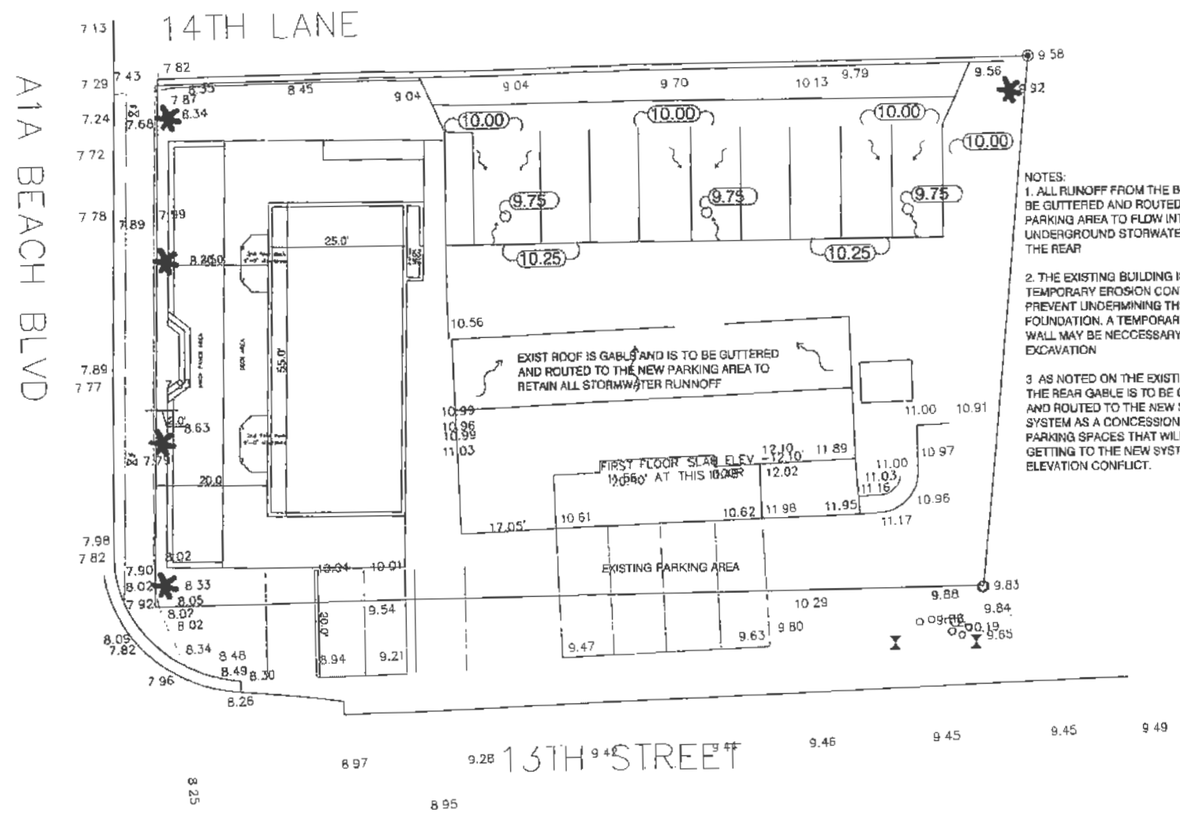
# OVERALL SITE PLAN

ROBERT C. NORGEN JR., P.E.
#36118

2-4-19

3
OF 12

-29-




NOTES:

1. ALL RUNOFF FROM THE BUILDING IS TO BE GUTTERED AND ROUTED TO THE PARKING AREA TO FLOW INTO THE UNDERGROUND STORWATER SYSTEM IN THE REAR

2. THE EXISTING BUILDING IS TO HAVE TEMPORARY EROSION CONTRO; TO PREVENT UNDERMINING THE FOUNDATION. A TEMPORARY RETAINING WALL MAY BE NECCESSARY PRIOR TO EXCAVATION

3. AS NOTED ON THE EXISTING BUILDING THE REAR GABLE IS TO BE GUTTERED AND ROUTED TO THE NEW STORMWATER SYSTEM AS A CONCESSION FOR THE 3 PARKING SPACES THAT WILL NOT BE GETTING TO THE NEW SYSTEM DUE TO ELEVATION CONFLICT.

GRAPHIC SCALE

| Date | Revisions |
|---|---|
| 6-25-18 | SITE MODIFIED PER FIELD CONSTRUCTION CONDITIONS |

1928 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32082
904-814-7633
C.A. #30799

RGM Engineering, Inc.

# OCEANS THIRTEEN

## PAVING & DRAINAGE PLAN

ROBERT G. MORGAN JR., P.E.
#56319

2-4-19

4
OF 12

-30-

WEST ELEVATION-OLD A1A FRONTAGE

| REVISIONS | BY |
|---|---|
| NOV. 5, 2007 | |

DAVE MANCINO ARCHITECT
2455 Old Moultrie Road St. Augustine Florida
PHONE/FAX: (904) 797-9855

David A. Mancino

AR 0010455

NEW OFFICE/RETAIL/R-1 BUILDING FOR:
OCEANS 13
12 THIRTENTH STREET
ST. AUGUSTINE BEACH FLORIDA

Date JUNE 15, 2006
Scale AS NOTED
Drawn DAM
Job No
Checked By: DAM
Sheet
A2.01
Of Sheets

-31-

F. Mixed Use File No. MU 2020-02, for post-permit modifications for parking reconfiguration and 1,117-square-foot ground floor wood deck and retention wall additions to Oceans Thirteen, a two-story mixed use building consisting of two commercial units on the first floor and two residential units on the second floor as approved per Mixed Use Order File No. MU 2017-01, in a commercial land use district in the mixed use district on Lots 62, 63, and 64, Atlantic Beach Subdivision, at 12 13th Street, Richard Thomas Marsh, Agent for Sunsation Real Estate LLC, Applicant

Mr. Law said the Board members were given copies of memorandums from the City's Public Works Director, Bill Tredik, which staff did not receive until 4:40 p.m. today, regarding Mr. Tredik's comments on the parking reconfiguration and his request for some landscaping, which will be discussed later on. The application is for post-permit modifications to a mixed use development approved by the Planning and Zoning Board in November 2017 for a mixed use building with two businesses on the first floor and two residential units on the second floor. There were some design issues with this property which included lowering the pitch of the roof to get it into compliance with the maximum building height, for which signed and sealed letters were provided to the City by surveyors and architects to verify the height of the building. During construction, staff noticed while driving by the rather large deck included as part of the post-permit modifications. This deck was not on the original plans submitted with the mixed use application approved by this Board in November 2017. The Board was also given copies of what was originally approved and plans for the post-permit modifications consisting of the deck, retaining wall and a revised parking plan, which was reviewed by St. Johns County Fire Department, which had no significant concerns with it.

Mr. Mitherz asked if all of the parking spaces for the mixed use building will be on 14th Lane.

Mr. Law said the revised parking plan has eight parking spaces and a handicap space on the north side adjacent to 14th Lane, and four parking spaces on the south side, off 13th Street. Public Works Director Bill Tredik is asking for a five-foot landscape buffer to be installed along the south and east sides of the northern parking lot.

Mr. Mitherz asked if the four parking spaces on the south side of the building are on the Oceans Thirteen property, or on the right-of-way.

Mr. Law said the four parking spaces on the south side adjacent to 13th Street are partially on the Oceans Thirteen property and partially on the City-owned right-of-way of 13th Street, which is why Mr. Tredik is involved in this. During the initial design phase approved by the Planning and Zoning Board in 2017, he believes there was a lot of discussion about the closeness of the Oceans Thirteen building to the duplex behind it. Architect Dave Mancino designed the Oceans Thirteen building for extensive fire-rating in compliance with the Florida Building Code. There also was an issue with the staircase on the north side of the building encroaching into the original parking site on the north side adjacent to 14th Lane, basically rendering it unworkable, so while the zoning review was approved by the Planning and Zoning Board, it was left to the Building Department to make the building and the parking work, which is part of the reason this application for post-permit modifications was required. Another reason is the front doors on the west side of the building facing the Boulevard swing out, which could be potentially dangerous for a wheelchair to transit across the handicap ramp from the one handicap parking space, and also navigate the columns coming down from the second-story in front of the building.

Ms. Longstreet asked why the front doors cannot swing in, instead of out. She also asked about the retaining wall, which wasn't part of the original approval of this building.

Mr. King asked if he is correct in saying that this deck is already built.

Mr. Law said traditionally, commercial doors swing out to provide better egress for getting out of the building. The retaining wall is part of the post-permit modifications, as a new structurally-engineered retaining wall will be put into place pending the Board's approval of this application. The deck was built without a permit, and a stop work order was posted on the deck about a month ago. The contractor was notified to cease and desist any further work on the deck. The interior work has been allowed to continue as it does not affect the deck.

Tom Marsh, 22 Soto Street, St. Augustine, Florida, 32086, agent for applicant and contractor for Oceans Thirteen, said basically what is requested are post-permit modifications to provide handicap access to the commercial entrances of the building. During the construction of this building, it was found to be a particular challenge to try to get to the elevation of the entrances, given the short amount of real estate of the site, so after consultation with Mr. Tredik, who provided some good ideas as to how they could accommodate a ramp for handicap access, the handicap parking space has been relocated from the original location on the south side of the building to the north side, to allow enough horizontal distance to accommodate a ramp to get to the finished floor elevation of the building. The original application provided means of a five-foot-wide concrete access to the commercial spaces but by and large did not provide adequate detail on how to get there and get around the columns in front of the building facing the Boulevard from what was the original handicap parking space on the south side.

Mr. Mitherz asked why the handicap parking is proposed partially on the right-of-way of 14th Lane, and not totally on the Ocean's Thirteen property.

Mr. Marsh said the original location of the handicap space on the south side of the building was partially on the right-of-way of 13th Street, but the post-permit parking modifications include moving the handicap space to the north side of the property site, adjacent to 14th Lane, where the handicap space and eight standard-size parking spaces are located entirely on the Oceans Thirteen property site. There are four additional standard-size parking spaces on the south side of the Oceans Thirteen building, and these are partially on the 13th Street right-of-way.

Mr. Pranis asked if the relocation of the handicap space and the transition to the ramp basically came about because the first floor level of the building is too high to actually have the slope on the south side of the building.

Mr. Marsh said the finished floor elevation of the new Oceans Thirteen building under construction is identical to the duplex building directly behind it to the east, but it wasn't until the new building was up that they realized it was kind of difficult to get handicap access from that close proximity between the building and the actual space available. As Mr. Law indicated, for handicap access you've got to have a lot of lawn to get that rise out of the ramp, so they found there's a lot more space where the handicap space has been relocated on the north side to allow them to get to that elevation to match the existing duplex to the east and behind the new building.

Mr. King asked why the deck appears to be so much larger than what would be required for accessibility.

Mr. Marsh said the application for post-permit modifications requests eight feet for the deck width to the west carried around the corner to eleven feet on the north side to allow them to get the ramp and deck in that space.

Mr. King asked if the corners could be cut so handicap access could still follow the contour of the deck access.

Mr. Marsh said he doesn't see why not. In other words, what Mr. King is asking is if the deck could potentially be dog-eared. As this really isn't his call, he'd like to ask one of the owners who is here for his input on this.

Doug Carr, 111 Marshside Drive, St. Augustine, Florida, 32080, said he's one of the owners of Oceans Thirteen. He met with Mr. Tredik and Mr. Marsh after being out of town for 10 days and finding that the deck had been erected by a secondary contractor. He shut the work down immediately and shaved the deck back, so as intrusive as it is now, it was much more so before. He'd agree to cut the corners of the deck off to allow the access point where you get to the stop sign at 14th Street and A1A Beach Boulevard, to be able to see traffic coming and going along the Boulevard, which can be an extremely busy road, so clear vision of pedestrians, bicyclists and vehicular traffic is important. Utilizing the north side of the site for most of the parking makes sense as this allows the handicap space and ramp to be more easily accessible. The deck is the only way to make the site handicap accessible. The handicap parking space is 30-feet-long-by-20-feet-wide, with total access on all sides

Ms. Longstreet asked if the handicap parking space is on the alley side on the north side of the property adjacent to 14th Lane, is this much deck then needed on the south side of the Oceans Thirteen property?

Mr. Marsh said what you don't see if you go to this property site now is that there will be a set of stairs on the south side leading to the second floor of the building. That staircase extends four feet off the building, and that deck coming around the south side of the building at eight feet will go around that staircase and not end at the staircase, so there won't be an edge at the bottom of the staircase, but the deck will be there to allow adequate passage for people coming up and down the staircase. The originally approved plans for this building always had two separate residential units upstairs, and right now, there's only a temporary set of construction stairs on the north side. There will be a permanent staircase on the north side and a permanent staircase on the south side of the building, and both of these staircases will be four feet wide, so their proposal with the deck at eight feet at the Boulevard side is to come around using that same eight feet and go past that staircase with four feet of width.

Mr. Pranis asked why, with the relocation of the handicap parking spot and eight parking spaces to the north side of the property site, there are four additional parking spaces now on the south side of the building.

Mr. Marsh said the goal was to not lose any parking spaces, as the mixed use approval for this development was specific to a certain number of parking spaces. The net number of parking spaces for the reconfigured parking plan is identical to the number of parking spaces originally approved for this mixed use building.

Mr. Kincaid asked Mr. Law if he has any issues with any of the proposed post-permit modifications.

Mr. Law said he has no objections to the parking reconfiguration on the south side. Handicap accessibility is one of their biggest concerns, and as for dog-earring the deck, five feet is the standard handicap width, because this is the minimum for turning space for a wheelchair to spin. One thing he hasn't asked is if there is going to be a secondary set of stairs to get up to the deck area on the south end.

Mr. Marsh said yes.

Ms. Odom said aesthetically, the building will look better if the deck on both sides looks the same.

Mr. Law said definitely, he'd say the angles should be made to be the same on each side, but he is requesting a five-foot minimum for handicap accessibility. He has no objections to the deck, as he knows the applicant and the contractor have worked excessively with Mr. Tredik on the site plan for the deck and the reconfigured parking. If the post-permit modifications are approved by the Board, he'd recommend the approval be subject to Mr. Tredik's comments in his staff memo dated today, July 21, 2020, to install a five-foot landscape buffer south of the north parking lot along 14th Lane, and he suggested this landscape buffer be comprised of Florida-friendly plants.

Ms. Longstreet said she thinks the applicants need to go before the City's Beautification Advisory Committee (now renamed SEPAC, Sustainability and Environmental Planning Advisory Committee) for that.

Mr. Law said only landscape plans along the Boulevard are reviewed by SEPAC, as this committee does not have the authority to review landscaping plans along side streets. However, if SEPAC wants to make recommendations for the landscaping, it is well within the Board's purview to subject approval to that specific condition.

Mr. Kincaid asked for public comment.

Sonia Kulyk, 114 13th Street, St. Augustine Beach, Florida, 32080, said she lives a block to the west of the Oceans Thirteen property, and she and a couple of her neighbors have been following this project since 2017. Basically, it just looked like there was way too big of a building on way too small a lot, which is probably why the applicant is here asking for more concessions for the parking and deck. The bottom line is that the building is just too big for this piece of land. She went to all the meetings concerning this project and remembers specifically the parking issue, because it didn't seem adequate for the duplex that was already there and the additional new building with commercial units on the first floor and residential units above. It just didn't seem like the numbers were going to work. She specifically remembers, after a lot of wrangling, that the handicap parking space was allowed on the 13th Street side of the property, basically on the right-of-way. The way this got permitted was that this property

is actually three combined lots, with the duplex directly to the east of the new mixed use building, and she remembers hearing that these two buildings would not be separated, as they are almost touching each other. There is a zero setback at the rear wall of the new mixed use building, and now the duplex is up for sale by itself. Considering the whole thing was calculated as one unit or parcel, to get all the square footage, parking, and setbacks to work, she's just not sure how the duplex can be sold by itself. She has no horse in this race or stake in the property, she's just a citizen who has watched this site go from a vacant lot to what's there now, and in all honesty, she's seen this sort of thing happen all over the beach. This particular building caught her eye because it's just right there off the Boulevard. She knows it's up to the Board to approve or deny the current application for the parking and the deck, but she wanted to state her case as to what's been done here from her perspective.

Mr. Kincaid said the Board did have some discussion at its meeting last month about the separation of the two properties, the duplex and the new mixed use building, all of which have been built on this one parcel. The Board was given the understanding that the properties were combined and advised at the time by the City Attorney and the Building Official that any sale of any part of the property was outside of the Board's purview.

Mr. Law said it is also outside the Building Department's authority to intervene in a private property sale. There's nothing in the previously approved mixed use order saying the property can't be sold, and even if there was, he believes that could be challenged in a legal scenario. If the Board had issued an order saying the property could not be sold, and someone chose to try to sell it in 10 years, he believes the City could quite possibly be guilty of a government taking of property. He's sure the applicant and owner are more than capable of explaining what's going on with this property, as the Building Department does not have any purview in private property sales.

Michael Longstreet, 11 13th Street, St. Augustine Beach, Florida, 32080, said he's a former St. Augustine Beach City Commissioner and also has extensive experience as a land surveyor. He's surprised this project was ever approved in the first place, and if this was all because of a loophole in the City's building codes, that loophole really needs to be closed. He's concerned about the project causing future flooding issues on 13th Street, and the handicap accessibility and retaining wall and deck, built without a permit, should have all been part of the original plans and application approved years ago. He doesn't know how these properties could be broken up and sold separately when the rooflines overlap, the parking for the mixed use building is on the right-of-way, and the drainage for the commercial part of the mixed use building is on the duplex's property. If this is an example of a builder trying to completely get around the City's Building Department, he asked the Board to please take a stand for the City and do what can be done to not approve this, with the exception of the handicap accessibility modifications.

Ms. Odom asked the City Attorney if she can ask the owners to clarify the question about the sale of the property.

Mr. Taylor said yes, definitely.

Mr. Carr said they're not selling the property, the intent is to sell the interior space of the duplex as condominiums. He's been a realtor for 30 years and has done this several times. They've been put in a situation where they just simply can't carry the entire project, and they have the ability, by law, to do this. They've completed 99 percent of the mandates required by State law to convert the duplex into condominiums and will be getting an application in through their attorney very shortly. This does not mean they're selling out the project, and they'd never try to enclose the duplex and sell it off separately, because the three lots the duplex and the mixed use building are on are one property, and nothing was approved separately. They recently spent an extraordinary amount of money renovating the entire exterior of the duplex, including all the fences, landscaping, sprinkler systems, parking spaces, and the drainage system. It is not that they did not plan for the handicap accessibility and drainage, the modifications are simply the result of the way things are laid out in the City and the way things are evolving.

Allan Richmond, 103 13th Street, St. Augustine Beach, Florida, 32080, said he has concerns about the parking, because on weekends, there are no less than nine cars parked on that corner, four for the duplex and five for the vacation rental across the street, so he doesn't know where four more cars are going to park, unless they're Mini-

Coopers, they're just not going to fit. As for the deck, he asked why the doors can't be redesigned, as there are all kinds of bi-folding and sliding doors. An eight-foot-wide deck to accommodate handicap access is not needed.

Ms. Longstreet said she has a problem with the parking, because as the gentleman who lives on 13th Street said, 13th Street, and 14th Lane as well, is crazy, there are children riding bicycles and scooters up and down the street and if you're not really careful, it's hard to see them. Then there is the vacation rental across the street from the Oceans Thirteen property on 13th Street, and this rental has five bedrooms, and anywhere from 10 to 25 people in it at any given day. Even though there are "No Parking" signs posted on the street, cars are parked along there all the time, so she does not see how 13th Street can handle or hold any more cars or traffic.

Ms. Odom said the new mixed use building is required to have the minimum number of parking spaces per City Code and as approved by this Board when this project came before the Board and was approved in 2017.

Mr. Law said yes, the number of parking spaces as shown on the site plan when approval for this development was given by this Board in 2017 has to be maintained. He shares Ms. Longstreet's concerns about public safety, but parking is also a requirement. Just for the record, he asked if the western side of the front of the deck will have a two-foot setback off the Oceans Thirteen property line. A minimum two-foot setback is required for decks per City Code, as the City reserves the right for a two-foot easement around lot lines for hardscaping. Staff has also recommended that the corners of the deck be dog-eared a minimum of five feet not to exceed six feet.

Mr. Marsh said yes, the deck right now extends eight feet off the face of the building wall.

Mr. Kincaid said his understanding is that they're not taking any parking spaces away but leaving the same number of spaces as were approved during the original approval of this project in 2017. The parking has been reconfigured specifically for handicap access, and some of the spaces moved around from one side of the site to the other.

Mr. Mitherz said it is still a big issue for him that the parking spaces are not all on the Oceans Thirteen property.

Ms. Odom said right or wrong, the parking for the duplex has always gone over the property line and extended into the right-of-way. Ms. Longstreet makes a valid point for safety, as there is a lot of activity on the streets in this area east of A1A Beach Boulevard, but it will be the people parking at the Oceans Thirteen building who will have to pay attention to all the traffic and activity, not the owners or the developers.

**Motion:** to approve Mixed Use File No. MU 2020-02, for post-permit modifications for parking reconfiguration and ground floor wood deck and retention wall additions to Oceans Thirteen, a two-story mixed use building consisting of two commercial units on the first floor and two residential units on the second floor as approved per Mixed Use Order File No. MU 2017-01, in a commercial land use district in the mixed use district on Lots 62, 63, and 64, Atlantic Beach Subdivision, at 12 13th Street, subject to the following conditions: 1) The corners of the ground-floor wood deck addition shall be cut back to a minimum of five feet of useable space not to exceed a maximum of six feet; 2) The landscaping on the north side of the Oceans Thirteen property site shall be reviewed by the City's Sustainability & Environmental Planning Advisory Committee (SEPAC) for SEPAC's recommendations regarding the landscaping for the required five-foot landscape buffer; 3) Materials used for the retaining wall shall be consistent with materials used for the existing retaining wall; 4) The staff comments and recommendations from Public Works Director William Tredik in his memos dated July 21, 2020 to Building and Zoning Director Brian Law regarding the proposed post-permit modifications to Oceans Thirteen shall be adhered to and incorporated as part of the approval of these modifications, and these memos shall also be forwarded to SEPAC. **Moved** by Mr. Kincaid, **seconded** by Ms. Odom, **passed 5-2** by roll-call vote, with Mr. Kincaid, Ms. Odom, Mr. Einheuser, Mr. King, and Mr. Pranis assenting, and Ms. Longstreet and Mr. Mitherz dissenting.

## VII. OLD BUSINESS

There was no old business.

# MEMORANDUM

Date: July 21, 2020

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

From: William Tredik, P.E., Public Works Director

Subject: Oceans 13 Overall Site Plan (6-25-20)

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Public Works offers the following comments in regard to the June 25, 2020 site plan prepared by RGM Engineering:

Landscaping:

- Since the current configuration of parking eliminates the landscape buffer along 14th Lane, owner should create a 5' landscaped buffer along the south and east sides of the northern parking lot.
- Trees proposed at the northwest and southwest corners of the site obstruct sight triangles and must be relocated. Recommend moving trees to south side of 14th Lane, west of the northern parking lot; to the aforementioned requested 5' landscape buffer; or to 13th Street between the existing parking areas.

Parking lot design:

- Slopes in handicap space cannot exceed 2% in any direction
- Site plan should include elevations of accessible pathway from the parking lot to the proposed deck area to ensure constructability.
- Slope of the concrete apron at the west end is approximately 20% based upon the existing grades on the plan. This slope should be no more than 5%, with any portion of the handicap parking space or access aisle not more than 2%. This will require lowering of the parking lot elevation of 10.0 to 9.3+/- at the west end. This may impact the handicap ramp length.
- 10% slope from the south edge of the northern parking lot to the low spot (i.e. 10.25 to 9.75) exceeds the maximum slope for of 5%. Parking lot grades need to be adjusted.

# MEMORANDUM

Date: July 21, 2020

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

From: William Tredik, P.E., Public Works Director

Subject: Oceans 13 Overall Site Plan (6-25-20)

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Public Works offers the following comments in regard to the June 25, 2020 site plan prepared by RGM Engineering:

- Perpendicular parking along 14th Lane, as proposed, results in less impervious surface area than an offset parking lot with driveways. Due to low traffic volumes on 14th Lane, the proposed configuration is not expected to cause any traffic issues.
- Since, however, the proposed configuration of parking eliminates the landscape buffer along 14th Lane, the owner should create a 5' landscaped buffer along the south and east sides of the proposed northern parking lot.
- Landscaping is also recommended along the south side of 14th Lane, just west of the northern parking lot; in the aforementioned requested 5' landscape buffer; and on the north side of 13th Street between the existing parking areas.

# City of St. Augustine Beach Building and Zoning Department
## Appeal of Decision Application

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which the appeal application is being sought:

   Lot(s) 62,63,64 Block(s)_____ Subdivision 2-50 ATLANTIC BCH LOTS 62+63

   Street Address 12 13TH ST

2. Location (N, S, W, E): N Side of (Street Name): 13TH ST

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

4. Real estate parcel identification number: 167460 00000

5. Name and address of applicant: SONIA KULYK 114 13TH ST SAB 32080

   ALLAN RICHMAN 103 13TH ST. SAB 32080

6. The purpose of this application is to appeal a decision made by the: Building and Zoning Department:_____

   Comprehensive Planning and Zoning Board: X

7. The decision being appealed took the form of a: Variance (File No. and Date)_____

   Development Order (File No. and Date)_____

   Development Requirement _____

   Land ~~Use Determination~~ MIXED USE MU2020-02 MV2017-01

8. Please state the interests of the person(s) seeking the appeal in this specific case: AS RESIDENTS OF ST. AUGUSTINE BEACH WE ARE CONCERNED WITH THE CONTINUOUS AND BLATANT DISREGARD OF OUR BUILDING CODES. THE POST-PERMIT MODIFICATIONS REQUESTED BEFORE THE PNZ BOARD ON 7/21/20 WERE THE RESULT OF SELF-IMPOSED COMPLICATIONS AND HARDSHIPS

9. Please state the specific error alleged to be made in the case under appeal: _____

SEE ATTACHED

10. Please state any additional documents included with the application to support your appeal: _____

ORDER APPROVING MIXED USE DEVELOPMENT (MU2017-01)
PLAN REVIEWS (4/8/19, 8/7/19 8/22/19)
CORRESPONDENCE LETTERS TO COMMISSION 9/19/17 +
TO PNZ BOARD 7/17/20 + 9/12/19 LAND TECH AFFIDAVIT

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

(X) Legal description of property

(X) List of names and addresses of all property owners within 300-foot radius

(X) First-class postage-stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of all property owners within 300-foot radius

(X) Other documents or relevant information to be considered SEE ABOVE

(X) Fourteen (14) copies of the completed application including supplemental documentation and/or relevant information

12. Please check one of the following statements, whichever applies:

_____If applicant is appealing a decision made by the **BUILDING AND ZONING DEPARTMENT:**

I hereby request an appearance before the City of St. Augustine Beach Comprehensive Planning and Zoning Board for a public hearing concerning the above-mentioned appeal.

__X__If applicant is appealing a decision made by the **COMPREHENSIVE PLANNING AND ZONING BOARD:**

I hereby request an appearance before the City Commission of St. Augustine Beach.

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

Signature of Applicant Sonia Kulyk Allen Richman

Printed Name of Applicant SONIA KULYK, ALLEN RICHMAN Date 7/31/20

Address of Applicant 114 13TH ST 103 13th St Phone 904-460-5540

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

Appeal of Decision File #: 2020-01

For appeal of decision at: 12 13th Street

## Charges

Application Fee 100.00 Date Paid: 7-31-2020

Legal Notice Sign 7.50 Date Paid: 7-31-2020

Received by Bonnie Miller

Date 7-31-2020

Invoice # I2001599

Check # or type of credit or debit card N/A

9) The specific error alleged to be made in the case under appeal is regarding the decision to grant post-permit modifications for Oceans Thirteen, a two-story mixed-use building on 12 13th St. file MU2020-02 made by the Comprehensive Planning and Zoning Board on Tuesday 7/21/20 at the regularly scheduled monthly meeting. The 5-2 vote in favor of the request was granted without any reprimand, fee or penalty, despite the fact, that per Brian Law, the un-permitted modifications were in "direct violation of Chapter One of the Florida Building Code" as well as being in violation of the building permit issued on Dec. 2019 2017 MU2017-01 (attached) as follows:

The original application was approved subject to the following:

"1) The mixed-use development shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all plans, drawings and renderings.

2) The landscaping plan provided with the application shall be reviewed by the city of St. Augustine Beach Beautification Advisory Committee.

3) A violation of the conditions listed above shall void the approval granted herein."

The structure that stands in place today has a significant number of modifications, alterations and additions that were not in the original plan and to our knowledge, were not granted approval prior to the post-permit request on 7/21/2020. Per the terms of the 2017 approval, it seems that they are in violation of items #1 and #3 based on these facts:

1) The addition of a 1,117 square foot deck on the ground floor.
2) Significant modification of the parking configuration.
3) Modification of the deck on the second floor
4) A retention wall which runs the length of the property along Beach Blvd.
5) Front steps leading up to the retail space at the ground level
6) The distance between the existing duplex on the property and the new structure not meeting the 8 foot setback as indicated on the original plan. In fact, the roof structure is almost touching the adjacent building.
7) The building elevation and height.

The reason that this request for a post-permit modification came to the PNZ board is because during the building process, Mr. Law was driving by the property and noticed a "rather large deck" that was not on the original building permit He put a stop work order in place and informed the builder that he needed to see the PNZ board.

The applicant stated that his reason for requesting post-permit modification approval was that "reconfiguration of parking is needed to accommodate staircases not shown accurately on original site plan..." It was further explained that the reason behind these changes was that "the 14th St. Alley was actually built 2 feet onto their property" and also that the stairs (on the northern boundary) wouldn't work because "basically they ran out of real estate".

Based on the documents provided to the PNZ board before the 7/21/20 meeting, it appears that the builder was well aware, before he even started building, that the plans (approved in 2017) would have to be significantly modified. The survey of 12/17/18 revealed that there was insufficient space for 4 parking spots on the northside of the building. The site plans were re-drawn on 2/4/19 with 4 parking spots moved to 13th St. and the addition of stairs on the northside of the building. But there was no mention of the fill that was moved from the excavation pit (drainage basin) to the building site which raised the elevation from the pre-construction grade of 8.4 to 12 feet, which resulted in the need for more modifications necessary to access the building, including a porch, front and side stairs leading to the porch, and a retention wall.

***Since the construction had not yet begun at that time, the builder should have been required to re-design the structure to fit within the confines of the lot size and in accordance with the approved plans of 2017 or gone before the PNZ at that time to request the modifications.***

During the PNZ proceedings on 7/21/20 there was no discussion of the new elevation and height of the building, which far exceeded the allowable 35 feet. The only discussion regarding the unpermitted retaining wall centered around the type of stone that would be used. The porch was discussed mostly in reference to handicap accessibility and barely any concern at all was voiced that it was un-approved and un-permitted.

Before and throughout the building process, several concerns were raised about this building. Myself, the co-applicant and several neighbors contacted and spoke before the commission, PNZ board (correspondence attached) and directly to Brian Law. There also appeared to be some concerns raised by Mr. Law during the plan review process(es) of 2019. (attached). Specifically, the distance between the existing duplex and new structure was addressed in item #9 (4/8/19). Without treading too far into Mr. Law's purview, it seems evident from his review that the builder appeared to be falling short in several areas of compliance, which seems to be an indication of their total dis-regard for following the rules. So, it should not be surprising that they would feel comfortable going forward with un-permitted modifications as they saw fit, realizing that there would be no consequences for their actions.

The subject of parking is of upmost concern to those of us who live on 13th St. During the PNZ meeting of 7/21/20 the subject was trivialized with the builder and realtor repeatedly stating that it was no more than a simple swap...moving the Handicapped parking to the north side where it would be "safer". In reality, this is not just a swap...because the HC parking for **one spot** on 13th street, which was permitted in 2017, recognized that it was partially in the right of way. Despite the fact that the exiting duplex already had parking in the right of way, the PNZ in 2017 deemed that the new construction would not be granted the same permission and it agreed to allow **only one HC spot** on 13th 5t. As the discussion progressed on 7/21/20, the one HC spot originally permitted, "verbally morphed" into 2 HC spots (a 100% increase), and the applicants further confused the issue, by stating that they were just adding a "couple more spots", which in total was a 400% increase over the previously approved single spot. The major point to be noted here, is that obviously one designated HC spot would be much less utilized than 4 active spots on a portion of 13th St. that is already heavily trafficked.

During the discussion, Mr. Carr (one of the current owners) acknowledged that the addition of the front deck "could potentially cause some visibility issues for both cars and pedestrians turning onto the Blvd. from 13th St." Having 4 active parking spots so close to such a busy intersection, and partially obstructed by the porch should have raised some concern with the PNZ board. Mr. Carr also stated, in closing "I appreciate everyone's patience with this project. It's gone on much longer and is much more of an eye sore than I ever anticipated" and later "I wish it wasn't so high".

As private citizens, all we can do is call out these concerns to our officials and hope the appropriate actions are taken. In this case, we believe they were not.

In July 2017, a similar case came before the commission, also regarding un-permitted construction work on Beach Blvd, but since it was a property owned by then mayor Rich O'Brien, there was a lot of public outcry and ultimately he was ordered to remove parts of the structure and was fined $25,000 for code violations. It seems that this would serve as a precedent to be considered in this case.

This structure on 13th 5t. seems to be "below the radar" as far as the public is concerned, so it is incumbent on our city officials, staff, board members and commissioners to ensure that our building codes are adhered to and not made a mockery of.

We also find it curious that the address for this structure is continuously referred to as 12 13th 5t when it clearly fronts A1A and in fact, there is already is a building with that same address on the same lot, a duplex on 13th St. that is currently listed for sale. (MLS195186).

Our questions to the commission are:

1) At what point do significant un-permitted modifications to a building warrant a requirement to re-appear before the commission or PNZ board? And who makes this determination? In this particular case, Mr. Law discovered by happenstance that there was a rather large unpermitted deck and that finally triggered a stop-order and notice to appear before the PNZ.
2) What are the fees and penalties imposed for building violations? Who imposes them, and at what time? Despite the Building Department's extensive fee schedule (attached) no mention of any penalties, fees or fines were suggested during the 7/21/20 PNZ meeting, despite Mr. Law's stating "the un-permitted modifications were in direct violation of Chapter One of the Florida Building Code" as well as being in violation of the conditions stated in the original 2017 approval.

As concerned residents, with no financial interest or stake in this property, we urge you to please re-visit this application, view the video of the 7/2120 PNZ proceedings, which was the last item on the agenda. In addition to the item addressed in this appeal, if you view the entire meeting, you will see that we are not the only ones in this community growing increasingly concerned and frustrated with the way our PNZ board is handling items that come before them.

As it stands right now, it appears to us residents, that the message to developers is "submit your plans, make any modifications that you like along the way, and hopefully no one will notice, but if someone does, just apply for post-permit modification approval, pay your $300 application fee and you're good to go".

Public Records of St. Johns County, FL
Clerk number: 2018013083
BK: 4508 PG: 1160
2/27/2018 3:22 PM
Recording $52.50

**BEFORE THE COMPREHENSIVE PLANNING AND ZONING BOARD OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA**

*In re:*

**APPLICATION OF THOMAS J. O'HARA, FOR MIXED USE DEVELOPMENT FOR PROPOSED NEW CONSTRUCTION OF A TWO-STORY, 3,395-SQUARE-FOOT TOTAL-UNDER-ROOF MIXED USE BUILDING, OCEANS THIRTEEN, IN A COMMERCIAL LAND USE DISTRICT IN THE MIXED USE DISTRICT ON LOTS 62, 63, AND 64, ATLANTIC BEACH SUBDIVISION, AT 12 13TH STREET, ST. AUGUSTINE BEACH, FLORIDA 32080**_____/

## ORDER APPROVING MIXED USE DEVELOPMENT (MU 2017-01)

This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on November 21, 2017, upon Application (MU 2017-01) by Thomas J. O'Hara, for mixed use development to allow for proposed construction of a two-story, 3,395-square-foot total-under-roof mixed use building, Oceans Thirteen, consisting of 1,375 total square feet of covered commercial space on the first floor and 2,020 total square feet of covered residential space on the second floor, in a commercial land use district in the mixed use district at 12 13th Street, St. Augustine Beach, Florida 32080. The Comprehensive Planning and Zoning Board having considered the Application, received public comments, and upon motion duly made, seconded and passed, the Board found that the Application was approved subject to the following:

1. The mixed use development shall conform to all materials submitted with the Application and which were provided by the Applicant to supplement the Application, including all plans, drawings, and renderings.

2. The landscaping plan provided with the application shall be reviewed by the City of St. Augustine Beach Beautification Advisory Committee.

3. A violation of the conditions listed above shall void the approval granted herein.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

**DONE AND ORDERED** this 19th day of December, 2017, at St. Augustine Beach, St. Johns County, Florida.

**COMPREHENSIVE PLANNING AND ZONING BOARD**
**CITY OF ST. AUGUSTING BEACH, FLORIDA**

Bonnie Jean Miller
NOTARY PUBLIC
STATE OF FLORIDA
Commit FF942261
Expires 3/30/2020

**By:** _____
**Jane West, Chairperson**

**STATE OF FLORIDA**
**COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this 19th day of December 2017, by Jane West, who is personally known to me.

_____
**Signature of Notary Public--State of Florida**

Proposed mix use structure on 12 13th St

<soniakulyk@hotmail.com>
9/19/2017 2:22 PM
To: comrobrien@cityofsab.org; comugeorge@cityofsab.org; commkostka@cityofsab.org; commengland@cityofsab.org; comsgsnodgrass@cityofsab.org

Dear Commissioners,
I appreciate you giving me the opportunity to share my thoughts on this proposed development, which is less than a block from my house.
It is scheduled to come before the Planning and Zoning Board today 9/19 at 7 p.m.

I looked at the plans and read Gary Larson's recommendation to the board.

I have a few comments. This is a really big structure on a really small plot of land. It is not at all in keeping with the adjoining buildings. This area is comprised mostly of 1 and 2 story structures. I take issue with the fact that Mr. Larson stated that "the structures are basically in conformance with surrounding properties, the Hampton Inn, Sunset Grille and Hilton Garden". These are huge commercial properties with appropriate setbacks, parking and lot sizes in proportion to their structures.

In Mr. Larson's report he indicates that the building height is below the allowable 35 ft height. According to the plans it is 34 ft 11 inches. And from where exactly are we measuring? Are we including the new "habitable space" metric in this calculation?

And the parking issues....

For the retail portion, apparently the minimum requirement is 6 parking spaces for 1,500 square feet of commercial space. However in this case you have 2 separate retail spaces. So, for all intents and purposes, assuming that each storefront has 2 employees with cars,that leaves only 1 customer parking space for each business. Can a retail establishment really be successful with such limited parking?

For the residential portion, they are lumping all the remaining parking spaces together and have calculated that 12 spaces would be adequate for the two new 3 bedroom units as well as the existing duplexes. That is quite an assumption to make because in the last few days, I observed that all 6 of the spaces in front of the duplex were occupied. Two 3 bedroom 1500 square foot (presumably vacation rentals) would most likely not be able to fit their vehicles in the remaining spots and will invariably end up on our narrow residential streets. I live next door to a 3 bedroom vacation rental and it is not uncommon for 4 cars to be parked there. 2 in the driveway and 2 on the lawn.

There are no tall structures so close to the curb on Beach Blvd, except for Rich O'Brien's new residential units, and that does not include commercial space.

In conclusion, on paper this project appears to meet all the allowable numbers, but in reality, this structure is an inappropriate addition to the boulevard's aesthetic. Instead of going by the numbers of "what is permissible" maybe we should look at what is workable and what will enhance beauty of the beach and contribute to the quality of life for our residents and visitors alike.

In my opinion, if the owners want to build this type of structure on their 3 lots, then perhaps they should consider removing the existing duplex and laying this out is a way that will provide sufficient parking and setbacks and be visually appealing.

Thank you for your consideration of my concerns.

Sincerely,

Sonia Kulyk.

114 13th St.

9/12/2019 5:26 PM
From soniakulyk@hotmail.com
Oceans 13

To: pzkkincaid@cityofsab.org; pzhlongstreet@cityofsab.org; pzsmitherz@cityofsab.org; pzrodom@cityofsab.org; pzjholleran@cityofsab.org ; pzesloan@cityofsab.org; pzjwest@cityofsab.org

Dear Planning and Zoning Board Members,
My name is Sonia Kulyk and I live at 114 13th St.
I have been following the progress of the mixed use building at the corner of A1A Beach Blvd and 13th Street, "Oceans 13" since the applicant first applied for a permit for this mixed use building.
After several months of inactivity, it seems like building has once again resumed.
I am curious to know the total square footage of this proposed structure, as well as the finished height. I remember seeing some early drawings that indicated that it would be approximately 6,000 square feet with a height of "around 35 feet".
I asked Brian Law on 2 separate occasions at commission meetings (most recently last Monday) and he is not able to answer those questions for me.
From the onset, this building which is "sharing" a lot with an existing structure seemed to large for the plot.
Now that the work has resumed, I am wondering if it is possible to find out what the finished structure will look like...specifically total square footage and height (and if we are measuring "habitable space" or from the street level).
I plan on attending Tuesday's meeting and if it is possible, is there a way to get that information from Mr. Law in advance of the meeting?
Thank you in advance for your assistance with this.
Sonia Kulyk
904 460 5540
soniakulyk@hotmail.com

**From:** sonia kulyk
**Sent:** Friday, July 17, 2020 2:33 PM
**To:** pzkkincaid@cityofsab.org; pzrodom@cityofsab.org; pzsmitherz@cityofsab.org; pzhlongstreet@cityofsab.org; pzcpranis@cityofsab.org; pzdking@cityofsab.org; pzeinheuser@cityofsab.org; pzvsarris@cityofsab.org; pztisdale@cityofsab.org
**Subject:** MU2020-02 12 13th St. (a.k.a. 11 14th Lane)

Dear Planning and Zoning Board Members,
I am contacting you to voice my concern over the request for post-permit modifications to the above referenced property.
I urge you to consider denying this request for the following reasons:
I have been following the building of this property since the initial request came to the PNZ on September 19, 2017 (see attached letter). My initial concern, that this was simply too huge a structure to be built on the remaining vacant space of 3 lots, has been borne out, as evidenced in this additional post-permit request.
Through a variety of creative calculations, a giant mixed use structure was permitted to be built on a lot that already contained a duplex, and the remaining undeveloped portion, seemed barely adequate for such a large structure. This was achieved by combining lots 62, 63 and 64, deducting the footprint of the existing duplex and convincing the board that there was sufficient space for the retail/residential structure, as well as adequate required parking for all 4 residential units and 2 retail spaces.
Permits were granted to build this mixed use building **with no rear setback** . In fact, the 2 buildings are almost touching each other.
It appears now, that there is an attempt to sell off the original duplex (see attached MLS and building permit) through some creative work-around by making it a "condominium".
In addition, the owner is now looking for post-permit approval to add additional decks and re-configure parking.
In my opinion, this is a pattern that is emerging all too frequently in our community. There are established building codes which are constantly being re-interpreted by developers to maximize use of lots that were never intended to hold such large structures. We are setting a dangerous precedent by continuing to grant exceptions to structures that are not being built according to their original plans. Rich O'Brien's single family residence on Beach Blvd and F St. comes to mind. Despite public outcry, he was able to retain the un-permitted modifications, but was fined a substantial penalty.
I have no personal connection to any of the parties involved in this. But I speak as a concerned resident, and while there are examples of this throughout our community, this one caught my attention because it is at the end of my street.
I appreciate your time and consideration of this matter,
Sincerely,
Sonia Kulyk
114 13th St.
904 460 5540

App594

RECEIVED JUL 15 2019 CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

RECEIVED MAR 27 2019 CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

# THE CITY OF ST. AUGUSTINE BEACH BUILDING PERMIT APPLICATION

**2200 A1A South, St. Augustine Beach, Florida 32080**

**904-471-8758/www.staugbch.com/building**

**PERMITS BECOME NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS OR IF CONSTRUCTION OR WORK IS SUSPENDED, OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS COMMENCED.**

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

Job Site Address 11 14th LANE ~~12 13th STREET~~ ST. AUGUSTINE BEACH FL 32080

Site Legal Description Lots 62, 63 + PART OF 64 ~~EAST OF A1A BOOK 2, PAGE 50~~ Parcel Identification Number 167460-0000

Owner's Name THOMAS J O'HARA - SENSATION REAL ESTATE LLC

Address 211 SEQUAMS LANE CENTER City WEST ISLIP State NY Zip Code 11795

Phone Number (631) 807-3373 Email to10069@yahoo.com

Contractor's Name RICHARD T. MARSH Qualifying Name PALMETTO BUILDERS LLC

Address PMB 266 1093 A1A BEACH BLVD City ST. AUGUSTINE State FL Zip Code 32080

Phone Number (904) 669-2024 Email tmarsh@palmettohomes.net License Number CGC1512389

Architect/ Engineer's Name BOB MORGEN Address

Description of Work MIXED USE BUILDING Structure Use OFFICE GROUND FLOOR, RESIDENTIAL

Valuation of Work ~~400,000~~ $510,000 Stories 2 Sq. Ft. 3395 Conditioned Sq. Ft. 3395

Height 32'-6" Number of Units 2 RES ~~2 COMM~~ FIA Zone X(S) First Floor Elevation 12.8'

2017 FBC

RECEIVED SEP - 6 2019 CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

If proposed improvements are accessory to existing improved property please provide:

Existing Sq. Ft. _____ Ext Conditioned Sq. Ft. _____ New Sq. Ft. _____ New Conditioned Sq. Ft. _____

Height of Main Structure _____ Height of proposed Structure _____

Water _____ Well _____ Sewer _____ Septic Tank _____

Termite Protection By (Per FBC 1816) _____ Treatment Method: Soil ___ Bait ___ Wood ___

Building Permit Application Revised 7/27/2018)

Rejected 4-8-19 BLAW Rejected 8-22-19

Rejected 8-7-19 BLAW

City of St. Augustine Beach

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

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

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

To: Tom Marsh
From: Brian Law
CC:
Date: 4-8-2019
Re: 12 13th Street

The plan review for 12 13th street is being rejected for the following reasons:

1) Please identify what type of R occupancy is the upstairs as per 107.3.5 of the 2017 FBC.
2) Please review section 903.2.8 of the 2017 FBC regarding the use of automatic sprinkler systems in Residential occupancies and revise as necessary.
3) Please provide a window flashing detail for the masonry walls as per 107.3.5 of the 2017 FBC.
4) Please indicate the fire extinguishers locations on the plans.
5) Please provide electrical plans that comply with 107.3.5 of the 2017 FBC.
6) Please provide mechanical plans that comply with 107.3.5 of the 2017 FBC.
7) Please provide plumbing plans that comply with 107.3.5 of the 2017 FBC.
8) Please explain what the interior stair detail on sheet 5 of 8 is for.
9) The proposed building is approximately 8.1 feet from the building to the east as per overall site plan, please review table 602 of the 2017 FBC and revise as necessary (fire separation distance is assumed to be an imaginary line between buildings chapter 2 definitions)
10) Please demonstrate compliance with section 705.11(5) of the 2017 FBC.
11) Please review section 705.8.2 of the 2017 FBC as it may be applicable.
12) Please demonstrate compliance with section 705.2 of the 2017 FBC regarding projections.
13) Please explain how the use of a LUS 210 can occur at the building corner as detailed on the detail as demonstrated on sheet 2 of 8.
14) Explain the proposed R-13 value inside a 2x2 furring as per sheet 2 of 8.
15) Provide washer sizes on top of 2nd floor wall atr's.
16) The words are cut off @ typical door window openings.
17) Please provide all Fire-resistant constructions details on the plans as per 107.3.5 of the 2017 FBC. This shall include the actual construction details regarding membranes, penetrations etc.
18) The life safety plan shows the egress route on the 1st floor from the bathroom through a storage room contrary to section 1016.2 of the 2017 FBC.
19) The 2 hour floor system listed for use UL-L538, this system requires a maximum spacing of 19.2 in OC for the floor system, however the floor system that is proposed is for a 24" OC spacing, please review and revise as necessary.

20) Please review the conventional framing details as it appears to be missing how to actually construct the roof system along the perimeters.
21) Please show on the plans where the water heaters and air handlers/compressors are located.
22) FYI-Ensure that light reduction controls are utilized on the new electrical plans as per C405 of the 2017 FBC-Energy.
23) Please provide a typical wall section meeting the requirements of section 107.3.5 of the 2017 FBC.
24) The application submitted is not completed, please review and fill out completely.
25) The product approval sheet must contain the decimal numbers as approval # 21637 has 5 options.
26) Please demonstrate with an illustration how we are to maintain the floor assembly rating as it pertains to penetrations of the membrane per 714.4.2 of the 2017 FBC.
27) Plan review is terminated at this point due to the excessive issues and missing information.

8-7-19

The plan review for 12 13th street complete resubmittal is being rejected for the following:

1) FYI—a metal roof permit shall be required
2) FYI—a fire sprinkler permit shall be required
3) FYI—a fire alarm permit shall be required
4) FYI—A underground fire main permit shall be required
5) Please have structural EOR specify spacing of upright rebar in the cmu wall
6) There appears to be missing footers at exterior walls and the tenant separation wall, review and revise as necessary.
7) Identify top lintel of cmu wall, how thick and how many pieces of rebar are in the lintel; around the building.
8) FYI- diagonal bracing shall be required at the 2nd floor framing as per general note 8 of sheet CS of engineering.
9) Roof framing nail off on S-1 does not match sheet CS wood framing note 4, please review and revise all details as necessary and clearly indicate the results.
10) It appears all thread rods are being used in this project, please provide diameter, material, spacing, washer size, attachment to lintels below, etc.
11) Remove detail for interior stairs sheet S-2 as it is not applicable or correct for this occupancy.
12) Sheet S-3 typical exterior stair detail is not correct for this occupancy, remove detail and all others that reference the Residential Code as it is has no applicability on this project.
13) The plywood thickness on S-1 does not match the thickness on sheet S-3, please review and revise all drawings to promote continuity.
14) Please demonstrate how the dormers are being attached to the underlying roof on S-1.
15) Identify the strap to be used from post to wood header as simply stating "Simpson flat strap" is not sufficient as there are many types.
16) Please review the loft floor truss engineering and provide a ledger and attachment details as applicable.
17) Provide a framing detail for the round windows at the gable end trusses.
18) Due to this amount of missing information this plan review is terminated with a strong recommendation that the structural plans be carefully reviewed by the structural EOR.

8-22-2019

1) #6 Not corrected, please EOR sign and seal plans showing updated footer.

2) #10 not complete—identify washer size and thickness of washer
3) Please have the EOR review the support of the loft floor system and the trusses adjacent to the loft floor as there is a rather heavy bearing point on either side and no way to transmit the load to the floor below. The bearing point is approximately 13'7" from the 2nd floor rear wall. This modification will require a redesign of first floor components and as such structural review is terminated.

Sincerely

*Brian Law*

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

**LandTech**
Surveyors-Mappers

[corporate office]
4475 U.S. Highway #1 South Suite 202
St. Augustine, FL 32080
904-471-6877
fax:904-471-6876

**12/11/19**

**Re: 12 13th Street**
**St. Augustine, Fl. 32080**

**Tom Marsh – Palmetto Homes**

**This affidavit is to certify to the calculated roof peak height of the structure under construction.**

- **The highest front natural adjacent grade pre-construction was 8.4'. (NAVD88)**
- **The proposed building height is 32.06' per plans.**
- **The proposed calculated building elevation (natural adjacent grade to roof peak) would be 40.5'. (NAVD88). (40.5'–8.4'=32.1') (building elevation – NAG = proposed building height).**
- **Per the building plans the building height is 32.1' + 2.5' down to NAG (8.4') = 34.6' and meets the requirements of the current code. (Section 6.01.04)**

**Thank you,**
**Nick Franklin**
**PSM #4620**
**State of Florida**

*Nicholas H. Franklin*

OFFICE COPY

REVISION

Exhibit A

# City of St. Augustine Beach Schedule of Fees and Services
# Building and Zoning Department

Impact Fees As established by ordinance of St. Johns County and interlocal agreement

BUILDING PERMIT FEES

Issuance of a permit-----$15.00

| Total Valuation ----------Fees | |
|---|---|
| $1,000 or less | $27.00 |
| $1,001 to $50,000 | $33.00 for the first $1,001.00 plus $7.00 for each additional $1,000.00 or fraction thereof to and including $50,000. |
| $50,001 to $100,000 | $376.00 for the first $50,000.00 plus $7.00 for each additional $1,000.00 or fraction thereof to and including $100,000.00 |
| $100,001 to $500,000 | $719.00 for the first $100,000.00 plus $6.00 for each additional $1,000.00 or fraction thereof to and including $500,000.00. |
| $500,001 and up | $3,119.00 for the first $500,000 plus $5.00 for each additional $1,000.00 or fraction thereof. |

Note: Those projects that elect to use private provider services receive a 10% reduced permit fee (reduction must be claimed prior to permit issuance)

Basic valuations for permitting fees. Valuations for permitting fees shall be determined as follows:

**Single Family Residential and Multifamily Residential**-----$125.00 per square foot for living space,$64.00 per square foot for garages,$40.00 per square foot for patio and open space

**Residential, hotels, assisted care facilities**---~~$150.00 per square foot,-$76.00 for pool house and storage~~As per the current ICC Building Code Valuation Table

**Mercantile**-----$106.00 per square foot

**Business**--------$150.00 per square foot

**Assembly: Restaurants, Bars**-----$160.00 per square foot

**Swimming Pools**----based on cost using Total Valuation Table

**Any use not shown will be based on current ICC Building Code Valuation Table**

**Revision fee**-----$53.00 minimum or $53.00 per hour

**New House on lot after permit issuance**-----Full plan review fee

**Pre-built storage sheds**-----Based on cost using Total Valuation Table

**Moving of any structure**-----$100.00

**Demolition (interior/exterior)**-----$100.00

**Plan Review**-----½ of Building Permit Fee

Note: Those projects that elect to use private provider services receive a 15% reduced plan review fees.

Exhibit A

**State Surcharge**-----Based on current State Requirements

~~Land Clearing Fee~~ Clearance Sheet Fee-----**(Applies to new buildings, additions, swimming pools, etc.)**$400.00 with $150.00 of the fee going to the City's Tree ~~Bank~~ and Landscape Fund

Clearance Sheet Fee for Screen Enclosures---- $100.00

Clearance Sheet Fee for Commercial Renovations----$100.00

**Transfer Permit to New Contractor**-----$100.00

**Safety Inspection**-----$53.00

**Occupancy/Use Classification Evaluation**-----$53.00

**Project Status Verification/Technical Assistance-----Actual cost**

**Temporary Certificate of Occupancy/Completion**

**Residential**-----$53.00

**Commercial**-----$106.00

**Penalties (Building, Mechanical, Electric, Plumbing, Gas) :**

a. Working with no permit-----$100.00 and double permit fee

b. Not updating sub list when required-----$25.00

c. Sub-contractors not registered with City-----$25.00

d. Reinspection Fees---- $53.00

e. Extra inspection (uncorrected re-inspection items)----- Double the re-inspection fee

**After Hours Inspection with Building Official Approval**-----$200.00 & Building Official Approval

**DEP zoning confirmation letters----$53.00**

**Photocopies ----as per Florida Statute 119.07**

**a. Over 11' x 17"----$5.00 per sheet**

**Refund for Active Permits:**

**a. Prior to first inspection----50% of Permit Fee**

**b. After first inspection----0% Refund**

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**MECHANICAL**

**Issuance of permit**-----$15.00

**Residential Single System (new)**----- $60.00

**Each Additional System (new)**-----$40.00

**Change outs** (per system)-----$50.00

**Repairs, Alterations, Additions**-----$50.00

Exhibit A

**Commercial (A/C's, Refrigeration Units)**-----Based on Job Cost using Total Valuation Table

**Gas Piping, new and additions (per system)**-----$40.00

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**ELECTRICAL**

**Issuance of permit**-----$15.00

Amps—per main service panel/upgrade

_____**0-150 amps-----**$60.00

_____**151-400 amps-----**$100.00

_____**401-1,000 amps-----**$150.00

_____**1,001 amps and over-----**$0.15 per amp

Amps-- per feeder panel (exempt single family and two family structures only)

_____0-150 amps----$60.00

_____151-400 amps----$100.00

_____401-1000 amps----$150.00

_____1001 amps and over----$$0.15 per amp

**Temporary pole-----**$40.00

**Service Change-----**$40.00

**Additions and Repairs** (per dwelling or unit)-----$40.00

**Sign Lighting-----**$30.00

**Swimming Pool Electrical-----**$30.00

Generator ----$40.00

---

**SOLAR PERMIT FEES**

Permit Issuance----$15.00

Photovoltaic/Thermal Permit---- based on cost using Total Valuation Table

---

**PLUMBING**

**Issuance of permit-----**$15.00

**Base permit fee-----**$15.00

**Each fixture including floor drains, traps, etc.**

Residential-----$5.00

Commercial-----$6.00

**Sewer replacement-----**$40.00

**Sprinkler systems (landscaping)-----**$40.00

Exhibit A

**Re-pipe (per dwelling or unit)**-----$40.00

**TREE REMOVAL**

**Dead Tree(s)**-----No charge

**Damaged or deemed a hazard**-----$45.00 per inspection for trees over 6" DBH

**Replacement and mitigation**-----See section 5.01.03 of the Land Development Regulations

**After the fact permits**-----See section 5.01.05 of the Land Development Regulations

**PLANNING & ZONING APPLICATIONS**

**Advertising Sign**-----~~$7.50~~10.00

**Application for Variance or Conditional Use**-----$ 400.00 plus advertising sign and all other costs except legal advertising

**Appeal Application (Building Official or Planning & Zoning Board)**-----$300.00

**Alley Vacating**-----$300.00 plus advertising sign

**Home Occupation application**-----$ 100.00 plus advertising sign

**Land Use Map**----Actual Production Cost

**Land Development Code**-----$0.15 per page

**Comprehensive Plan**-----$0.15 per page

**Zoning Certification Letters for title search, Open Permit search, Code Enforcement Search**-----$50.00

**Mixed Use Development Review**----$300.00 plus advertising sign

~~Application Fee ----$300.00 plus advertising sign~~

~~Appeal to the City Commission----$100.00~~

**Concept Review**-----$300.00 plus advertising sign

**Overlay Districts**----$300.00 plus advertising sign

**Application for review of proposed final development plans**-----$350.00 if under 2.0 acres; $500.00 if 2.0 acres or more.

**Tree removals 30" or greater requiring Planning and Zoning Board approval**---- $50.00

**Flexible setbacks to save trees requiring Planning and Zoning Board Approval**----$50.00

**CONTRACTOR LICENSING**

**Issuance/Renewal of Construction Contractor License-Biennial**-----$80.00

**Issuance/Renewal of Tree Contractor License-Biennial**-----$80.00

**Duplicate Card**-----$20.00

Exhibit A

## COMPREHENSIVE PLAN AMMENDMENTS

**Small Scale**-----$500.00

A small-scale amendment must be consistent with all the following characteristics.

1. Encompass the use of 10 or fewer acres of any land use category.

2. Residential densities are limited to 10 or fewer units per acre.

3. Does not involve the same property more than once a year.

4. Does not involve the same owner's property within 200' of the property granted a land use change within the past 12 months.

5. Does not include any text change to the plans, goals, objectives and policies.

6. Is not located within an area of critical state concern.

7. The local government can approve the amendment without exceeding its yearly maximum of 60 acres of small scale amendments.

**Large Scale**-----$1000.00

## PLAT APPROVAL

**Review of Preliminary Plat**-----$150.00 plus $2.00 per lot with a $400.00 minimum

**Application for Final Plat Approval**------$5.00 per lot together with the cost of review for conformity with Chapter 177 F.S. by a professional Surveyor and mapper either employed by or under contract to the City of St. Augustine Beach. The estimated cost shall be deposited with the City at the time of application and any costs in excess of the estimated amounts shall be paid by the applicant prior to execution of the plat by the City.

## STORMWATER MANAGEMENT

**Stormwater management plan review by Section 6.05.03**-----For conformity with applicable statutes, rules and regulations by the City and State of Florida, by a professional engineer either employed by the City or under contract to the City of St. Augustine Beach by the applicant. The estimated fees shall be deposited with the City at the time of application and any fees in excess of the estimated costs shall be paid by the applicant prior to the execution of the development order by the city.

## TRANSIENT LODGING ESTABLISHMENTS

**Business Tax Receipts** (Payable at the City Manager's Office)-----As per section 12-67 of the City of St. Augustine Beach Code

**Application Fee** (Payable at the Building & Zoning Department)------$96.25

**Initial Inspection (per dwelling or unit)** (Payable at the Building & Zoning Department)------$~~100.00~~125.00

**Annual Re-inspection (per dwelling or unit)**-----$~~100.00~~125.00

**Reinspection Fees**-----$53.00

**Extra inspection (uncorrected re-inspection items)**----- Double the re-inspection fee

**BEFORE THE COMPREHENSIVE PLANNING AND ZONING BOARD OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA**

Public Records of St. Johns County, FL
Clerk number: 2020061342
BK: 5001 PG: 102
7/28/2020 3:04 PM
Recording $44.00

In re:

**APPLICATION OF RICHARD THOMAS MARSH, AGENT FOR SUNSATION REAL ESTATE LLC, FOR MIXED USE DEVELOPMENT ORDER MODIFICATIONS FOR PROPOSED PARKING SITE RECONFIGURATION AND A 1,117-SQUARE-FOOT GROUND-FLOOR WOOD DECK ADDITION TO OCEANS THIRTEEN, AT 12 13TH STREET, ST. AUGUSTINE BEACH, FLORIDA 32080**_____/

**ORDER APPROVING MIXED USE DEVELOPMENT FILE NO. MU 2020-02 FOR MODIFICATIONS TO MIXED USE ORDER FILE NO. MU 2017-01**

This CAUSE came on for public hearing before the Comprehensive Planning and Zoning Board of the City of St. Augustine Beach, Florida, on Tuesday, July 21, 2020, upon Application (MU 2020-02) by Richard Thomas Marsh, agent for Sunsation Real Estate LLC, Applicant, for post-permit mixed use development modifications to Mixed Use Order File No. MU 2017-01, for parking site reconfiguration and 1,117-square-foot ground-floor wood deck and retention wall additions to Oceans Thirteen, a two-story mixed use building consisting of two commercial units on the first floor and two residential units on the second floor as approved by Mixed Use Order File No. MU 2017-01, in a commercial land use district in the mixed use district on Lots 62, 63, and 64, Atlantic Beach Subdivision, Parcel Identification Number 167460-0000, at 12 13th Street, St. Augustine Beach, Florida 32080. The Comprehensive Planning and Zoning Board having considered the application, received public comments, and upon motion duly made, seconded and passed, the Board approved the application subject to the following:

1. The required considerations for mixed use development per Section 3.02.02.01 of the City of St. Augustine Beach Land Development Regulations, as detailed in the application and discussed at the hearing, are incorporated herein as findings of fact.

2. The post-permit mixed use development modifications approved and to be constructed shall be consistent with all materials submitted with the application and which were provided by the applicant's agent to supplement the application, including all site plans, architectural drawings, and renderings.

3. The corners of the ground-floor wood deck addition shall be cut back to a minimum of five feet of useable space not to exceed a maximum of six feet.

4. The landscaping on the north side of the Oceans Thirteen property site shall be reviewed by the City's Sustainability & Environmental Planning Advisory Committee (SEPAC) for SEPAC's recommendations regarding the landscaping for the required five-foot landscape buffer.

5. Materials used for the retaining wall addition shall be consistent with materials used for the existing retaining wall.

6. The staff comments and recommendations from Public Works Director William Tredik in his memos dated July 21, 2020 to Building and Zoning Director Brian Law regarding the proposed post-permit modifications to Ocean Thirteen shall be adhered to and incorporated as part of the approval of these modifications, and these memos shall also be forwarded to SEPAC.

7. A violation of the conditions listed above shall void the approval granted herein.

Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

**DONE AND ORDERED** this 27th day of July, 2020, at St. Augustine Beach, St. Johns County, Florida.

**COMPREHENSIVE PLANNING AND ZONING BOARD OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA**

**By:** _____
**Kevin Kincaid, Chairperson**

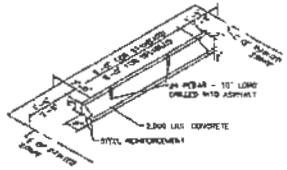
**STATE OF FLORIDA**
**COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me by means of [ ✓ ] **physical presence or** [ ] **online notarization**, this 27th day of July, 2020, by (print name of person signing above) Kevin Kincaid, who is personally known to me [ ✓ ] or has produced the following type of identification _____

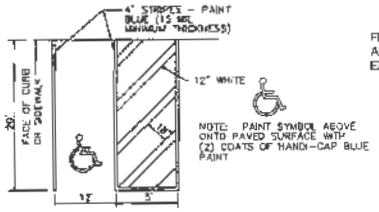
_____
**Signature of Notary Public—State of Florida**

Bonnie Jean Miller
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG955959
Expires 3/30/2024

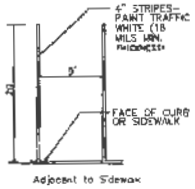
**Page 2 of 2**



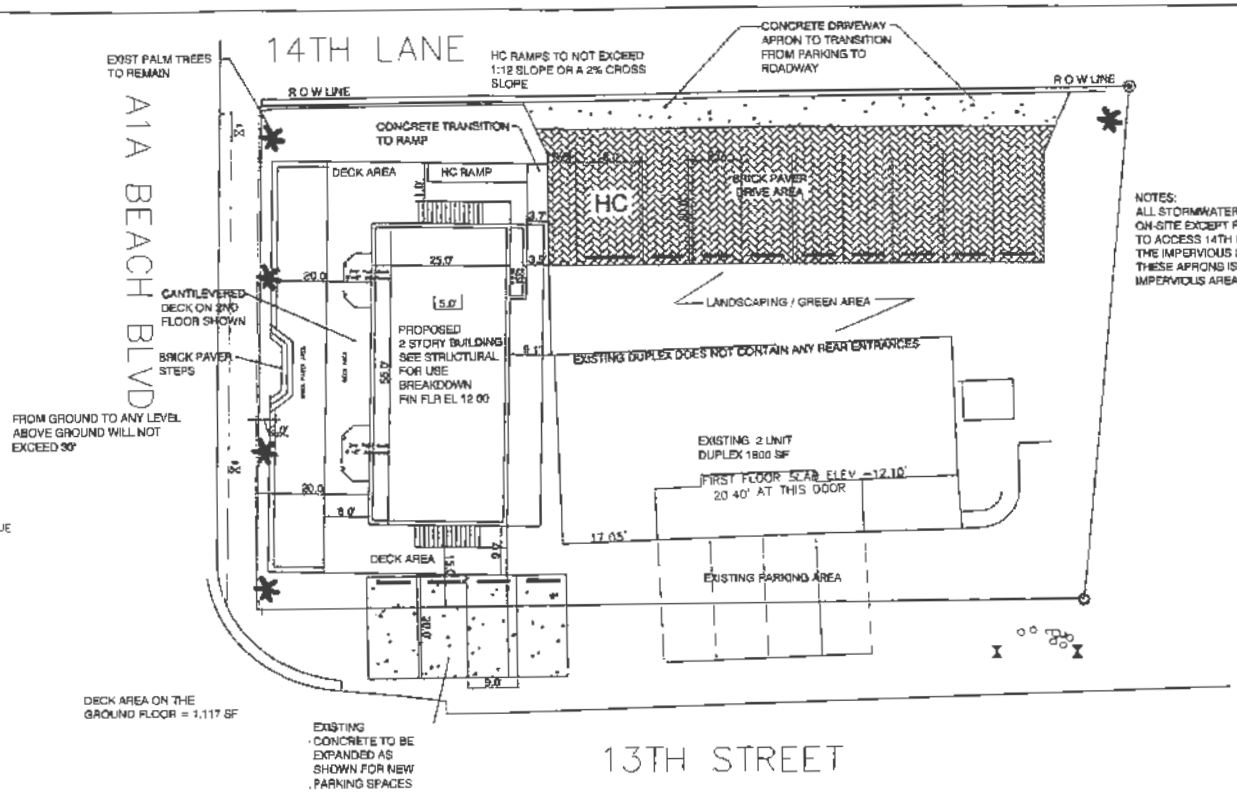

WHEEL STOP




DISABLED PARKING




STRIPING DETAIL




NOTES:
ALL STORMWATER TO BE CONTAINED ON-SITE EXCEPT FOR THE DRIVE APRON TO ACCESS 14TH LANE
THE IMPERVIOUS SURFACE AREA FOR THESE APRONS IS INCLUDED IN THE IMPERVIOUS AREA FOR THE SITE

| SITE DATA TABLE | | | |
|---|---|---|---|
| TOTAL SITE | | | |
| EXIST WETLANDS | 0 SF | 0AC | 0% |
| EXIST UPLANDS | 14,172SF | 0.33AC | 100% |
| TOTAL SITE | 14,172SF | 0.33AC | 100% |
| SITE DEVELOPMENT DATA | | | |
| EXIST PAVING / BLDG A | 2,915SF | 0.06AC | |
| NEW BLDG B | 1,575SF | 0.04AC | |
| TOTAL BUILDING AREA | 4,210 SF | 0.09AC | |
| NEW CONC PARKING | 1,488SF | 0.04AC | |
| TOTAL IMPERVIOUS AREA | 5,575SF | 0.13AC | 40% |
| OPEN / PAVERS SPACE | 8,597SF | 0.19AC | 60% |

| PARKING CALCULATIONS | | | |
|---|---|---|---|
| USE | QUANTITY | REQUIREMENT | REQUIRED |
| OFFICE | 1,575SF | 1 SP / 300SF | 6 |
| RESIDENT | 2 UNITS | 2 SP / UNIT + 1 VISITOR | 5 |
| TOTAL REQUIRED | | | 10 SPACES |
| TOTAL PROVIDED | | | 12 SPACES |

GRAPHIC SCALE

( IN FEET )
1 inch = 10 ft.

REVISED FOR FIELD CONSTRUCTION CONDITIONS

Date 6-25-18

1520 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32092
904-824-7833
C.A. #30799

RGM Engineering, Inc.

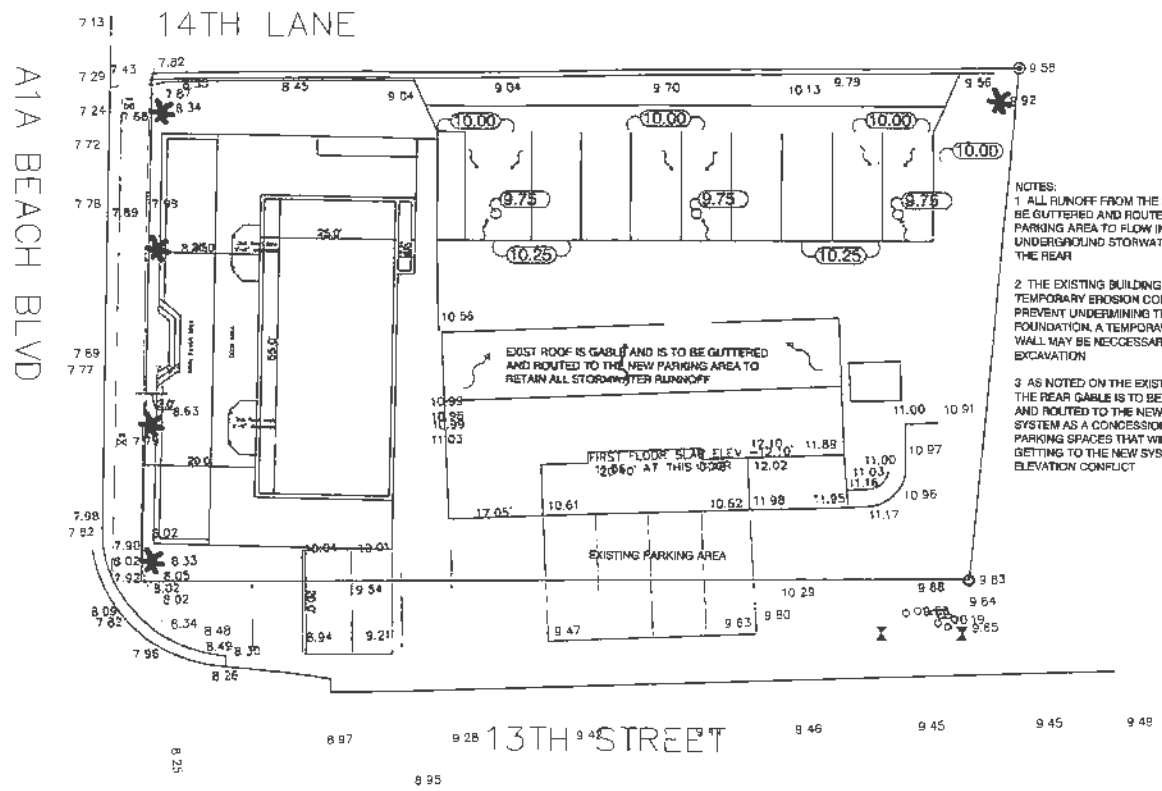
OCEANS THIRTEEN

OVERALL SITE PLAN

ROBERT C. MORGAN JR., P.E.
49138

2-4-19

3
OF 12




NOTES:

1. ALL RUNOFF FROM THE BUILDING IS TO BE GUTTERED AND ROUTED TO THE PARKING AREA TO FLOW INTO THE UNDERGROUND STORWATER SYSTEM IN THE REAR

2. THE EXISTING BUILDING IS TO HAVE TEMPORARY EROSION CONTRO; TO PREVENT UNDERMINING THE FOUNDATION, A TEMPORARY RETAINING WALL MAY BE NECCESSARY PRIOR TO EXCAVATION

3. AS NOTED ON THE EXISTING BUILDING THE REAR GABLE IS TO BE GUTTERED AND ROUTED TO THE NEW STORMWATER SYSTEM AS A CONCESSION FOR THE 3 PARKING SPACES THAT WILL NOT BE GETTING TO THE NEW SYSTEM DUE TO ELEVATION CONFLICT

GRAPHIC SCALE

| Date | By | |
|---|---|---|
| 6-25-21 | | SITE MODIFIED PER FIELD CONSTRUCTION CONDITIONS |

1936 RIVER LAGOON TRACE
ST. AUGUSTINE, FLORIDA 32086
904-814-7653
C.A. #30194

RG Engineering, Inc.

# OCEANS THIRTEEN

# PAVING & DRAINAGE PLAN

ROBERT G. MYRICK, JR., P.E.
#37181

2-4-19

4 OF 12

WEST ELEVATION-OLD A1A FRONTAGE

Agenda Item # 2

Meeting Date 9-14-20

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** August 26, 2020

**SUBJECT:** Ordinance 20-XX, Public Hearing and Second Reading: to Amend Section 6.02.03 of the Land Development Regulations for Provisions to Permit the Access to Private Property from Dead-End Streets

## BACKGROUND

Pyrus Street, east of State Road A1A, is a short street that dead ends at the western boundary of a home at 240 Bluebird Lane in the Island Hammock subdivision. At your June 1st meeting, some Pyrus Street residents complained to you about the 240 Bluebird Lane residents using the end of Pyrus for access to their property. The outcome of the discussion was that Mayor England would meet with the residents and Commander Ashlock of the Police Department to work on a solution. The Mayor asked the City staff for a City policy on accessing private property from dead-end streets.

Attached as page 1 is a brief memo from the Building Official, in which he proposed that Section 6.02.03 of the Land Development Regulations be amended to provide for a fee and a permit approved by the Public Works Director to access private property from a public right-of-way. You reviewed his proposal at your July 7 continuation meeting. Attached as page 2 is the discussion you had concerning it.

As a result of your discussion, the City Attorney prepared an ordinance (pages 3-5). You reviewed it at your August 3rd meeting, when you passed the ordinance on first reading without changes.

The Comprehensive Planning and Zoning Board reviewed the ordinance at its August 25, 2020, meeting and recommended by a 7-0 vote that you approve it. The Board's motion and vote is stated in the attached (page 6) memo from the Building Department's Executive Assistant, Ms. Bonnie Miller.

## ACTION REQUESTED

It is that you hold the public hearing and pass the ordinance on second reading. It will then be scheduled for its second public hearing and final reading at your October 5th meeting.

## City of St. Augustine Beach Building and Zoning Department

**TO:** Max Royle

**FROM:** Brian Law

**SUBJECT:** Right of ways access and permitting

**DATE:** 6-19-2020

Max

As a result of the ongoing neighboring disputes between residents at Pyrus street and Bluebird Ln, I am proposing a code change to section 6.02.03 Rights-of-way of the City of St. Augustine Beach Land Development Regulations as directed by the City Commission. This proposed modification should provide another mechanism for the City to regulate its Rights-of-way. This permitting process will be approved by the Public Works Director and the fee shall be placed in the appropriate account as determined by the Finance Director. The current software, MCSJ, used by City Staff will have no problem handling this new transaction.

Brian W Law CBO, CFM, MCP
City of St. Augustine Beach
Director of Building and Zoning
2200 A1A South
St. Augustine Beach, FL 32080
(904) 471-8758
blaw@cityofsab.org

8. Accessing Private Property from Dead-End Streets: Review of Proposal (Presenter: Brian Law, Building Official)

Mayor England introduced Item 8 and explained that she met with people on Blueberry Street and Pyrus Street and then asked Building Official Law to give his staff report.

Building Official Law advised there is a neighbor dispute will pass last year. He explained that the rights-of-ways are under the Public Works Director purview and it would cost approximately a $250 fee and any fees would go to the Bridge and Road Fund. He commented that the application will be created.

Discussion ensued regarding whether to create another resolution for the fee schedule or keeping the fee in the ordinance; did staff analyze all the rights-of-ways that this apply to; on Pyrus Street make a horse type fence; and Police Department having a call every day on Pyrus Street.

Commissioner George asked if she should be recused because the Commission mentioned Pyrus Street. She said that creating an ordinance for the City she should be a part of because that is not one particular location.

Building Official Law advised that the Commission advised staff to build a barricade in a previous meeting.

Mayor England agreed and said that this was an administrative staff action and they could place barricades on the City's rights-of-way where needed. She explained that the ordinance would go through the general process.

Building Official Law asked if the City Attorneys could draft the ordinance and bring it to the Comprehensive Planning and Zoning Board first and then to the Commission for three more meetings.

Commissioner Samora asked since the permit has a 30-day time limit; what would they do if they pass the 30 days.

Building Official Law advised that the property owner would have to reapply for another permit and pay for another permit.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and asked staff to moved forward with the ordinance procedures.

ORDINANCE NO. 2020-_____

AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS SECTION 6.02.03 RIGHT OF WAYS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WITNESSETH:

**WHEREAS,** in 1990 the City Commission approved Ordinance 90-24, which provided regulations for the transferring of money between accounts in a single department and between departments. Those regulations have been codified in the general City Code as Sections 2-103 and 2-104.

**WHEREAS,** the City Commission controls the use and regulation of its right of ways.

**WHEREAS,** the City Commission seeks to lessen disputes between neighbors.

**NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:**

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. From and after the effective date of this ordinance, Land Development Code of Saint Augustine Beach section 6.02.03 is amended as follows:

**Sec. 6.02.03. - Rights-of-way.**

A. *Right-of-way widths.* Right-of-way requirements for road construction shall be as specified in Table 6.02.02A of this Code. The right-of-way shall be measured from lot line to lot line.

B. *Protection and use of rights-of-way.*

1. No encroachment shall be permitted into existing rights-of-way, except for temporary use authorized by the St. Augustine Beach City Commission.
2. Use of the right-of-way for public or private utilities, including, but not limited to, sanitary sewer, potable water, telephone wires, cable television wires, gas lines, or electricity transmission, shall be allowed subject to the placement specifications in any applicable St. Augustine Beach regulations.
3. Sidewalks and bikeways shall be placed within the right-of-way.

C. *Vacation of rights-of-ways.* Applications to vacate a right-of-way shall be approved by ordinance upon a finding that all of the following requirements are met:

1. The requested vacation is consistent with the Transportation Circulation Element of the St. Augustine Beach Comprehensive Plan.
2. The right-of-way does not provide the sole access to any property. Remaining access shall not be by easement.
3. The vacation would not jeopardize the current or future location of any utility.
4. The proposed vacation is not detrimental to the public interest and provides a positive benefit to St. Augustine Beach.
5. The proposed vacation was not acquired or dedicated for state, county or federel highway purposes.

6. The proposed vacation was not acquired or dedicated for utility purposes;

7. The proposed vacation does not provide access to the ocean and/or beach, or other recreational resource;

8. The proposed vacation does not provide access to public drainage facilities.

9. No portion of a street or alley lying between two (2) intersecting streets shall be vacated unless the entire portion of the street or alley between such intersecting streets is vacated.

D. Residential driveways in the city rights-of-way shall be limited to a maximum of eighteen (18) feet in width with a maximum five (5) by five (5) foot apron flair on either side. The city shall not be responsible for the repair and maintenance of residential driveways in city rights-of-way.

E. Vehicular traffic through City Rights-of-Ways at the end of dead end or no access streets shall be prohibited except by:

1. All governmental vehicles

2. A Rights-of-Way permit as authorized by the Public Works Director, not to exceed 30 days for a fee of $250.00 dollars, extensions may be granted for 30 day intervals at a fee of $53.00 each as authorized by the Public Works Director.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18; Ord. No. 18-18, § 1, 1-7-19; Ord. No. 20-___, § 1, ___-___-20 )

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the City of Saint Augustine Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. This Ordinance shall take effect immediately upon passage.

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this _____ day of _____ 2020.

_____

MAYOR

ATTEST:

_____

CITY CLERK

EXAMINED AND APPROVED by me this ___ day of _____, 2020.

_____

MAYOR

Published in the _____ on the _____ day of _____, 2020. Posted on www.staugbch.com on the _____ day of _____, 2020.

# MEMO

**To:** Max Royle, City Manager
**From:** Bonnie Miller, Executive Assistant
**Subject:** Ordinance No. 20-__
**Date:** Wednesday, August 26, 2020

Please be advised at its rescheduled regular monthly meeting held Tuesday, August 25, 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-__ on final reading.

Passed on first reading by the City Commission at its regular monthly meeting held Tuesday, August 3, 2020, this proposed ordinance amends Section 6.02.03, Rights-of-way, of the City's Land Development Regulations, to establish a permitting process for right-of-way permits for the protection, use, vacation and regulation of City rights-of-way.

The motion to recommend the City Commission approve passage of Ordinance No. 20-__ was made by Mr. Pranis, seconded by Mr. Mitherz, and passed 7-0 by the Board by unanimous voice-vote.

Agenda Item # 3

Meeting Date 9-14-20

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** August 11, 2020

**SUBJECT:** Comprehensive Planning and Zoning Board: Re-Appointment of Two Regular Members: Ms. Hester Longstreet and Mr. Chris Pranis

The Commission appointed Ms. Longstreet as an alternate to the Board in February 2016 and Mr. Pranis was appointed as an alternate in November 2017. As regular members left the Board, each was moved to fill the vacancy. The current three-year term of each as a regular member will expire this coming November. Both Ms. Longstreet and Mr. Pranis have asked to be re-appointed.

Agenda Item # 4

Meeting Date 9-14-20

# MEMORANDUM

Date: September 14, 2020

To: Max Royle, City Manager

From: William Tredik, P.E., Public Works Director

Subject: Ocean Walk Drainage Update

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## BACKGROUND

Ocean Walk is an 18-acre subdivision built in the 1980s, consisting of 55 single family residential lots. The subdivision relies upon a non-functional "accreted-in" roadside swale system which drains Lee Drive to a single point, whereupon runoff is conveyed via a 24" pipe to the Mickler Boulevard drainage system. Due to the non-functional roadside swales, valleys at driveway aprons hold water for significant periods of time after a rainfall event. After reaching Mickler Boulevard, runoff travels via the new pipe south to 16th Street, where it continues both west (to a private pond on Old Beach Road) and south to the 11th Street canal. Both pathways converge at Lakeside Park, whereupon flow continues west under S.R. A1A to the Mizell Road pond, where natural processes remove nutrients prior to its discharge to the Matanzas River.

The western portion of Lee Drive is low-lying, with Lidar information indicating elevations as low as 4.0 NAVD. Heavy rains in early June 2020 led to localized significant street flooding on Lee Drive. Property owners assert that the street flooding in June was the most severe since Hurricane Matthew in 2016, and believe it was exacerbated by the installation of the new pipe along Mickler Boulevard.

Due to the street flooding in June 2020, Public Works immediately implemented the following actions to reduce the potential for future street flooding, including:

- Removal of vegetation and muck from the 11th Street Canal
- Removal of vegetation and muck from the Mickler Boulevard Canal
- Cleaning and inspection of the 24" outfall pipe from Lee Drive
- Removal of vegetation from the 16th Street ditch
- Removal of vegetation from the private pond outfall at Old Beach Road
- Have pumps on standby to pump down staged water from Lee Drive

In addition to the above immediate mitigating actions, Public Works is taking the following interim steps to reduce the likelihood of future flooding while a long-term strategy is implemented:

- Installation of a pump-out structure on Mickler Boulevard to facilitate stormwater pumping
- Purchase of inflatable pipe plugs to block flow and allow better pipe maintenance and/or backflow protection.
- Install backflow protection device on the Lee Drive outfall to the Mickler Boulevard pipe.
- Budget for a trailer mounted high-volume stormwater bypass pump to allow quick response to potential flooding

## REQUESTED ACTION

This is an information item. The public works director will present an update on the progress of flood mitigating actions and strategies for a long-term solution.

Agenda Item #: 5

Meeting Date: 9-14-20

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** August 28, 2020

**SUBJECT:** Opening of 2nd Street West of 2nd Avenue: Proposal for a Special Assessment

## INTRODUCTION

According to the City's records, the discussion of whether and how to pay the costs to open 2nd Street west of 2nd Avenue goes back nearly 30 years to 1992. Over that span of time, there have been two reasons the street hasn't been constructed: First, the City's decades long policy that the costs to build streets are to be paid either by the developer of a subdivision, even one where the streets are already platted, or by the individual owners of the lots on either side of a platted but unbuilt street. Thus, the developers of such new subdivisions as Sea Colony, Ocean Trace, Sea Grove, Ocean Ridge, and Island Hammock paid the costs to build their streets. This was also true for the developers of parts of an existing subdivision with platted but unbuilt streets, such as 10th Street between the Boulevard and 2nd Avenue in the Chautauqua Beach subdivision, and 3rd, 4th, and 5th Streets west of 2nd Avenue, also in the Chautauqua Beach subdivision. For the opening of other streets, such as 3rd and 8th between the Boulevard and 2nd Avenue, the individual lot owners paid the costs.

Which brings us to the second reason that 2nd Street west of 2nd Avenue hasn't been built: Not all the owners of the lots on each side of the street would agree to pay the costs. Though a majority was willing, there were always two, three, or more lot owners who didn't want the street opened. Without every lot owner voluntarily agreeing to pay the costs, the City could not proceed with plans to have the street built.

## PROPOSAL

It is that the City assess each lot owner, whether they individually are willing or not, the money to open this section of 2nd Street. This proposal is based on a comment made by City Attorney Lex Taylor at your August 3rd meeting. According to the minutes, he said "...that the lot owners have a reasonable expectation that they can develop their properties and when an application is received and the City does not do anything, then it could go to litigation."

The City has received a request from an attorney, Mr. James Whitehouse, who represents several lot owners, asking that this section of 2nd Street be opened. That request is attached as pages 1-9. You'll note that Mr. Whitehouse suggests road impact fees be used to pay the costs to open the street. As you'll see below, we suggest that the road be built by a special assessment of the lot owners.

Also, attached as pages 10-14 is information about a special assessment that the City levied in 2001 to pay the costs to open 3rd Street between the Boulevard and 2nd Avenue. The information explains the process

for how the special assessment was levied and includes Ordinance 72, which was approved in 1978, to assess the costs to improve a section of C Street. You'll note that the costs for building the section of 3rd Street were divided into thirds:

- The owners of the lots north of 3rd Street paid a third.
- The owners of the lots on the south side paid a third.
- The City paid the final third.

More recently (2015), 8th Street between the Boulevard and 2nd Avenue was opened. The payment arrangement was this:

- The four owners of the adjacent lots paid all the costs to install the utilities and the engineering, design and permitting costs.
- The paving costs were divided as was done for 3rd Street: the owners of the lots along the north side of 8th Street paid a third, as did the owners of the lots along the south side. The City paid the final third of the paving costs.

We suggest that the same be followed for the opening of 2nd Street, i.e., the lot owners will pay all the costs to install the utilities with the payment of the paving costs divided into thirds. The City's third can be paid from road impact fees.

## ESTIMATED COSTS

Attached as pages 15-18 is an estimate from the Public Works Director of the costs to open 2nd Street. They include land clearing, surveying, design, permitting, drainage, curb and gutter, and pavement. The costs are listed by four options for assessing 2nd Street west of 2nd Avenue:

a. Connecting the unbuilt section of 2nd Street to the already existing section east of 2nd Avenue with the owners of the lots paying all the costs

b. Connecting 2nd Street via 2nd Avenue from 3rd Street with the owners paying all the costs

c. Connecting the unbuilt section of 2nd Street to the already existing section east of 2nd Avenue with the City paying a third of the costs

d. Connecting 2nd Street via 2nd Avenue from 3rd Street with the City paying a third of the costs

## SELECTING AN OPTION

Before determining whether to levy the assessment, the Commission will need to select the option for accessing 2nd Street west of 2nd Avenue:

- Whether from 2nd Street east of 2nd Avenue
- Whether via 2nd Avenue from 1st Street
- Whether via 2nd Avenue from 3rd Street

For your discussion, we need to point out the following:

a. That the 1st Street option should be rejected because of the congestion on 1st Street between the Boulevard and 2nd Avenue caused by businesses and multi-family dwellings, and because of the congestion caused by persons parking on the 2nd Avenue right-of-way between A and 1st Streets.

b. That the following streets go directly from the Boulevard westwards over the 2nd Avenue right-of-way to their western end: 10th, 9th, 7th, 5th, 3rd, and 1st. 6th Street between the Boulevard and 2nd Avenue was vacated for the Marriott; 4th Street hasn't been opened yet; only 8th Street is divided by 2nd Avenue, meaning the eastern segment of 8th dead ends at 2nd Avenue. Where the sections of each street (10th, 9th, 7th, etc.) east and west of 2nd Avenue are connected, the City has not received any complaints from the residents that this has resulted in an increase in the number of vehicles on the streets, causing the residents to be fearful for their safety.

c. That doglegging of the access to 2nd Street west of 2nd Avenue from 3rd Street could delay emergency vehicles responding to calls on 2nd Street west of 2nd Avenue.

d. That the lowest cost is connecting the 2nd Street section west of 2nd Avenue with the existing eastern section of 2nd Street.

## QUESTIONS

1. How would the lot owners be assessed the costs to open 2nd Street?

Each lot owner would be assessed an equal share of the costs. If several lots were owned by one individual, then that individual would be assessed the costs times the number of lots he or she owned.

2. Why not use road impact fee money to pay the costs?

Because this would a) be against the Commission's long-standing policy that developers and/or lot owners pay the costs to open a street; b) be unfair to those developers and lot owners who in the past because of the Commission's policy have used their own money to pay the costs; and c) reduce the money available for improvements throughout the City—drainage, widening of streets, new sidewalks, paved parking areas—that are needed because of growth.

According to the Finance Director, Ms. Patricia Douylliez, in August the City had $654,720 in its road impact fee fund. Money from the fund can pay the City's third of the cost to open 2nd Street and, depending on what the Commission decides, for one of the following two options:

- To connect 2nd Street west with the existing section of 2nd Street east of 2nd Avenue
- To pave the 2nd Avenue right-of-way from 3rd to 2nd Street.

If the Commission selects the option to connect 2nd Street west with 2nd Street east, we recommend that impact fee money be used to widen the existing section of 2nd Street east from 20 feet to 22 feet and to build a sidewalk on the north side. The widened street and the sidewalk could help alleviate the residents' concerns about safety due to traffic. Also, this section of 2nd Street should be repaved. The repaving cost would have to be paid by non-impact fee money because impact fees cannot be used for maintenance projects.

## RECOMMENDATION

As the discussion of the opening of 2nd Street west of 2nd Avenue has gone on for nearly 30 years, and in light of City Attorney's comments at your August 3rd meeting, the recommendation is that you authorize the special assessment. The time has come to build the street so that the lot owners who want to build on their lots will have proper access to them. The special assessment method is the best method to accomplish this because it will be in accordance with Commission policy concerning the building of streets, whether in new or older, already platted subdivisions, and because it's unlikely there'll ever be agreement by all the lot owners to pay the costs.

If you authorize the special assessment, then you need to decide whether access to 2nd Street west of 2nd Avenue is to be by connecting the new section to the existing section of 2nd Street, or by building a road in the 2nd Avenue right-of-way from 3rd Street south to 2nd Street.

If you approve the special assessment, then the Public Works Director will prepare a detailed estimate of the costs, and the City Attorney will prepare any required legal instruments, such as an ordinance, for the levying of the assessment, research how much interest the City can charge for late payment of the assessment and putting a lien on those lots, the owners of which refuse to pay the assessment, and advise the staff how many public hearings need to be held.

Also, if you approve the special assessment, the Public Works Director and City Manager will hold a town hall meeting with participants properly socially distant, to explain the special assessment and the details of the project to build the street.

PLEASE NOTE: What you decide concerning the opening of 2nd Street could apply to the opening of 4th Street between the Boulevard and 2nd Avenue. A developer has purchased some of the lots along the north side of the unopened section of 4th Street. Eventually, the owners of the lots on the south side may want to build on their lots.

ST. JOHNS LAW GROUP

Dedicated and Responsive Service

August 21, 2020

Mr. Max Royle, City Manager
City of St. Augustine Beach, Florida

Re: Proposal to Open the Unopened Portion of 2nd Street

Dear Mr. Royle:

As discussed, I represent at least half of the lots/lot owners on the unopened portion of 2nd Street and their expressed resolve for access to their residentially platted lots, including their willingness to pay to extend 2nd Street so that they can proceed with their plans to develop the lots that they have owned on the unopened portion of 2nd Street for many years. (Lots 4, 6, 8, 10, 11, 12, 13 and 15, and Ms. Garris stated on the record at the last meeting that she owns Lot 2 and that she is in accord with the proposal).

Please see attached for their request for the city's approval of the extension and their stated willingness to participate in this proposal for reasonable access to their lots. They would ask that you place this item on the next available city commission agenda for discussion and a decision as to whether the commission will allow them to have reasonable access to their lots on this previously platted roadway, so that they may reasonably develop their lots, lots which they have been paying taxes on as developable residentially platted lots of record for many years.

They are 100% prepared to act and seek resolution to this issue as it ripely sits before the commission for appropriate action based upon the current, full staff analysis.

I can elaborate further on their resolve and the appropriateness of the vital discussion of this matter, and hopeful reasonable action thereon by the commission, when it comes before the commission.

Sincerely,

James G. Whitehouse, Esq.

T (904) 495-0400
F (904) 495-0506
(888) 588-2599

104 Sea Grove Main Street
St. Augustine, Florida 32080
www.sjlawgroup.com

## PROPOSAL TO OPEN THE UNOPENED PORTION OF 2ND STREET

As you know, I represent at least half of the lots/lot owners on the unopened portion of 2nd Street and I would like to discuss their resolve, including their willingness to pay to extend 2nd Street as it was platted by the city years ago. Please see the attachments for the owners' authorizations and the properties which I represent for this proposal. (Lots 4, 6, 8, 10, 11, 12, 13 and 15, and Ms. Garris stated on the record at the last meeting that she owns Lot 2 and is in accord with the proposal).

They request that the commission allow them to have reasonable access to their lots on this previously platted roadway, so that they may reasonably develop their lots, lots which they have been paying taxes on, for over fifteen years, as developable residentially platted lots of record.

In fact, they have been earnestly waiting since 2014, since the Commission voted to open their road with a plan. For over six years they have not received any action on this plan despite the city's access to transportation impact fees that can be used for this type of purpose alone.

On January 6 of this year (2020), this Commission updated its Comprehensive Plan and the transportation element, which now specifically states that the city will develop plans for paving those unpaved and unopened roads within the city limits, based upon available funding.

The city currently has a balance of almost Six Hundred, Fifty-five thousand dollars, ($654,720.33), in road impact fees to be used pursuant to law for new roads and new road facilities. Of note is that the city only has a few road segments unopened.

**Road impact fee funds in this account, by law, may ONLY be used for "providing additional rights-of-way, road construction and road improvements" for new roads that are necessitated by new land development. Moreover, they MAY NOT be used for operation, maintenance or repair of current capital facilities / roads.**

Accordingly, each new residence built is required to pay an impact fee, which includes a road impact fee amount, and approximately one half of those paid fees come to the city. The current road impact fee due for a new residence is between approximately $7000 and $12,000, (based upon the square footage of the house), half of which comes to the city for use for new roads and new road facilities. Thus, each residence built on these new 16 lots will add an additional $3500.00 to $6000.00 to the city's road impact fee fund balance, or approximately $80,000.00.

Additionally, as testified by your planning and building director, the city is about to receive another approximately $150,000.00 in road impact fees upon the completion of the Embassy Suites addition.

As I said, I represent at least half of the lots/lot owners and they are 100% prepared to act and seek resolution to this issue as it ripely sits before the commission for appropriate action based upon the full staff analysis presented to the commission.

The various city departments' staff recommendations, from public works, planning and building and the fire department, all show that the most appropriate action is to extend the current opened and paved section of 2nd Street along the unopened right-of-way as platted by the city. Further, this will have the least impact on the green spaces that currently contain the bike/walking trails on the unopened portions of 2nd Avenue.

The cost of this extension to include the first four lots on the currently unopened portion of 2nd Street was estimated by your staff to be approximately $73,000. The cost of this extension to include from the current end of 2nd Street to the western end of the currently unopened portion of 2nd Street was estimated by your staff to be approximately $194,000. Currently, city administration is comfortable with providing approximately one-third of the cost, using road impact fee funds, to begin this construction upon city commission confirmation of this plan. Accordingly, these eight lot owners and Ms. Garris, who owns the first lot on the southern side of the currently unopened portion of 2nd Street, are all prepared to pay their share in proceeding with the opening of this platted, yet unopened portion of 2nd Street.

In sum, they are prepared to front whatever costs it takes (supplemented by whatever the city finds appropriate from its current balance of $655,000.00 in transportation/road impact fee funds) to push forward with connecting 2nd Street so that they will have reasonable access to their lots on the western / unopened portion of 2nd Street. Note that each of these lots will also pay an additional approximately $5000.00 to $6000.00 back to the city and into the road impact fee fund when their lots are developed.

In conclusion, I am prepared to elaborate on their resolve and the appropriateness of this plan when it is placed on the next available city commission agenda as an agenda item, for commission confirmation of this reasonable, recommended plan.

City of St. Augustine Beach
2200 A1A SOUTH
ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM

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

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

# OWNER'S AUTHORIZATION

**ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ.** is hereby authorized TO ACT ON BEHALF OF **AAG Augustine Investments LLC / Andrew A. Ghahramani**, the owner of those lands described below or as described in other such proof of ownership as may be required, in appearing before and/or applying to the City of St. Augustine Beach, related to access / land use issues, and any other matter related to their properties located on **2nd Street, St. Augustine Beach, FL**, and including the following **THREE parcels at Property Appraiser IDs: 169640 0150, 169650 0000 and 169640 0110**.

BY: _____
Signature of Owner

Andrew GHAHRAMANI
Print Name of Owner

561 - 271 - 7831
Telephone Number

City of St. Augustine Beach
2200 A1A SOUTH
ST. AUGUSTINE BEACH, FLORIDA 32080
WWW.STAUGBCH.COM

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

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

# OWNER'S AUTHORIZATION

**ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ.** is hereby authorized **TO ACT ON BEHALF OF ELIZABETH MURRAY / NANCY E. CRAGE**, the owner of those lands described below or as described in other such proof of ownership as may be required, in appearing before and/or applying to the City of St. Augustine Beach, related to access / land use issues, and any other matter related to their properties located on **2nd Street, St. Augustine Beach, FL**, and including the following **TWO parcels at Property Appraiser ID: 169690 0000.**

BY: _____
Signature of Owner

PAUL CRAGE
Print Name of Owner

(561) 350-4772
Telephone Number

0 50 100 Feet

2ND STREET EXTENSION - FROM 2ND STREET
FULL LENGTH CONSTRUCTION
ESTIMATED COST - $195,000

$654,720.33 → ROAD IMPACT FEES CURRENT BALANCE

INITIAL ROADWAY CONSTRUCTION
ESTIMATED COST - $73,000

IA BEACH BLVD
COLDWELL
BANKER

# SECTION 37.0 Impact Fees

## Section 37.01 Introduction

An impact fee is a one-time charge applied to new construction. The purpose of the fee is to fund capital projects such as roads, parks, schools, jails, fire stations, and other infrastructure that are needed because of the new development. The funds collected cannot be used for operation, maintenance, or repair of capital facilities.

# St. Johns County's Schedule of Fees and Services

## Impact Fees

### IMPACT FEE SCHEDULE (per County Ordinance 2018-16)

| LAND USE TYPE | Unit of Measure-ment | Roads | Buildings | Law Enforce-ment | Fire/ Rescue | Parks | Schools |
|---|---|---|---|---|---|---|---|
| **RESIDENTIAL:** | | | | | | | |
| Under 800 $FT^2$ | Unit | $5,763 | $458 | $214 | $139 | $923 | $1,501 |
| 801-1,250 | Unit | $6,846 | $545 | $254 | $373 | $1,096 | $2,746 |
| 1,251-1,800 | Unit | $7,060 | $562 | $263 | $492 | $1,131 | $3,967 |
| 1,801-2,500 | Unit | $8,796 | $700 | $326 | $609 | $1,408 | $4,942 |
| 2,501-3,750 | Unit | $10,232 | $814 | $380 | $844 | $1,638 | $6,933 |
| 3,751-5,000 | Unit | $11,854 | $943 | $440 | $1,078 | $1,898 | $7,233 |
| 5,001 $FT^2$ and Over | Unit | $12,515 | $996 | $465 | $1,314 | $2,004 | $7,353 |

Agenda Item # 12

Meeting Date 5-7-01

# MEMORANDUM

**TO:** Mayor Pacetti
Vice Mayor Rowland
Commissioner Holmberg
Commissioner Ratz-Broudy
Commissioner Feaster

**FROM:** Max Royle, City Manager

**DATE:** May 2, 2001

**SUBJECT:** Third Street between A1A Beach Boulevard and 2nd Avenue: Consideration of Special Assessment to Pay for Paving and Drainage Improvements

You discussed paving and drainage improvements to 3rd and 8th Streets at your April 2nd meeting, and Mayor Pacetti suggested that the Building Official look into the percentage of the improvement costs the City would have to pay and bring this information back to the Commission.

For your May meeting, we suggest that the discussion be focused on 3rd Street only at this time, as that is the street which already has a house under construction at 108 3rd Street.

The Building Official suggests the following percentages to pay for the costs of drainage and pavement improvements:

- property owner on the south side: 33%
- property owner on the north side: 33%
- City: 34%

This is the same percentage formula used when the City had C Street paved by special assessment in 1978-79. We have attached as pages 1-6 a copy of the 1978 special assessment ordinance, #72, for your review.

If you agree with this percentage, then we suggest that the following be done:

1. Have a topographic and boundary survey done of this section of 3rd Street.

   This is needed to show exactly where the right-of-way is. The Building Official reports that the survey can be done for $500.

2. Then have BH&R prepare plans and specs for the project, as well as an estimate of the costs for the improvements, with the costs including engineering, design and permitting fees, as well as the costs of limerock and pavement.

A

3. That based on BH&R's estimate, the City administration prepare an estimate of the amount each property owner will be assessed and what the City will have to pay as its share. This can be reviewed by the City Commission.

4. If the Commission is satisfied, then the City Attorney can draft a special assessment ordinance, which will require, we believe, two public hearings.

5. While the ordinance is under consideration, the City can advertise for bids, with a condition in the specifications that the award of the bid will depend on the ordinance being approved on final reading.

6. Once the ordinance is passed, the contract to do the work can be awarded, and the project can start.

7. Each year for perhaps five years, the property owners will pay an assessment for the project plus a minor administration fee. If a property owner doesn't pay, then a lien will be put on the property for the amount owed with interest.

The City administration also suggests the following:

a. That the City pay 100% of the costs to pave those sections of 3rd Street that are adjacent to parkettes.

   At both the east and west ends of 3rd Street there is a parkette on each side of the street.

b. That Ms. Deloris Deren and her husband, owners of the house under construction at 108 3rd Street NOT be assessed the cost for improving 3rd Street by their property because they have already put in at their own expense the culvert across the 2nd Avenue ditch. We could state in the special assessment ordinance that the City accepts in lieu of the assessment from the Derens the culvert they have provided.

## ACTION REQUESTED

If you agree with this proposal, then we will have the survey done, and from the survey, plans and specs will be prepared if you approve an amendment to the contract with BH&R to have the plans and specs done. We will also research with the City Attorney how a special assessment is to be done under State law to be certain any changes to the law since 1978 are complied with.

ORDINANCE NO. 72

INTRODUCED BY COMMISSIONER Joseph C. McClure

AN AMENDED ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, AUTHORIZING, DIRECTING AND ORDERING CERTAIN LOCAL IMPROVEMENTS IN THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA; THAT SUCH LOCAL IMPROVEMENTS BE PAID FOR BY LEVYING SPECIAL ASSESSMENTS AGAINST THE ABUTTING PROPERTIES THERETO ON A FRONT FOOTAGE BASIS, WITH THE CITY OF ST. AUGUSTINE BEACH SHARING A PORTION OF THE COST THEREOF, SAID SPECIAL ASSESSMENT TO BE PAYABLE WHEN DUE, LEVYING SAID ASSESSMENT AS SHOWN BY THE SPECIAL ASSESSMENT ROLL ATTACHED HERETO, AND MADE A PART HEREOF; PROVIDING DATE, TIME AND PLACE OF MEETING OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FOR THE PURPOSE OF CONDUCTING PUBLIC HEARING AND HEARING PROTESTS OF THE ASSESSMENT PROVIDED FOR HEREIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING TIME FOR TAKING EFFECT.

WHEREAS, the City of St. Augustine Beach has heretofore investigated and determined the feasibility of the paving and repair of certain streets and roads within the City of St. Augustine Beach and has determined approximate costs thereof, and

WHEREAS, the City Commission proposes to make the following described local improvements:

To pave according to its natural meander "C" Street from its intersection with the Westerly right of way of A1A to the Easterly right of way of FIFTH Avenue, City of St. Augustine Beach,

and,

WHEREAS, the City Commission has heretofore deemed it necessary for the safety and convenience of the public to make the above described local improvements; and

WHEREAS, the City Commission did, on August 7, 1978 approve the proposal for such improvements and did study the approximate costs thereof and the necessity therefor, and

WHEREAS, the City Commission has determined that the fair and equitable manner to retire the cost of such improvement would be for the property owners abutting the North side and South side of the improvement to pay one-third (1/3) each and for the City of St. Augustine Beach to pay one-third (1/3) thereof, with the City to absorb the costs fronting intersecting streets along the proposed improvement, which said benefits to be determined according to the front footage of the real properties abutting said local improvements; and

WHEREAS, the City Commission proposes to conduct a public hearing and second reading on November 6, 1978 at 8:00 P.M. in the City Commission Meeting Hall, City of St. Augustine Beach, Florida, and

WHEREAS, the City Commission proposes to furnish by mail a copy of the proposed assessment to all property owners at their addresses listed with the Property Appraiser for St. Johns County, Florida to assist in notice to all affected property owners in addition to publication of the Notice of Public Hearing and Hearing on Protests;

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

SECTION 1. That the City Commission of the City of St. Augustine Beach, Florida, does hereby authorize, direct and order the making of the following local improvements:

> To pave according to its natural meander, "C" Street from its intersection with the Westerly right of way of A1A to the Easterly right of way of FIFTH Avenue, City of St. Augustine Beach, St. Johns County, Florida.

SECTION 2. That the City Commission of the City of St. Augustine Beach, does hereby determine that it is necessary for the safety and convenience of the public to make the aforesaid improvements.

SECTION 3. That the entire cost of said improvement shall be paid for by special assessments and the entire cost of said improvement, including administration costs shall be shared by the City of St. Augustine Beach, and the real property owners abutting said above described local improvement on a basis of the City paying 1/3 of the costs, including portions fronting on intersecting streets not owned privately, and the property owners on the North side of the improvement paying 1/3 of the cost and the property owners on the South side of the improvement paying 1/3 of the cost thereof. Said benefits to be determined and prorated according to the front footage of the real properties abutting said described improvements. The description of the lands and premises upon which special assessments shall be levied is set forth in the assessment roll attached hereto and made a part hereof.

SECTION 4. That the total estimated cost of the improvement, including administration costs is $25,000.00, more or less, and the estimated years of life of said improvement is 15 years.

SECTION 5. That the assessment roll prepared by the City Manager is on file in his office and is available for inspection by the public or interested parties.

SECTION 6. The assessments as shown on said assessment roll which is attached hereto and made a part hereof are hereby levied against the properties shown and in the amounts stated on said assessment roll, subject to adjustment on the letting of the contract and final determination of administration costs, said Special Assessments to be paid in full on or before September 1st, 1979. After such date the Assessments shall bear interest at the rate of 8.5% per annum until paid; and said special assessments, so levied, shall be a lien from the date the assessments become effective, upon the respective lots and parcels of land described in said assessment roll, of the same nature and to the same extent as the lien for any assessment by the City, and shall be collectible in the same manner as any lien for assessment by municipalities allowed by law, including judicial foreclosure subsequent to six months after the payment date required, in the Circuit Court, St. Johns County, Florida, or as otherwise allowed by law.

SECTION 7. The assessments include administration cost of publication, hearings, postage, mailings, notices, bid proposals, engineering, testing, legal costs, recording fees, release recording, collection fees and all other necessary and incidental expenses and costs necessary to effectuate the completion of the improvements.

SECTION 8. The City Commission of the City of St. Augustine Beach, Florida, shall hold and conduct a public hearing and meeting to hear all comments, objections, protests and the like on Monday, November 6, 1978 at the hour of 8:00 P.M. in the City Commission

Meeting Hall, City of St. Augustine Beach, St. Johns County, Florida.

SECTION 9. The City is authorized as a part of this ordinance to correct and adjust record ownership of any lands covered by this assessment on the effective date of this ordinance, which shall be the date that the lien attaches to the real property herein. Further, the City is authorized to adjust its final billing based upon the final actual cost, with the proviso that no increase above fifteen (15%) per cent of the Assessment Roll filed herewith may be charged to the property owner, but shall be absorbed by the City.

SECTION 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed. This Amended Ordinance No. 67 originally first read September 11, 1978.

SECTION 11. This Ordinance shall take effect upon its passage on Final Reading.

PASSED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, this 2nd day of October, 1978.

ATTEST:

City Manager

CITY OF ST. AUGUSTINE BEACH

By: _____
Mayor-Commissioner

| | |
|---|---|
| First Reading: | October 2, 1978 |
| Public Hearing: | November 6, 1978 |
| Second Reading: | November 6, 1978 |

## Max Royle

**From:** Bill Tredik
**Sent:** Thursday, August 27, 2020 2:43 PM
**To:** Max Royle
**Subject:** RE: Opening 2nd Street
**Attachments:** 2020 Opinion of Probable Costs 8-27-2020.docx

Max:

Here is an updated and simplified Cost Breakdown. The numbers changed slightly, but not too much.
I eliminated item 4 from my initial email and update the list as follows:

1. 2nd Street option – **Owners Pay Full Cost** - $20,950 per lot; $0 cost to City
2. 3rd Street Option – **Owners Pay Full Cost** - $27,394 per lot; $0 cost to City
3. 2nd Street Option – **City Pays 1/3 of roadway costs** - $16,398 per lot; $72,833 by City
4. 3rd Street Option – **City pays 1/3 of roadway costs** - $20,694 per lot; $107,200 by City

Bill

**From:** Bill Tredik
**Sent:** Wednesday, August 26, 2020 6:54 PM
**To:** Max Royle <mroyle@cityofsab.org>
**Subject:** RE: Opening 2nd Street

Max:

I am still waiting on a formal cost estimate from the county, but I took the 2014 utility estimate and added 2% per year. I can adjust it further once I get new numbers from the County. I also am awaiting a cost estimate from Larry Spear for putting the utilities underground. Currently, the estimated costs are as follows, in order of increasing cost to the City:

1. 2nd Street straight through – **Owners Pay all** - $20,910 per lot; $0 cost to City
2. 3rd Street Option – **Owners Pay full cost** - $27,351 per lot; $0 cost to City
3. 2nd Street straight through – **City Pays 1/3 of roadway related costs only** - $16,387 per lot; $81,888 by City
4. 3rd Street Option – **Owners pay full straight through cost** - $20,910 per lot; $103,051 by City
5. 3rd Street Option – **City pays 1/3 of roadway related costs only** - $19,788 per lot; $121,001 by City

Bill

***William Tredik PE, Public Works Director / City Engineer***
*City of St. Augustine Beach*
*2200 A1A South*
*St. Augustine Beach, Florida 32080*
*Ph: (904) 471-1119*
*email: btredik@cityof sab.org*

***PLEASE NOTE:*** *Under Florida law, most communications to and from the City are public records. Your emails, including your email address, may be subject to public disclosure.*

**From:** Max Royle <mroyle@cityofsab.org>
**Sent:** Saturday, August 22, 2020 10:00 AM
**To:** Bill Tredik <btredik@cityofsab.org>
**Subject:** Opening 2nd Street

For the opening of 8th Street, the four lot owners paid all the costs to install the utilities. I need from you an estimate of the utility costs for 2nd Street. On 8-7, you gave me a list of the costs of the three options to access 2nd Street. Those costs included only design, permitting, etc. and paving. No utilities. I suggest revising the 8/7 list by omitting the 1st Street option and dividing the costs as follows: what the lot owners will be responsible for paying without any payment from the City; then the pavement costs, a third of which the City will pay. You and I can discuss on Monday.

# 2nd Street Roadway Construction
# Opinion of Probable Costs – Various Options

## Option 1 - Straight Through Connection from 2nd Street

| Description | Item Cost |
|---|---|
| **ROADWAY IMPROVEMENTS** | |
| Design and Permitting | $25,700 |
| Roadway and Drainage Construction | $160,700 |
| Roadway and Drainage Construction Contingency (20%) | $32,100 |
| **ROADWAY AND DRAINAGE TOTAL COST** | **$218,500** |
| **UTILITY IMPROVEMENTS** | |
| Design and Permitting | $13,700 |
| Utility Construction | $85,800 |
| Utility Construction Contingency (20%) | $17,200 |
| **UTILITY TOTAL COST** | **$116,700** |
| **GRAND TOTAL** | **$335,200** |

**Option 1 Funding Alternatives:**

- **Property Owners Pay All Costs**
  - OWNERS ($335,200) **$ 20,950 per lot**
  - CITY: **$ 0**
- **Property Owners Pay All Costs less 1/3 of Roadway and Drainage Costs**
  - OWNERS ($262,367) **$ 16,398 per lot**
  - CITY: **$ 72,833**

## Option 2 – 2nd Avenue Connection from 3rd Street

| Description | Item Cost |
|---|---|
| **ROADWAY IMPROVEMENTS** | |
| Design and Permitting | $37,800 |
| Roadway and Drainage Construction | $236,500 |
| Roadway and Drainage Construction Contingency (20%) | $47,300 |
| **ROADWAY AND DRAINAGE TOTAL COST** | **$321,600** |
| **UTILITY IMPROVEMENTS** | |
| Design and Permitting | $13,700 |
| Utility Construction | $85,800 |
| Utility Construction Contingency (20%) | $17,200 |
| **UTILITY TOTAL COST** | **$116,700** |
| **GRAND TOTAL** | **$438,300** |

Option 2 Funding Alternatives:

- **Property Owners Pay All Costs**
  - OWNERS ($438,300) **$ 27,394 per lot**
  - CITY **$ 0**
- **Property Owners Pay All Costs less 1/3 of Roadway and Drainage Costs**
  - OWNERS ($331,100) **$ 20,694 per lot**
  - CITY: **$ 107,200**

Agenda Item # 6

Meeting Date 9-14-20

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** September 2, 2020

**SUBJECT:** New Year's Eve Fireworks Show: Update Report and Request for Commission to Decide Whether to Hold

Attached is the paper version of a PowerPoint presentation that Ms. Melissa Conlon, the City's Communications and Events Coordinator, will give at your September 14th meeting.

In summary her recommendation and that of the other members of the City staff (Chief Hardwick, Public Works Director Tredik, Finance Director Douylliez, and the City Manager) involved with putting on the City's New Year's Eve each year is that it not be held this year.

The main reasons for this recommendation are:

1. The City cannot limit the number of attendees to the 3,750 that the County says it will allow in the pier park. The City must obtain a County permit to hold the event in the park and to use the pier as a launching platform for the fireworks.
2. The six-foot social distancing requirement between attendees will be impossible to enforce and could subject possible exposure to the virus the City's employees (police officers and Public Works employees) as well as the County deputies and St. Augustine police officers who provide security at the event.
3. The City should not hold an event normally attended by thousands that could contribute to the spread of Covid-19.
4. The TDC will not provide a grant this year that helps pay for some of the operating costs. In a lean budget year, this means that the City would be responsible for all the costs, except for the $25,000 for the fireworks and except for whatever sponsorship money Ms. Conlon can get. The $25,000 for the fireworks comes from TDC money and will still be provided if the City holds the event.
5. For transportation between satellite parking lots and the pier park, the City would have to hire double the number of buses, which is usually 11, needed for the event, which will create additional expense. The additional buses would be needed so that social distancing can be maintained on them and because the buses will have to be sanitized after EACH trip, likely by City personnel, which will create additional cost as well as exposure.
6. Without the buses, the City's residential areas could be overwhelmed with persons parking vehicles in them, possibly blocking driveways and leaving behind litter.

7. No other area cities are holding a New Year's Eve fireworks show, nor does it appear that any other in the entire state, including Disney World, are considering having a show. This could mean that attendance at a show in our City could be greater than usual.

On the last page of her presentation that Ms. Conlon proposes several "alternative event ideas." None of them will draw the large crowd and create the problems that the fireworks show would cause.

## ACTION REQUESTED

It is that you decide whether the City's New Year's Eve fireworks show (Beach Blast Off) should be cancelled this year.

We need to know your decision now because contracts, such as with the fireworks company, will have to be signed in October. Once the fireworks contract is signed, the City must pay half ($12,500) of the $25,000 due for the fireworks.

# BEACH BLAST OFF INTO 2021

This Photo by Unknown Author is licensed under CC BY

# COUNTY GUIDELINES FOR PERMIT UNDER PHASE 2

- Under the Phase 2 guidelines, the County would allow a maximum of 3,750 people at the Pier for BBO.

The CoSAB has no way of creating a perimeter that the public could not access.

- A plan for social distancing to maintain CDC guidelines of 6' distance.

The CoSAB does not have the resources to make sure people are maintaining 6' distance.

The plan to maintain the maximum allowed.

The CoSAB does not have the resources to maintain the limit of 3,750.

- Conclusion:

The CoSAB cannot meet the guidelines set by the County to receive the permit for BBO into 2021.

# TDC – NOT PROVIDING FUNDING FOR 2020

- What is the official reason the TDC panel decided not to fund any events before January 1, 2020? The TDC decided not to fund the Annual & Special Events that occur before January 1, 2020 out of the abundance of caution due to the current coronavirus situation and the impact of gathering in large crowds and organizations not being able to secure permits and being cancelled at the last minute.
- Can the fireworks funding possibly be applied to another time in FY21 with special permission? It is possible that funding could be available for Fireworks at another time during FY21 (Oct 1, 2020 – September 30, 2021). This will require approval.
- The ACH grant funding that we would have received for Beach Blast Off can NOT be applied to a future time in FY21, that funding will now be applied to events that were already scheduled after January 1, 2021. Yes, this is the recommendation of the TDC.

# OTHER THINGS TO CONSIDER FOR BBO INTO 2021

- Social Responsibility to our Community
- Health, Welfare and safety of our employees and volunteers
- Cost to the City

# **SOCIAL RESPONSIBILITY** - THINGS TO CONSIDER...

- **Does the City want to encourage a large gathering of people during a pandemic?**
- **Do the residents want large amounts of people to gather during a pandemic?**
- **There is no way to ensure social distancing due the location of our event. There are too many points of entry.**

# **HEALTH, WELFARE AND SAFETY** – THINGS TO CONSIDER…

- **Can the City provide a safe environment for event for residents and visitors attending the event?**
- **Can the City ensure a safe environment for workers/employees and volunteers with the exposure to large amounts of people?**
- **The City has already been turned down by a handful of its regular volunteers for this year due to concerns over COVID-19.**

# COST TO THE CITY - POTENTIAL APPROXIMATE COSTS

| Item | Estimated Cost | Mandatory vs. Optional | |
|---|---|---|---|
| Equipment – Light Towers/George Buggys | $2,104 | Mandatory | |
| Port-o-lets | $5,775 | Mandatory | |
| Labor/Overtime | $6,000 - $10,000 | Mandatory | |
| Meals for workers and volunteers | $500 | Mandatory | |
| **OPTIONAL Costs** | | | |
| Buses (see next page) | $11,000-$23,000 | Optional | Was covered in TDC grant. Cost greatly increased due to number of buses needed for safety. |
| Tables and Chairs | $850 | Optional | Possibly placed in old Kids zone area |

# TRANSPORTATION

- BUSES
- Currently following Duval County's Guidelines, 43 people per bus.
- 22-25 buses to make up for what we usually carry, including 4 ESE buses.
- Cost is $1,029.00 Per bus, this includes cost of sanitizing each bus between runs, for 10.5 hours.
- 11 buses total cost: $11,319.00
- 22 buses total cost: $22,638.00
- 25 buses total cost: $25,725.00

# RECOMMENDATION – CANCEL BBO INTO 2021

- **COUNTY GUIDELINES THAT THE CITY CANNOT MEET**

Maximum number of people allowed at the event is 3,750.

- **NO TDC FUNDING THIS YEAR**

- **INTERNAL STAFF RECOMMENDS CANCELLING BBO THIS YEAR**

All Department Heads including SABPD recommend cancelling BBO this year.

# ALTERNATIVE EVENT IDEAS

- Local Shop and Dine - promoting local businesses and vendors
- Art Walk – promoting local businesses and Artists
- 'Locals only' Farmer's Market with food and gifts for purchase – promoting local vendors as well our local businesses

Or some sort of combination of the above ideas, perhaps an afternoon into evening event where we would showcase our lights along the Blvd.

- Possible 'Nights of Lights' Season similar to the City of St. Augustine

Agenda Item # 7

Meeting Date 9-14-20

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** September 1, 2020

**SUBJECT:** Use of City Property Adjacent to Mizell Road Retention Pond: Review of Agreement with the St. Johns County Beekeepers Association, Inc., for Beehives; and Review of Agreement with Ark Wildlife Rescue and Rehabilitation, Inc., for a Facility to Care for Injured and Orphaned Wildlife

## INTRODUCTION

The City owns 25 acres west of Mizell Road. Fifteen of the 25 acres is the retention pond and master pump station. The pond was dug in stages over several years starting in 1998. The 25-acre site is shown on the attached aerial photo (page 1).

On the pond's west side is a facility for the care and rehabilitation of injured birds that is operated by an organization formerly known as Noah's Ark, which was headed by Ms. Karen Lynch. At its March 5, 2005, meeting, the City Commission approved a 10-year lease to allow Noah's Ark to use a small section of land for its facility. As that lease has expired, Ms. Lynch is requesting a new one for her renamed organization: Ark Wildlife Rescue and Rehabilitation.

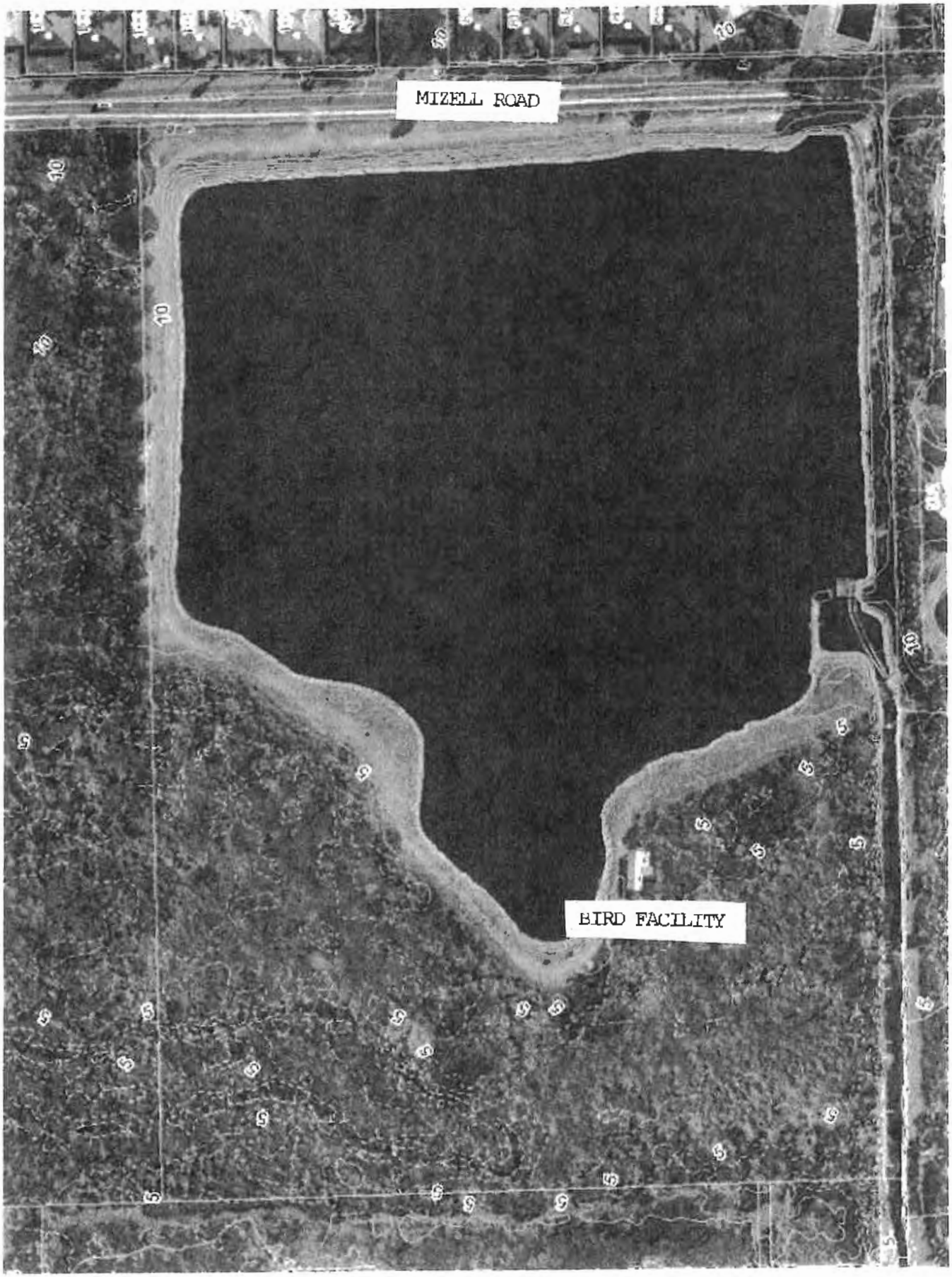
At your August 3, 2020, meeting, the topic of the leases was presented to you. As Ms. Lynch was unable to attend your meeting, you discussed with Ms. Diane Spoden her request to lease a small area on the pond's west side for a small number (four to six) of beehives. The minutes of your discussion with Ms. Spoden are attached as pages 2-3.

The two lease agreements, including two emails from Ms. Spoden, are attached as pages 4-15. The agreements were prepared by the City Attorney. Ms. Spoden and Ms. Lynch will be at your September 14th meeting,

## ACTION REQUESTED

It is that you discuss each lease, first with Ms. Spoden and then with Ms. Lynch. You can then decide whether to approve each by a separate motion and vote for each.

EAST




WEST

7. Use of City Property Adjacent to Mizell Road Retention Pond: Review of Requests to Lease Parts for Injured Bird Recovering Facility and for Honeybee Hives (Presenter: Max Royle, City Manager)

Mayor England introduced Item 7 and asked City Manager Royle to give a staff report.

City Manager Royle advised Diane Spoden is here to request a lease of a portion of Mizell Road to help an Eagle Scout with a project for honeybee hives. Ms. Spoden would manage the beehives, which would be in a very small area that would be away from the public. He advised that Ms. Spoden is a Master Beekeeper and is managing similar beehive groupings of over 30 hives.

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

Diane Spoden, 7424 A1A S, St. Augustine, FL, advised that a young lady requested to help the beekeepers as an Eagle Scout project. She already built five beautiful beehives and where the lease would limit public access. She explained that it is healthy to manage bees rather than allow feral bees to come onto the property. She would not comprise the bird facility that is located there and would like to locate the bees on the opposite side of the bird facility. She commented that the birds and the bees are compatible, and she would mow the yards next to the bees so staff would not have to worry about the bees.

Mayor England asked if the Ark knows that the bees would be coming.

Ms. Spoden advised not that she was aware of.

Mayor England asked Ms. Spoden to notify the Ark.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that he is in support the lease.

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

Commissioner George commented that it was a great idea to support the beehives.

Commissioner Rumrell agreed and said it would be a great opportunity for the City.

Vice Mayor Kostka asked where the beehives will be located.

Public Works Director Tredik advised that he does not have the final location but asked that when they are located to consider where staff is doing berm work on Mizell pond.

Vice Mayor Kostka thought it was a great idea.

Commissioner Samora agreed.

City Manager Royle advised that City Attorney Taylor would have to draft a contract on the terms and what is allowed and not allowed. He could bring the contract back under Consent Agenda at the next Commission meeting.

Mayor England made a motion.

**Motion:** to approve that we approve going forward with the lease for the beehives and that our City Attorneys work on the agreement to come back next month along with an agreement

with the Ark and that both parties are aware of their existence on the property. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

| | |
|---|---|
| Commissioner Rumrell | Yes |
| Commissioner Samora | Yes |
| Commissioner George | Yes |
| Mayor England | Yes |
| Vice Mayor Kostka | Yes |

**Motion passes unanimously.**

## Max Royle

**From:** Diane Spoden <dianesbees@gmail.com>
**Sent:** Wednesday, June 17, 2020 2:35 PM
**To:** Max Royle
**Subject:** Mizell road property location for bee hives

To City manager, Max Royle

Dear Max,

This letter is to request permission to house a small number (4-6) of honey bee hives inside the fenced property surrounding the lake off Mizell road, St Augustine Beach.

As you may be aware our honey bee population is in decline and faces challenges from many quarters. Bees are a critical part of our food chain and are necessary for plant pollination. In an effort to maintain healthy populations we are looking for sites to locate hives that are fenced, away from public access and also accessible for management.The Mizell road property is ideal from these and a number of perspectives.

The equipment for this location has been a project built and funded by the Scouts BSA troop 9101 G from the Riverbend district for St Johns County Beekeepers.The hives will be a in very small grouping and be managed by myself, a UF Master Beekeeper and Program Director for St Johns County Beekeepers and member of the Crescent Beach Ladies Beekeeping Collective
I currently manage six similar groupings comprising of over 30 hives.

I hope the city of St. Augustine Beach will see the benefit of this worthwhile, cost free and highly beneficial project and in doing so join many other cities around the country by becoming a "bee friendly" city.

It would my pleasure to meet with you, the commissioners and head of Public works to discuss and answer any questions. I look forward to hearing from you soon

Kindest regards,

Diane Spoden

## Max Royle

**From:** Diane Spoden <dianesbees@gmail.com>
**Sent:** Thursday, July 30, 2020 11:26 AM
**To:** Max Royle; Comm England; Comm Kostka; Comm Samora; comdrunrell@cityofsab.org; Comm George
**Subject:** Use of City property adjacent to Mizell road pond - Honey bee hives

This letter is to request permission to house a small number of honey bee hives inside the fenced property surrounding the pond off Mizell road, St Augustine Beach.

Eagle Scout Jessica Parker of troop 9101 G decided to help the environment as part of her Eagle Scout project. She has funded and assembled beehives for 5 colonies and contacted me as a UF Master Beekeeper, Program director for St Johns County Beekeepers and founding member of the Crescent Beach Ladies Beekeeping Collective to assist. I have volunteered to donate the bees and manage the hives.

We are seeking a location for them and the Mizell pond property is ideal as it is away from public access yet accessible for management. The hives will be in a very small grouping and managed by myself. The hives and their management will in no way interfere with the bird rehabilitation facility and will be located an appropriate distance away from it on the other side of the pond

As you may be aware our honey bee population is in decline and faces challenges from many quarters. Bees are a critical part of our food chain and are necessary for plant pollination. It is our request that the city of St. Augustine Beach will see the benefit of this worthwhile, cost free and highly beneficial project and in doing so join many other cities around the country by becoming a "bee friendly" city.

I will be at the next Commision meeting on August 3rd to discuss and answer any questions. I hope I have your support for this worthwhile Eagle Scout Project.

Kindest regards,

Diane Spoden

## LEASE

**THIS LEASE** agreement made and entered into this ____ day of September 2020, by and between the City of St. Augustine Beach, a Florida municipal corporation, (the "City") and the St Johns County Beekeepers Association, Inc., a Florida non-profit corporation. (the "Tenant"). whose address is St. Johns County Agricultural Extension Center, 3125 Agricultural Center Drive, Saint Augustine, Florida 32092.

### WITNESSETH

That for and in consideration of the mutual covenants herein after contained, the parties mutually agree as follows:

1. **Recitals.** The following recitals are true and constitute a material inducement to the City to enter into this Lease Agreement:

    a. The City is the owner in fee simple absolute of certain property located adjacent to the City's Master Drainage Pond, as more particularly indicated on the map attached hereto and made a part hereof. The City is agreeable to leasing a portion of that property to the Tenant to enable it to provide beekeeping.

    b. The City does not have any immediate need for the land to be used for beekeeping, the Tenant has warrantied their use will not conflict with the other City uses of this land and the surrounding land, and the City is agreeable to entering into a lease of the land necessary or the facility as more particularly indicated on the attached map together with an easement for access to the property, upon the terms and conditions of this Lease Agreement.

    c. The City maintains flower gardens in this area and it is in the interest of the public health, safety and welfare that arrangements be promote pollination and the health of local bee species and the Tenant is willing to provide beekeeping services to the City in consideration of this Lease.

2. **Consideration.** The Tenant agrees that during the term of this lease, it will provide beekeeping services and it will maintain all appropriate licenses for such services as may be required by the State of Florida. The Tenant further agrees that it understands that the property to be leased is within St. Johns County and outside the incorporated limits of the City. The City makes no representation as to the zoning or the appropriateness of the property for the proposed use. Tenant will perform its own due diligence and will make application at its own cost and expense for such zoning changes, if any, required for its operations.

3. **Term of Lease.** The term of the lease shall be for ten (10) years unless sooner terminated by the City Commission as herein provided. The City Commission, in the event that the lands leased to the Tenant shall be required for another public use, in its sole discretion, upon sixty (60) day notice elect to terminate this Lease. The Lease shall also be terminated without notice in the event of the filing of a petition for bankruptcy by the Tenant or the Tenant's filing of an assignment for the benefit of creditor. It is understood that upon application the Association

shall have the right to renew this lease for one additional term of ten (10) years upon the same terms and conditions. Upon termination of this Lease, whether by expiration of the term hereof or early termination as above provided, the Tenant shall in a good and workmanlike manner, remove any of its improvements from the land. In the event that the Tenant shall fail or refuse to remove such improvements, the City may cause such improvements to be removed and may recover from the Tenant the cost of such demolition.

4. **Insurance.** The League of Cities was questioned and they decided that no additional insurance was required for this Agreement.

5. **No Waiver of Sovereign Immunity and Limitation on City's Damages.** Nothing in this Lease Agreement shall be construed as a waiver of sovereign immunity beyond that provided in Section 768.28, Florida Statutes, nor shall anything in the Agreement be construed as increasing the limits of the sovereign immunity of the City as provided in Section 768.28, Florida Statutes. The City's liability under this Agreement shall be solely and exclusively limited to the amount to be paid to City by Tenant and Tenant shall have no other remedy at law or in equity for any breach of contract or other action related to the matters herein.

6. **Indemnity**. Tenant agrees to indemnify and save City harmless from any liability, claim or demand by any third party resulting from or arising out of the Tenant's actions under this Agreement or its use or occupancy of the City's Property that is the subject of this Agreement. The indemnity provisions of this section shall survive the termination of this Agreement.

7. **Waste and Damage**. Tenant agrees to neither permit or commit waste or damage to the City's Property, facilities, equipment, furnishings, structures, and space that are the subject of this Agreement and further agrees to comply with all applicable federal, state, county, and city laws and rules and regulations, including payment of all applicable taxes and compliance with all laws and regulations pertaining to its operations. Upon termination of this Agreement by lapse of time or otherwise, Tenant agrees that its right to use the facilities, structures and space which are the subject of this Agreement shall be terminated and that Tenant shall leave same in at least as good a condition as received, reasonable wear and tear excepted.

8. **Hazards and Chemicals**. Tenant represents and warrants that no Hazardous Materials will be generated, stored, disposed of, or are present on or within any part of the City's Property. Hazardous chemicals do not include ordinary household cleaning supplies. Tenant shall indemnify, defend, protect and hold City harmless from and against any and all claims, costs, fines, judgments, liability, actions, causes of action, liens, and expenses; including, without limitation, penalties and reasonable attorney's fees, incurred or suffered by or asserted against City, arising out of or in any way relating to any one or more of the following which are not caused by Tenant: (a) the presence of any Hazardous Materials in, on, or under the city's Property; (b) any past, present or threatened release of Hazardous Materials in, on, under or from the City's Property; and (c) any activity by Tenant in connection with any actual, proposed or threatened use, treatment, storage, existence, disposition or other release, production, manufacturing, management, abatement, removal, handling, transfer or other means in connection with the City's Property.

9. **Maintenance, Utilities and Trash Collection**. The Tenant shall be responsible for the maintenance and cleaning of the City's Property. The Tenant acknowledges the property is not connected to electric, water or sewer and that Landlord is not providing access to these services. Tenant shall he responsihle for regular cleaning of the City's Property and shall maintain the City's Property in a clean and safe condition.

10. **Notice to Third Parties**. Tenant shall notify each of its contractors, subcontractors, suppliers, vendors, invitees, guests and others that Tenant acts on its own account and not for the City and that the City assumes no responsihility for the payment or protection thereof.

11. **Assignment and Subletting of Lease.** This lease is non-assignable. The demised premises shall be used solely for beekeeping. The demised premises shall be not be used for any commercial purposes or for any purpose primarily for the benefit of private individuals. Tenant's unique composition is the sole reason for City procuring this Agreement. Tenant shall not suhlet the property.

12. **Tenant Improvements.** Tenant shall not make any improvements, alterations, or modifications to the property without the approval of City.

13. **Recording of this Instrument.** This instrument shall not be recorded. Recordation of this lease by the Tenant or by anyone acting on its behalf shall act as an automatic termination of this lease.

14. **Binding Effect.** The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to only the parties to this Agreement. This Agreement is made for the sole benefit and protection of the parties no other persons shall have any right of action hereunder.

15. **Applicable Law: Jurisdiction of Venue.** This Agreement, and the rights and obligations of the parties hereto as they may appear herein, shall be governed by, construed under, and enforced in accordance with the laws of the State of Florida. Venue for any litigation pertaining to the subject matter hereof shall be exclusively in state court in St. Johns County. Florida. The parties waive trial by jury. The fact that this Agreement does not detail all laws, rules, regulations, permits, conditions, terms, and restrictions that must be satisfied to complete the development contemplated by this Agreement shall not relieve any party, or its successors in interest of the obligation to comply with the law governing such permit requirements, conditions, terms, and restrictions.

16. **Joint Preparation.** Preparation of this Agreement has been a joint effort of the parties and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.

17. **Exhibits**. All exhibits attached hereto contain additional terms of this Agreement and are incorporated herein by reference.

18. **Captions or Paragraph Headings**. captions and paragraph headings contained in this Agreement are for convenience and reference only, and in no way define, describe, extend, or limit the scope of intent of this Agreement, nor the intent of any provision hereof.

19. **Counterparts**. This Agreement may be executed in several counterparts, each constituting a duplicate original, but all such counterparts constituting one and the same Agreement.

20. **Effective Date**. This Agreement shall become effective as of the date signed by all parties.

21. **Amendment**. This Agreement may only be amended by written instrument

22. **No Discrimination**. Tenant shall operate in a fair and reasonable manner and shall not discriminate against any person on the basis of race, color, religion, sex, familial status, national origin, handicap, sexual orientation, gender identity or expression, or any other reason prohibited by law.

23. **Other Regulations**. Tenant is also required to fully comply with all federal, state, and local laws pertaining to their use of the Garage.

24. **Severability**. If any provision of this Agreement or the application of this Agreement to any entity or circumstances becomes invalid or unenforceable to any extent, then the remainder of this Agreement or the application of such provisions to such other entity or circumstance will not be affected by such invalidity or unenforceability and will be enforced to the greatest extent permitted by law.

25. **Waiver.** No consent or waiver, expressed or implied, by any Party to or of any breach or default by the other Party in the performance by such other Party of the obligations under this Agreement will be deemed or construed to be a consent or waiver to or of any other breach or default in the performance by such other Party of the same or any other obligations of such other Party under this Agreement. Failure on the part of a Party to complain of any act or failure to act of the other Party or to declare such other Party in default, irrespective of how long such failure continues, will not constitute a waiver by such Party of its rights under this Agreement.

26. **Notices**. All notices, demands, requests and other communications required or permitted under this Agreement (a "Notice") must be in writing and will be deemed to have been duly given (a) upon the date of the Notice if delivered personally, or (b) by facsimile or electronic mail provided that a duplicate copy is promptly mailed by U.S. Mail, certified, return receipt requested, or (c) upon the date following the date of the Notice if delivered by overnight courier which provides a receipt, such as Federal Express. In each case the Notice must have adequate postage prepaid, addressed to the appropriate Party and marked to a particular individual's attention as provided in this Section. The Notice will be effective upon being so deposited, but the time period in which a response to any Notice must be given or any action taken with respect to the Notice will commence to run from the date of receipt of the Notice by the addressee as evidenced by the return receipt. Rejection or other refusal by the addressee to accept or the inability of the United States Postal Service or air courier service to deliver because of a changed address of which no Notice was given will be deemed to be the receipt of the Notice sent as of the Business Day following deposit. If either Party to this Agreement

changes their address, that Party must notify the other Party of such change by Notice delivered in accordance with this Section. Any person acquiring any interest in the Property will be entitled to receive copies of Notices upon giving Notice to the other Party of its name and address and the nature of its interest. The initial addresses of the Parties will be as set forth below:

**For the City:** City Manager
City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, Florida 32080

**For Tenant:** _____

_____

_____

**IN WITNESS WHEREOF**, the Parties have hereunto caused these presents to be executed, this the day and year first above written.

**ST JOHNS COUNTY BEEKEEPERS ASSOCIATION, INC.**

BY: _____
Print Name: _____

**CITY OF ST. AUGUSTINE BEACH**

ATTEST: _____

City Manager

BY: _____

Mayor-Commissioner

## LEASE

**THIS LEASE** agreement made and entered into this ____ day of September 2020, by and between the City of St. Augustine Beach, a Florida municipal corporation, (the "City") and The Ark Wildlife Rescue & Rehabilitation, Inc., a Florida non-profit corporation. (the "Tenant"). whose address is 1458 Murray Drive, Jacksonville, Florida 32205.

**WITNESSETH**

That for and in consideration of the mutual covenants herein after contained, the parties mutually agree as follows:

1. **Recitals.** The following recitals are true and constitute a material inducement to the City to enter into this Lease Agreement:

    a. The City is the owner in fee simple absolute of certain property located adjacent to the City's Master Drainage Pond, as more particularly indicated on the map attached and made a part of this Lease Agreement. The City is agreeable to leasing a portion of that property to the Tenant to enable it to provide a rehabilitation facility for injured and orphaned wildlife.

    b. The City does not have any immediate need for the land to be used for a rehabilitation facility, the Tenant has warranticd their use will not conflict with the other City uses of this land and the surrounding land, and the City is agreeable to entering into a lease of the land necessary or the facility as more particularly indicated on the attached map together with an easement for access to the property, upon the terms and conditions of this Lease Agreement.

    c. The City has been designated as a bird sanctuary and it is in the interest of the public health, safety and welfare that arrangements be made for injured and orphaned birds and other wildlife and the Tenant is willing to provide rehabilitation services to the City in consideration of this Lease.

2. **Consideration.** The Tenant agrees that during the term of this lease, it will provide rehabilitation services and it will maintain all appropriate licenses for such services as may be required by the State of Florida. The Tenant further agrees that it understands that the property to be leased is within St. Johns County and outside the incorporated limits of the City. The City makes no representation as to the zoning or the appropriateness of the property for the proposed use. Tenant will perform its own due diligence and will make application at its own cost and expense for such zoning changes, if any, required for its operations.

3. **Term of Lease.** The term of the lease shall be for ten (10) years unless sooner terminated by the City Commission as herein provided. The City Commission, in the event that the lands leased to the Tenant shall be required for another public use, in its sole discretion, upon sixty (60) day notice elect to terminate this Lease. The Lease shall also be terminated without notice in the event of the filing of a petition for bankruptcy by the Tenant or the Tenant's filing of an assignment for the benefit of creditor. It is understood that upon application the Association

shall have the right to renew this lease for one additional term of ten (10) years upon the same terms and conditions. Upon termination of this Lease, whether by expiration of the term hereof or early termination as above provided, the Tenant shall in a good and workmanlike manner, remove any of its improvements from the land. In the event that the Tenant shall fail or refuse to remove such improvements, the City may cause such improvements to be removed and may recover from the Tenant the cost of such demolition.

4. **Insurance.** For so long as this Lease shall remain in full force and effect, the Tenant shall maintain a general liability policy, naming the City as an additional insured, such policy to be in form, content, and amount satisfactory to the City. Certificates of such insurance shall be filed with the City Manager at such intervals as the City Manager shall prescribe.

5. **No Waiver of Sovereign Immunity and Limitation on City's Damages.** Nothing in this Lease Agreement shall be construed as a waiver of sovereign immunity beyond that provided in Section 768.28, Florida Statutes, nor shall anything in the Agreement be construed as increasing the limits of the sovereign immunity of the City as provided in Section 768.28, Florida Statutes. The City's liability under this Agreement shall be solely and exclusively limited to the amount to be paid to City by Tenant and Tenant shall have no other remedy at law or in equity for any breach of contract or other action related to the matters herein.

6. **Indemnity**. Tenant agrees to indemnify and save City harmless from any liability, claim or demand by any third party resulting from or arising out of the Tenant's actions under this Agreement or its use or occupancy of the City's Property that is the subject of this Agreement. The indemnity provisions of this section shall survive the termination of this Agreement.

7. **Waste and Damage**. Tenant agrees to neither permit or commit waste or damage to the City's Property, facilities, equipment, furnishings, structures, and space that are the subject of this Agreement and further agrees to comply with all applicable federal, state, county, and city laws and rules and regulations, including payment of all applicable taxes and compliance with all laws and regulations pertaining to its operations. Upon termination of this Agreement by lapse of time or otherwise, Tenant agrees that its right to use the facilities, structures and space which are the subject of this Agreement shall be terminated and that Tenant shall leave same in at least as good a condition as received, reasonable wear and tear excepted.

8. **Hazards and Chemicals**. Tenant represents and warrants that no Hazardous Materials will be generated, stored, disposed of, or are present on or within any part of the City's Property. Hazardous chemicals do not include ordinary household cleaning supplies. Tenant shall indemnify, defend, protect and hold City harmless from and against any and all claims, costs, fines, judgments, liability, actions, causes of action, liens, and expenses; including, without limitation, penalties and reasonable attorney's fees, incurred or suffered by or asserted against City, arising out of or in any way relating to any one or more of the following which are not caused by Tenant: (a) the presence of any Hazardous Materials in, on, or under the city's Property; (b) any past, present or threatened release of Hazardous Materials in, on, under or from the City's Property; and (c) any activity by Tenant in connection with any actual, proposed or threatened use, treatment, storage, existence, disposition or other release, production,

manufacturing, management, abatement, removal, handling, transfer or other means in connection with the City's Property.

9. **Maintenance, Utilities and Trash Collection.** The Tenant shall be responsible for the maintenance and cleaning of the City's Property. The Tenant acknowledges the property is not connected to electric, water or sewer and that Landlord is not providing access to these services. Tenant shall be responsible for regular cleaning of the City's Property and shall maintain the City's Property in a clean and safe condition.

10. **Notice to Third Parties**. Tenant shall notify each of its contractors, subcontractors, suppliers, vendors, invitees, guests and others that Tenant acts on its own account and not for the City and that the City assumes no responsibility for the payment or protection thereof.

11. **Assignment and Subletting of Lease.** This lease is non-assignable. The demised premises shall be used solely for wildlife rehabilitation. The demised premises shall be not be used for any commercial purposes or for any purpose primarily for the benefit of private individuals. Tenant's unique composition is the sole reason for City procuring this Agreement. Tenant shall not sublet the property.

12. **Tenant Improvements.** Tenant shall not make any improvements, alterations, or modifications to the property without the approval of City.

13. **Recording of this Instrument.** This instrument shall not be recorded. Recordation of this lease by the Tenant or by anyone acting on its behalf shall act as an automatic termination of this lease.

14. **Binding Effect.** The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to only the parties to this Agreement. This Agreement is made for the sole benefit and protection of the parties no other persons shall have any right of action hereunder.

15. **Applicable Law: Jurisdiction of Venue.** This Agreement, and the rights and obligations of the parties hereto as they may appear herein, shall be governed by, construed under, and enforced in accordance with the laws of the State of Florida. Venue for any litigation pertaining to the subject matter hereof shall be exclusively in state court in St. Johns County, Florida. The parties waive trial by jury. The fact that this Agreement does not detail all laws, rules, regulations, permits, conditions, terms, and restrictions that must be satisfied to complete the development contemplated by this Agreement shall not relieve any party, or its successors in interest of the obligation to comply with the law governing such permit requirements, conditions, terms, and restrictions.

16. **Joint Preparation**. Preparation of this Agreement has been a joint effort of the parties and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.

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18. **Captions or Paragraph Headings**. captions and paragraph headings contained in this Agreement are for convenience and reference only, and in no way define, describe, extend, or limit the scope of intent of this Agreement, nor the intent of any provision hereof.

19. **Counterparts**. This Agreement may be executed in several counterparts, each constituting a duplicate original, but all such counterparts constituting one and the same Agreement.

20. **Effective Date**. This Agreement shall become effective as of the date signed by all parties.

21. **Amendment**. This Agreement may only be amended by written instrument

22. **No Discrimination**. Tenant shall operate in a fair and reasonable manner and shall not discriminate against any person on the basis of race, color, religion, sex, familial status, national origin, handicap, sexual orientation, gender identity or expression, or any other reason prohibited by law.

23. **Other Regulations**. Tenant is also required to fully comply with all federal, state, and local laws pertaining to their use of the Garage.

24. **Severability**. If any provision of this Agreement or the application of this Agreement to any entity or circumstances becomes invalid or unenforceable to any extent, then the remainder of this Agreement or the application of such provisions to such other entity or circumstance will not be affected by such invalidity or unenforceability and will be enforced to the greatest extent permitted by law.

25. **Waiver**. No consent or waiver, expressed or implied, by any Party to or of any breach or default by the other Party in the performance by such other Party of the obligations under this Agreement will be deemed or construed to be a consent or waiver to or of any other breach or default in the performance by such other Party of the same or any other obligations of such other Party under this Agreement. Failure on the part of a Party to complain of any act or failure to act of the other Party or to declare such other Party in default, irrespective of how long such failure continues, will not constitute a waiver by such Party of its rights under this Agreement.

26. **Notices**. All notices, demands, requests and other communications required or permitted under this Agreement (a "Notice") must be in writing and will be deemed to have been duly given (a) upon the date of the Notice if delivered personally, or (b) by facsimile or electronic mail provided that a duplicate copy is promptly mailed by U.S. Mail, certified, return receipt requested, or (c) upon the date following the date of the Notice if delivered by overnight courier which provides a receipt, such as Federal Express. In each case the Notice must have adequate postage prepaid, addressed to the appropriate Party and marked to a particular individual's attention as provided in this Section. The Notice will be effective upon being so deposited, but the time period in which a response to any Notice must be given or any action taken with respect to the Notice will commence to run from the date of receipt of the Notice by the addressee as evidenced by the return receipt. Rejection or other refusal by the addressee to accept or the inability of the United States Postal Service or air courier service to deliver because of a changed address of which no Notice was given will be deemed to be the receipt of the Notice sent as of the Business Day following deposit. If either Party to this Agreement

changes their address, that Party must notify the other Party of such change by Notice delivered in accordance with this Section. Any person acquiring any interest in the Property will be entitled to receive copies of Notices upon giving Notice to the other Party of its name and address and the nature of its interest. The initial addresses of the Parties will be as set forth below:

**For the City:** City Manager
City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, Florida 32080

**For Tenant:** _____

_____

_____

**IN WITNESS WHEREOF**, the Parties have hereunto caused these presents to be executed, this the day and year first above written.

**THE ARK WILDLIFE RESCUE & REHABILITATION, INC.**

BY: _____
Print Name: _____

**CITY OF ST. AUGUSTINE BEACH**

ATTEST: _____

City Manager

BY: _____

Mayor-Commissioner

Agenda Item # 8

Meeting Date 9-14-20

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** August 5, 2020

**SUBJECT:** Tourist Development Council: Approval of a Letter to Re-Appoint Commissioner Undine George as the City's Representative (Presenter: Max Royle, City Manager)

Attached is an email from Ms. Tera Meeks, the TDC's Executive Director, notifying the City that the term of Commissioner George, the City's current representative on the Council, has expired. Ms. Meeks says that Commissioner George wants to continue to be the City's representative. For this to happen, you will need to approve a letter stating that you approve Commissioner George remaining the City's representative.

If you do provide the approval, the City Manager will write the letter to Ms. Meeks.

## Max Royle

**From:** Tera Meeks <TMeeks@sjctdc.com>
**Sent:** Tuesday, August 4, 2020 3:04 PM
**To:** Max Royle
**Subject:** RE: City of St. Augustine Beach TDC board member reappointment letter

That will be fine. Thanks,

Tera Meeks
Tourism and Cultural Development Director

500 San Sebastian View
St. Augustine, FL 32084
Phone: 904.209.4428
Email: tmeeks@sjctdc.com

ST. JOHNS COUNTY, FLORIDA
TOURIST DEVELOPMENT COUNCIL

**From:** Max Royle <mroyle@cityofsab.org>
**Sent:** Tuesday, August 4, 2020 2:48 PM
**To:** Tera Meeks <TMeeks@sjctdc.com>
**Subject:** RE: City of St. Augustine Beach TDC board member reappointment letter

Tera,

The City Commission's next meeting will be September 14th. Is that too late for the Commission to approve the letter?

Max

**From:** Tera Meeks <TMeeks@sjctdc.com>
**Sent:** Tuesday, August 4, 2020 2:44 PM
**To:** Max Royle <mroyle@cityofsab.org>
**Cc:** Dena Masters <dmasters@sjctdc.com>
**Subject:** City of St. Augustine Beach TDC board member reappointment letter

Good afternoon Max,

The term of the City of St. Augustine Beach's representative on the TDC Board has expired.

As you know, Commissioner George currently occupies the seat. I have reached out to Commissioner George and she has indicated that she would like to continue to serve in that capacity.

In order to place the reappointment of Commissioner George to the TDC seat on the Board of County Commissioner's meeting agenda, the County requires a letter from the City of St. Augustine Beach indicating that it is the will of the City's Commission that Commissioner George be their representative on the TDC.

I have shared this requirement with Commissioner George but wanted to share with you as well so that you could assist as appropriate.

Please let me know if you have any questions or if further information is needed.

I appreciate it.

Thanks,

Tera Meeks
Tourism and Cultural Development Director

500 San Sebastian View
St. Augustine, FL 32084
Phone: 904.209.4428
Email: tmeeks@sjctdc.com

ST. JOHNS COUNTY, FLORIDA
TOURIST DEVELOPMENT COUNCIL

## Max Royle

**From:** Comm George
**Sent:** Monday, March 30, 2020 1:03 PM
**To:** Max Royle; Beverly Raddatz
**Subject:** TDC Appointment

Max:

you should have received a letter I sent to the SJCBOCC regarding the TDC appointment earlier today. I had on my desk the notice that indicated the expiration of the initial term on the TDC. I requested a letter of interest for reappointment which would be due by 4/1/20. I reviewed the minutes from our city's Jan. 16th meeting and they indicated that if Margaret intends to begin attending the TDC meetings it wouldn't be until June. Rather than have a lapse and lack of membership, even if only for a couple months, I sent in the letter of intent for reappointment to fill that gap. Also with the Covid19, everyone's busy with other things and it just seemed best to get this covered before a lapse occurred. Just wanted to let you know so you understand why I sent this.

Sincerely,

Undine Celeste George
Commissioner, City of St. Augustine Beach (Mayor, 2018 & 2019; Vice Mayor, 2016 & 2017)

Please note that I may be reached by responding to this email or by telephone:
(904) 236-6243 (office)
(904) 687-1492 (cell)

Agenda Item # 9

Meeting Date 9-14-20

# MEMORANDUM

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

**FROM:** Max Royle, City Manager

**DATE:** September 3, 2020

**SUBJECT:** Civil Rights Monument Adjacent to Former City Hall: Consideration of How to Highlight It

The monument is located west of the former city hall and south of the bocce courts. It is titled "St. Augustine Beach Wade-Ins" and consists of a plaque with a three-paragraph description and two photos of black citizens attempting to integrate the "whites only beach" in front of the former city hall in the summer of 1964. The monument is Stop #502 on the Accord Freedom Trail, which commemorates physical locations in the St. Augustine area where significant actions happened during the civil rights struggle. Attached is a page from the Freedom Trail website. The monument in our City was erected on July 2, 2009, and paid for by Northrup Grumman.

Commissioner George has asked that you discuss how this monument can be highlighted.

We do need to point out that the monument's mental post and base have been corroded by salt air and need to be replaced.

# Welcome to the ACCORD Freedom Trail Website

**The ACCORD Civil Rights Museum located at 79 Bridge Street opened its doors on July 2, 2014, on the 50th Anniversary of the landmark Civil Rights Act of 1964. The location was the former dental office of Dr. Robert. B. Hayling, leader of the local St. Augustine Movement and "Father of the Civil Rights Act of 1964."**

The Anniversary to Commemorate the Civil Rights Demonstrations, Inc (BKA The 40th ACCORD) is a 501(c)3 non-profit organization envisioned in 2002, established in 2003, and incorporated in 2004

Our Mission is *"Remembering, Recognizing, and Honoring all those who risked their lives to attain civil rights for all and celebrating St Augustine's pivotal role in the Civil Rights Act of 1964."* We are excited to introduce the 31 historic civil rights markers on the ACCORD Freedom Trail Project presented by The Northrop Grumman Corporation and one by ACCORD Member, Beth Levenbach of Lansdowne, PA

ACCORD would like to extend our gratitude to The Northrop Grumman Corporation, Beth Levenbach, The Old Town Trolley, Photographer Shirley Williams-Collins, the St Augustine RECORD, Flowers By Shirley, St Paul AME Church, American Legion Post 194, The First Baptist Church, and EWLI for their continued support!

Brochures for the Freedom Trail's self-guided tour are available at the St Augustine Visitor Information Center in Downtown, St Augustine, Florida

**As of July 2, 2014, the ACCORD Civil Rights Museum located at 79 Bridge Street, St Augustine, Florida is now open. Please call or text (904) 347-1382 to schedule an appointment.**

**Visit the CONTACT US PAGE TO SUBSCRIBE TO OUR MAILING LIST**

Want to help us continue our mission of *remembering, recognizing, and honoring the heroes of the Civil Rights Movement of St Augustine*? Send your tax deductible donation in any amount or ACCORD Membership in the amount of $25 per person, per year, made payable to ACCORD, Inc and mail to:

**ACCORD, Inc**
**P.O. Box 697**
**St Augustine, FL 32085-0697**

**Or pay for your membership online with the button below**

**Add to Cart**

For more information on how you, your business or your organization can get involved send us an **EMAIL** today! We are always looking for new members volunteers and sponsors Please click **HERE** for ACCORD meeting dates and times All our welcome!

---

**MAY 2017**

People gathered for a dedication of the restoration work on St Johns County's only remaining slave cabin on Monday May 22, 2017 The restoration project was funded by a grant from Northrop Grumman Corporation

## News & Updates

**TO MAKE A TAX DEDUCTIBLE DONATION TO ACCORD**

**Donate**

**JUNE 2018**

The ACCORD Newsletter for June 2018 is now available Click **here** to download

* * * * * * * * * * *

**MAY 2018**

The ACCORD Civil Rights Museum will host the 2018 West Point Cadets Civil Rights Staff Ride on Wed May 30, 2018 This event is open to the public and will begin at 3PM This is the 3rd year the cadets and staff will be visiting the museum

* * * * * * * * * * *

**JANUARY 2018**

The ACCORD Civil Rights Museum will be open to the public in observance of Dr Martin Luther King Jr Day on Monday, January 15, 2018 The hours are from 11am 4pm No appointment necessary

* * * * * * * * * * *

**MAY 2017**

The dedication ceremony for the last standing slave cabin will be held May 22 2017 at 9 00am The slave cabin is located at 94 South Street An additional ACCORD Freedom Trail Marker located alongside the slave cabin will be unveiled during the ceremony

* * * * * * * * * * *

**ACCORD FREEDOM TRAIL FEATURE ARTICLE IN FLORIDA STATE HOMES**

You can read the article **here**

* * * * * * * * * * *

**CIVIL RIGHTS LEADER DR. ROBERT B. HAYLING HAS PASSED AWAY AT THE AGE OF 86**

Nov 20, 1929 - Dec 22, 2015
Please click photo for press release

* * * * * * * * * * *

**ACCORD CIVIL RIGHTS MUSEUM OPEN BY APPOINTMENT**
Call or text (904) 347-1382 to schedule

* * * * * * * * * * *

JULY 2014

**8th Annual ACCORD Freedom Trail Luncheon & Museum Grand Opening**

The ACCORD Civil Rights Museum opened on July 2, 2014 to commemorate the 50th Anniversary of the passage of the Civil Rights Act of 1964. The museum is located at 79 Bridge Street, the former dental office of Dr. Robert B. Hayling "Father of the Civil Rights Act."

## DR. ROBERT B. HAYLING RECEIVED FDA SPECIAL RECOGNITION AWARD

Dr. Robert B. Hayling, D.D.S., 1st Lt. USAF Ret. and leader of the St. Augustine Civil Rights Movement received a Special Recognition Award from the Florida State Dental Association at their 2015 Convention at the Gaylord Palms Resort & Convention Center, Kissimmee, FL on June 13th at their Awards Luncheon. Many friends, family, and supporters attended this event. Click **Here** to view pictures. Click **HERE** to view FDA Video Tribute.

* * * * * * * * * * *

## TEENS WIN SCHOOL AND COUNTY FAIR FIRST PLACE AWARDS FOR EXHIBIT ON THE *ST. AUGUSTINE FOUR*

Two young Middle School Teens from Ormond Beach did research on the ***St. Augustine Four,*** a group of courageous teens arrested and sent to reform school for a "Sit In" at the St. Augustine Woolworth Lunch Counter in 1963. The teens came by the ACCORD Civil Rights Museum seeking more knowledge about the St. Augustine Civil Rights Movement. The teens felt so inspired and did an exhibit winning first place on the school and county fair levels. The teens made a return visit to take pictures of the ACCORD Civil Rights Museum and to share their good news. Their exhibit will now move on to the State Level. *We wish them well.*

* * * * * * * * * * *

**COMMITTEE MEMBERS**

**Dalonja Duncan**, *President Elect*
**Cora Tyson**, *Vice President*
**Julia Heckendorn**, *Secretary*
**Audrey Willis**, *Treasurer*
**June Conway**, *Financial Secretary*
**Elizabeth Duncan**, Museum Chair, Graphic Design, Webmaster
**Dr. Priscilla Duncan**, *DPt, MPHR Co-Chair, Marketing Director*
**David Nolan**, *Historian & Co-Chair*
**Gwendolyn Duncan**, *President Emeritus and Archivist*

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**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING**
**SEPTEMBER 14, 2020**

CODE ENFORCEMENT/BUILDING/ZONING

The report is attached as pages 1-4.

COMPREHENSIVE PLANNING AND ZONING BOARD

The minutes of the Board's August 25, 2020 are attached as pages 5-19.

SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE

The Committee did not meet in August.

POLICE DEPARTMENT

Please see page 20.

PUBLIC WORKS DEPARTMENT

Please see pages 21-25.

FINANCE/ADMINISTRATION

Please see page 26.

CITY MANAGER

1. Complaints

A. A1A Beach Boulevard Pedestrian Crossing at Ocean Hammock Park

A resident asked if the crosswalk could be made safer. We replied that possibly signs could be put north and south of the crosswalk, to alert drivers to it. The Public Works Director and City Manager have discussed that possibility and others, though what safety improvements are feasible will depend on the City having the money for them.

B. Transient Rentals on Ocean Trace Road

These are rentals of less than a month and are prohibited in low density land use districts. The south side of Ocean Trace Road is low density. A resident of Sabor del Sal to the south of Ocean Trace has complained about noise, parties, drinking at the transient rentals. She has forwarded information to support the complaint and the Code Enforcement Officer is investigating it.

C. Construction in Ocean Ridge Subdivision Adjacent to the Sea Oaks Subdivision

The Sea Oaks Homeowners' Association complained about workers accessing a building site in Ocean Ridge from Sea Oaks and cutting down trees. The complaint was forwarded to the Code Enforcement Inspector, who met with the contractor to require that access to the site be from Ocean Ridge and not from Sea Oaks.

D. Drainage Concern

A resident was concerned about whether the construction of a new house in the Ocean Oaks subdivision would cause rain run off onto his property. The Building Official and Public Works Director are addressing the complaint.

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. A possible solution may be for the City to construct the road and charge the property owners a special assessment in accordance with the long-standing policy that adjacent property owners must pay the cost of a new road that will benefit their properties. The Commission will discuss this topic at its September 14th meeting.

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. However, because of the pandemic, the search for funding for this project will be suspended at this time.

B. Beach Matters

1) Off-Beach Parking

As the City Commission has decided not to have paid parking in the City, the focus concerning off-beach parking has shifted to improving the City's existing rights-of-way and plazas to improve the rights-of-way and areas where people can park. At its March 2, 2020, meeting, the Commission reviewed a report prepared by the Public Works Director of City-owned streets and plazas where parking improvements could be made. The Public Works Director and the City Manager asked the Tourist Development Council at its March 16th meeting for funding to improve three parking areas. However, as one TDC member said, revenue from the bed tax will likely decline significantly because of the coronavirus pandemic and the City is not likely to receive at this time any bed tax funds for the improvements. Possibly, road impact fees may be used for improving the right-of-way of certain streets for visitor parking.

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 and from a Federal grant from the National Oceanic and Atmospheric Administration. The City was told in March that the latter grant application had been approved for submission. The master plan for improvements to the Park will be reviewed by the Commission at its October 5, 2020, regular meeting.

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 Land Development Regulations

The next change is to the Regulations was an ordinance for dune protection, which was passed on first reading at the Commission's February 3rd meeting and had its first public hearing at the March 2nd meeting, when it was passed on second reading. Its second public hearing and final reading were held at the Commission's April 29th meeting, because the April 6th meeting was postponed because of the pandemic.

Another change was to allow emotional support animals. It was reviewed by the Commission at its March 2nd meeting. At its May 4th regular meeting the Commission reviewed the Building Official's proposals to allow such animals by conditional use permit. However, as the Commission didn't approve the proposal, the current restrictions will remain in place.

Another change is to delineate the boundaries of the mixed-use district along A1A Beach Boulevard. At its June 1st meeting, the Commission passed on first reading the ordinance to delineate the boundaries. The ordinance had its first public hearing at the Commission's July 6th meeting, when it was passed on second reading. It had its second public hearing and final reading at the Commission's August 3rd meeting.

Also, at the August 3rd meeting, the Building Official proposed an ordinance to the Regulations to provide provisions for access to private property from dead end streets. The Commission passed the ordinance on first reading. It will have its first public hearing and second reading at the Commission's September 14th meeting.

The Building Department staff is now development amendments to the Regulations to implement the policies in the Comprehensive Plan, which was accepted by the state two months ago.

3. Construction in the City

As of Wednesday August 31, 2020, there were 30 permits active for single-family residences in the City.

| SUBDIVISION | ADDRESS | DATE PERMIT ISSUED | |
|---|---|---|---|
| **Anastasia Dunes** | 1004 Island Way | 02/04/2020 | Active permit #P2000359 |
| **Atlantic Beach** | 12 13th Street | 09/09/2019 | Active permit #P1915242 |
| **Chautauqua Beach** | 15 6th Street | 12/24/2019 | Active permit #P2000023 |
| | 206 7th Street | 07/03/2019 | Active permit #P1914954 |
| | 114 7th Street | 06/19/2020 | Active permit #P2001112 |
| | 10S 8th Street | 07/17/2020 | Active permit #P2001163 |
| | 202 A Street | 08/14/2020 | Active permit #P2001396 |
| | 522 A Street | 08/18/2020 | Active permit #P2000944 |
| **Coquina Gables** | 6 F 5treet | 11/14/2018 | Active permit #14270 |
| | 613 Mariposa 5treet | 12/20/2019 | Active permit #P2000091 |
| **Ocean Oaks** | 504 A Street | 11/26/2019 | Active permit #P2000099 |
| **Ocean Walk** | 47 Lee Drive | 2/19/2020 | Active permit #P2000574 |

| | | | |
|---|---|---|---|
| **Sandpiper West** | 103 Sandpiper Boulevard | 02/04/2019 | Active permit #14404 |
| **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 |
| **Sevilla Gardens** | 24 Ewing Street | 07/17/2020 | Active permit #P2001260 |
| **Spanish Oaks** | 104 Spanish Oaks Lane | 04/02/2020 | Active permit #P2000692 |
| | 101 Spanish Oaks Lane | 06/15/2020 | Active permit #P2000766 |
| **The Ridge** | 542 Ridgeway Road | 04/25/2019 | Active permit #P1914613 |
| | 23 High Dune Drive | 06/21/2019 | Active permit #P1914906 |
| | 420 Ridgeway Road | 09/13/2019 | Active permit #P1915279 |
| | 196 Ridgeway Road | 01/03/2020 | Active permit #P2000430 |
| | 113 Ridgeway Road | 01/27/2020 | Active permit #P2000220 |
| | 352 Ridgeway Road | 02/06/2020 | Active permit #P2000586 |
| | 340 Ridgeway Road | 02/24/2020 | Active permit #P2000684 |
| | 77 High Dune Drive | 02/27/2020 | Active permit #P2000615 |
| | 378 Ridgeway Road | 05/21/2020 | Active permit #P2000955 |
| | 212 Ridgeway Road | 06/30/2020 | Active permit #P2001167 |
| | 182 Ridgeway Road | 07/17/2020 | Active permit #P2001227 |

Underlined addresses are 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. Plans have been approved though building permit hasn't yet been issued.

4. Finance and Budget

A. Fiscal Year 2020 Budget

July 31, 2020, marked the end of the tenth month of the fiscal year. As of that date, for the General Fund, the City had received $5,539,050 and spent $5,450,992 for a surplus of $88,058. For the remaining two months of the fiscal year, there will be no surplus, which will require the City to use savings to pay operational expenses. However, at the end of July 2019, there was no surplus. The City had to take $157,736 from savings. In terms of percentages, 71.3% of the projected General Fund revenues had been received by the end of July 2020 while 70.2% of the projected expenditures had been spent. Property taxes continue to be the City's chief revenue source. As of the end of July, $3,161,168 had been received. At the end of July 2019, the amount received from property taxes was $2,982,163, or $179,005 less than at the end of July 2020. The current fiscal year will end on September 30, 2020.

ON A RELATED MATTER: It concerns the effect of the coronavirus pandemic on revenue, such as sales taxes, that the City receives from the State. Because money from sources will decline, the City has curtailed spending and not undertaken any new projects.

B. Fiscal Year 2021 Budget

The City Commission held a special meeting on Monday, July 27th, to review the proposed budget and set the tentative millage for FY 21. The Commission made no changes to the budget, set the tentative millage at 2.6000 mills, and scheduled the first public hearing for the budget on Monday, September 14th at 5:01 p.m. The second and final public hearing is scheduled for Monday, September 21st, at 5:00 p.m. The Commission at its July special meeting also approved the proposal from the Florida Municipal Insurance Trust for employee health insurance for FY 21, a decision that will save $60,000.

C. Vendor Checks

Please see pages 27-50.

5. Miscellaneous

A. Permits for Upcoming Events

The City Manager did not approve any permits in August.

B. Strategic Plan

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 reviewed the proposed plan at its January 14th continuation meeting, provided comments and asked that the plan be submitted for another review at the City Commission's April 6th meeting. However, because of the need to shorten the Commission meetings because of the pandemic, review of the strategic plan will be postponed for the time being.

# City of St. Augustine Beach Building and Zoning Department

**TO:** Max Royle

**FROM:** Brian Law

**SUBJECT:** Building and Zoning Department Monthly Report

**DATE:** 8-26-2020

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**Trees:**

1) Removal of oak tree at S02 Ocean Mist Court hazardous to structure, 7/30/2020
2) Removal of oak tree at 1116 Overdale Road hazardous to structure, 8/5/2020
3) Removal of oak tree at 29 Atlantic Oaks Circle hazardous to structure, 8/19/2020

**Planning and Zoning Board: Regular Monthly Meeting Held 8-25-2020**

1) Planning and Zoning Board approved a request to remove a 60-inch diameter-at-breast (DBH) oak tree in the building footprint of proposed new construction of a single-family residence in a low density residential land use district on Lot 35, Block 1, Woodland Estates Unit 2, at 2 Quail Court.
2) Planning and Zoning Board recommended the City Commission approve final passage of Ordinance No. 20-XX, to amend Section 6.02.03, Rights-of-way, of the City's Land Development Regulations to establish a permitting process for right-of-way permits for the protection, use, vacation and regulation of City rights-of-way.
3) Planning and Zoning Board rescheduled its regular monthly meeting date of October 20, 2020 to October 13, 2020, due to use of the City Hall meeting room October 19-31, 2020 for early voting for the November 3, 2020 general election.

**Code Enforcement: Next Meeting Scheduled September 23, 2020 (Pending)**

1) Code Enforcement addressed complaints and alleged violations including the illegal parking of recreational vehicles, commercial dumpsters, and transient lodging establishments alleged to be in violation of Section 3.09.00, Transient lodging establishments within medium density land use districts, of the City's Land Development Regulations.
2) Code Enforcement inspections for annual transient rental license business tax receipt renewals, which expire September 30, 2020, have commenced and are in progress.

**Building:**

1) Redevelopment of new donut shop on the site of the former Carriage Realty building at 400 A1A Beach Boulevard is energized and in the finishing stages of construction.

2) **Corral Dental Facility at 2100 A1A South is currently in the sheet rock phase, however, interior work has been suspended by the contractor. Exterior site work appears to be complete.**
3) **The concrete slab has been placed at Jack's Barbeque located at 681 A1A Beach Boulevard as per the mixed use development order issued for the new micro-brewery. Work has been temporarily halted.**
4) **Building permit has been issued the lateral addition of the Savage Swimwear building at 3930 A1A South.**
5) **Plan review for the Embassy Suites is in second review by the Building Department and the plans approved by the St. Johns County Fire Department.**

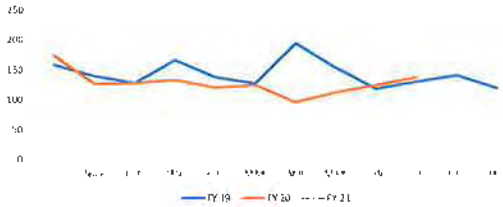
**Certificates issued in FY 20: 45 Certificates of Occupancy and 934 Certificates of Completion**

# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

**# OF PERMITS ISSUED**

| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | 158 | 174 | |
| NOV | 140 | 177 | |
| DEC | 129 | 129 | |
| JAN | 167 | 134 | |
| FEB | 139 | 122 | |
| MAR | 129 | 126 | |
| APR | 195 | 98 | |
| MAY | 155 | 114 | |
| JUN | 120 | 126 | |
| JUL | 132 | 139 | |
| AUG | 143 | | |
| SEP | 122 | | |
| TOTAL | 1729 | 1289 | |

# OF PERMITS ISSUED




**# OF INSPECTIONS PERFORMED**

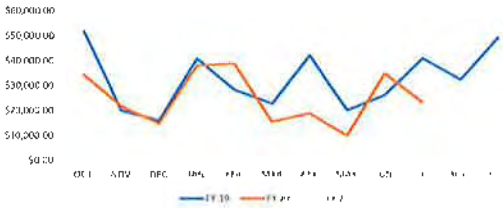
| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | 424 | 288 | |
| NOV | 255 | 341 | |
| DEC | 262 | 272 | |
| JAN | 426 | 381 | |
| FEB | 334 | 345 | |
| MAR | 377 | 292 | |
| APR | 306 | 225 | |
| MAY | 308 | 276 | |
| JUN | 288 | 264 | |
| JUL | 312 | 239 | |
| AUG | 275 | | |
| SEP | 250 | | |
| TOTAL | 3817 | 2933 | |

# OF INSPECTIONS PERFORMED

**BUILDING PERMIT FEE REPORT**

| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | $51,655.01 | $34,277.62 | |
| NOV | $20,192.42 | $21,844.58 | |
| DEC | $16,104.22 | $14,818.54 | |
| JAN | $40,915.31 | $37,993.58 | |
| FEB | $28,526.70 | $38,761.13 | |
| MAR | $22,978.53 | $15,656.80 | |
| APR | $42,292.91 | $19,092.61 | |
| MAY | $70,391.12 | $10,194.02 | |
| JUN | $26,445.26 | $34,939.40 | |
| JUL | $41,120.86 | $23,555.36 | |
| AUG | $32,714.82 | | |
| SEP | $49,543.66 | | |
| TOTAL | $392,880.87 | $251,143.64 | |

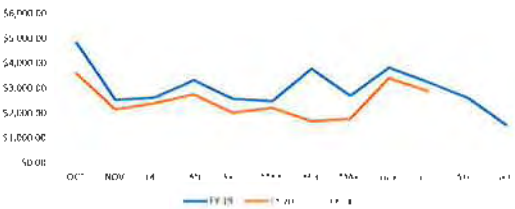
BUILDING PERMIT FEE GRAPH




**MECHANICAL PERMIT FEE REPORT**

| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | $4,819.09 | $3,593.67 | |
| NOV | $2,541.44 | $2,160.00 | |
| DEC | $2,633.64 | $2,409.67 | |
| JAN | $3,338.69 | $2,768.47 | |
| FEB | $7,601.00 | $2,044.08 | |
| MAR | $2,515.33 | $2,237.73 | |
| APR | $3,801.26 | $1,716.00 | |
| MAY | $2,736.33 | $1,809.00 | |
| JUN | $3,844.54 | $3,417.00 | |
| JUL | $3,786.00 | $2,917.93 | |
| AUG | $2,663.49 | | |
| SEP | $1,579.42 | | |
| TOTAL | $36,360.23 | $25,073.50 | |

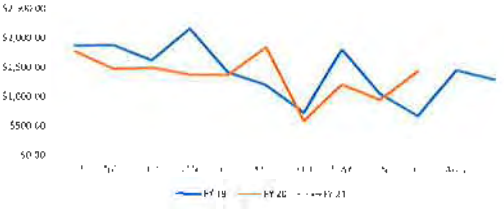
MECHANICAL PERMIT FEE GRAPH




**ELECTRICAL PERMIT FEE REPORT**

| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | $1,860.32 | $1,765.00 | |
| NOV | $1,872.66 | $1,475.00 | |
| DEC | $1,672.32 | $1,495.00 | |
| JAN | $2,151.66 | $1,380.00 | |
| FEB | $1,429.32 | $1,375.00 | |
| MAR | $1,203.33 | $1,843.00 | |
| APR | $743.00 | $600.00 | |
| MAY | $1,805.00 | $1,215.00 | |
| JUN | $1,065.00 | $955.00 | |
| JUL | $690.00 | $1,443.00 | |
| AUG | $1,460.00 | | |
| SEP | $1,310.00 | | |
| TOTAL | $17,208.61 | $13,546.00 | |

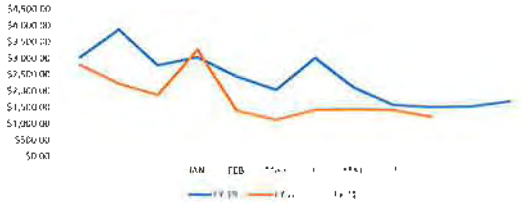
ELECTRICAL PERMIT FEE GRAPH




**PLUMBING PERMIT FEE REPORT**

| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | $3,016.37 | $2,766.00 | |
| NOV | $3,867.41 | $2,221.00 | |
| DEC | $2,783.10 | $1,869.00 | |
| JAN | $3,031.40 | $3,256.00 | |
| FEB | $2,440.44 | $1,395.00 | |
| MAR | $2,037.24 | $1,125.00 | |
| APR | $3,015.00 | $1,430.00 | |
| MAY | $2,110.00 | $1,459.00 | |
| JUN | $1,590.00 | $1,432.00 | |
| JUL | $1,575.00 | $1,218.00 | |
| AUG | $1,550.00 | | |
| SEP | $1,706.00 | | |
| TOTAL | $28,671.96 | $18,191.00 | |

PLUMBING PERMIT FEE GRAPH



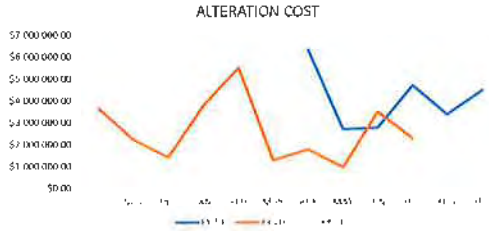
# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ALTERATION COST

| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | | $3,657,414.56 | |
| NOV | | $2,241,421.52 | |
| DEC | | $1,449,915.40 | |
| JAN | | $3,789,363.81 | |
| FEB | | $5,519,900.00 | |
| MAR | | $1,321,570.04 | |
| APR | $6,338,617.35 | $1,803,157.19 | |
| MAY | $2,733,410.75 | $1,003,140.58 | |
| JUN | $2,792,442.43 | $3,519,844.50 | |
| JUL | $4,717,293.00 | $2,300,478.87 | |
| AUG | $3,393,250.74 | | |
| SEP | $4,507,737.61 | | |
| TOTAL | $24,475,751.90 | $26,607,206.47 | |

STATE SURCHARGE PERMIT FEE REPORT

| | FY 19 | FY 20 | FY 21 |
|---|---|---|---|
| OCT | | $1,247.45 | |
| NOV | | $845.65 | |
| DEC | | $569.37 | |
| JAN | | $1,277.63 | |
| FEB | | $1,079.31 | |
| MAR | | $623.46 | |
| APR | | $666.54 | |
| MAY | $881.45 | $537.83 | |
| JUN | $977.50 | $1,093.07 | |
| JUL | $1,230.25 | $928.44 | |
| AUG | $1,141.48 | | |
| SEP | $1,303.66 | | |
| TOTAL | $5,529.38 | $8,868.70 | |



# MINUTES

## PLANNING AND ZONING BOARD MEETING
## TUESDAY, JULY 21, 2020 6:00 P.M.
## CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

### I. CALL TO ORDER

Chairperson Kevin Kincaid called the meeting to order at 6:00 p.m.

### II. PLEDGE OF ALLEGIANCE

### III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice-Chairperson Berta Odom, Larry Einheuser, Hester Longstreet, Dennis King, Steve Mitherz, Chris Pranis, Junior Alternate John Tisdall.

BOARD MEMBERS ABSENT: Senior Alternate Victor Sarris.

STAFF PRESENT: Building Official Brian Law, City Attorney Lex Taylor, Executive Assistant Bonnie Miller, Recording Secretary Lacey Pierotti, Crime Prevention Officer Ed Martinez.

### IV. APPROVAL OF MINUTES OF PLANNING AND ZONING BOARD MEETING OF JUNE 16, 2020

**Motion:** to approve the minutes of the June 16, 2020 meeting. **Moved** by Ms. Odom, **seconded** by Mr. Mitherz, **passed 7-0** by unanimous voice-vote.

### V. PUBLIC COMMENT

There was no public comment pertaining to anything not related to an agenda item.

### VI. NEW BUSINESS

A. Request to remove a 32-inch diameter-at-breast height (DBH) oak tree in the building footprint of proposed new construction of a single-family residence and a 30-inch DBH oak tree in the pool/pool deck footprint on Lot 47, Ridge at St. Augustine Beach, at 339 Ridgeway Road, Riverside Homes of North Florida Inc., Applicant

Mr. Law said the request to remove the two trees highlighted on the survey is for new single-family construction on Lot 47 in the Ridge, at 339 Ridgeway Road. Riverside Homes, the contractor for this project, has verified that these two trees are 30-inches DBH or larger, and both are clearly in the building footprint of the proposed house and pool area, and there's no way to shift the house or pool around to save these trees. City Code is very specific that if a tree is located in an area where a structure or improvement may be placed in accordance with other development provisions in the Code, and retention of the tree is such that no reasonable economic use can be made of the property without removal of the tree, removal of the tree is completely authorized, and the property owner has every right to ask that the tree or trees be removed in order to develop his or her property.

Mr. Kincaid asked if there are any questions from the Board, or if anyone needs to hear from the applicant.

Ms. Longstreet said specifically in the Ridge, flexible setbacks are allowed to save trees, so she asked if the applicant has made any attempt to move the house to try to save these trees.

Mr. Law said a blanket variance was granted for flexible setbacks to save trees in the Ridge a few years ago, and this was such a good idea it was later adopted in the Land Development Regulations (LDRs) to apply to all single-family residential lots in the City. Unfortunately, however, there is no way to move the house to save the two trees requested for removal and still comply with the minimum 25-foot front and rear and 10-foot side setbacks.

Mr. Pranis asked if the pool could be moved around to avoid taking out the tree in the pool area.

Mr. Law said any which way the pool area could be moved, the tree would still be in the way of the pool deck and the root system would most likely be compromised by the excavators digging the hole for the pool. The tree would eventually uproot and cut through the pool and deck pavers and potentially breach the wall of the pool.

**Motion:** to approve the removals of a 32-inch DBH oak tree and a 30-inch DBH oak tree as requested for new construction of a single-family residence and pool on Lot 47, Ridge at St. Augustine Beach, at 339 Ridgeway Road. **Moved** by Ms. Odom, **seconded** by Mr. Mitherz, **passed 7-0** by the Board by unanimous voice-vote.

B. Land Use Variance File Nos. VAR 2020-07 and VAR 2020-08, for reduction of minimum 25-foot front and rear yard setback requirements to 20 feet each and reduction of minimum 10-foot east side yard setback requirements to five feet each for proposed new construction of a two-story, single-family residence on each of Lots 15 and 16, Block 18, Chautauqua Beach Subdivision, in a medium density residential land use district at 130 4th Street and 129 5th Street, Eric R. Kenney, Applicant

Ms. Miller said these two variance applications were put on the agenda together as one item, as they both request the same thing, setback reductions for new construction of a single-family home on two adjacent lots, Lots 15 and 16, Block 18, Chautauqua Beach Subdivision, at 130 4th Street and 129 5th Street. These are two corner lots with 2nd Avenue adjacent to the west side of each lot. Both lots have a permanent drainage easement granted to the City of St. Augustine Beach for ingress, egress and public utilities over and across the most westerly 15 feet of each lot. These lots qualify as small-platted lots in the overlay district, because they were originally platted as 50-foot-by-93-foot lots, but the overlay district setbacks for small platted lots would not help in this case because of the 15-foot easement, which cannot be reduced, on the west sides of both lots. The applicant is therefore requesting a variance for each lot and asking for side setback reductions to five feet on the east sides of both lots, and 20-foot front and rear setbacks, which are the front and rear setbacks allowed for small-platted lots in the overlay district. With the 15-foot easement on the west side of both lots and a five-foot setback on the east side, the houses built on these lots will have a combined total of 20 feet for the side setbacks, which is more than the combined total of 15 feet, or 7.5 feet on each side, that is allowed for small-platted lots in the overlay district.

Mr. Mitherz asked for clarification on the small-platted and standard-platted lots in the overlay district, and what the difference is between these two types of lots. He also asked why the 7.5 feet of the vacated alley adjacent to the rear of each of these lots is not included as part of the total square footage of the lots. The LDRs define small-platted lots as having a maximum lot size of 4,650-square feet, so with the additional square footage of the vacated alley, the lots for which the variances are requested are 5,000-square feet, which to him make them standard-platted lots, defined per the LDRs as lots that are greater than 4,650 square feet, not small-platted lots.

Ms. Miller said the 7.5 feet of the vacated alley is not included because the small-platted lots are considered as the originally platted 50-foot-by-93-foot lots. It has been the City Commission's interpretation that even if alleys behind such lots have been vacated, they still qualify as small-platted lots, as vacating an alley does not change the way the lot was originally platted. The 7.5-foot portion of the vacated alley is like the 15-foot permanent easement, as nothing can be built in the vacated portion of an alley, but it can be used for setback requirements.

Mr. Law said the current overlay district regulations were created a few years ago when the City hired the consulting firm with Lindsay Haga to revise the LDRs. The key thing to remember with the small-platted lots is that they were originally platted as 50-foot-by-93-foot lots, so any alley behind these lots, whether it's been vacated or not, was not platted with the lot, but given to the adjacent properties owners if it was vacated based on the City no longer having any need for it. This came up and was discussed in great detail by the City Commission, which determined that the residential lots specified in the overlay district are the platted lots themselves. These lots for which the variance applications have been submitted are unique, however, due to the 15-foot permanent easement on the westerly side of each lot, so the reduced setbacks allowed in the overlay district for small-platted lots wouldn't work. The applicant is requesting variances for reduction of the east side setback on both lots to five feet, so the lots will still have a combined total of 20 feet in side yard setbacks with the 15-foot easement on the west side and a five-foot setback on the east side. This combination of 20 feet total for side setbacks is the same as what is allowed per the LDRs for flexible setbacks to save trees on residential lots. Construction will still be subject to all the other regulations in the LDRs for medium density residential, including maximum lot coverage of 35 percent and maximum total impervious surface ratio (ISR) coverage of 50 percent.

Mr. Kincaid said the flexible setbacks allowed to save trees require a total of 20 feet for combined side yard setbacks, and a minimum of 15 feet between adjacent structures. He asked if there will be a minimum of 15 feet between adjacent structures if the variances are granted to allow five-foot east side setbacks on these lots.

Mr. Law said the lots to the east of both of these lots qualify as small-platted lots in the overlay district, and the same applicant, Mr. Kenney, is applying for reduced overlay district side setbacks on these lots to 7.5 feet, so if these two variances are granted, there will be 12.5 feet between buildings. Reducing the east side yard setbacks of Lots 15 and 16 to five feet does not violate anything in the Florida Building Code regarding fire separation.

Mr. Kincaid said the minimum combined total for front and rear setbacks to save trees is 50 feet, but if the variances for Lots 15 and 16 are granted, there would be a combined total of 40 feet for front and rear setbacks. He sees the hardship with this, with the 15-foot permanent easement that limits what can be built on these lots.

Mr. King asked if the applicant will be limited to building only two-story homes on these lots, if the variances are granted.

Mr. Law said he'd say yes, as the supplemental information submitted with the variance applications show possible examples of two-story homes. If the applicant wanted to build a three-story home and the variance applications are approved for two-story homes, he'd say a three-story house wouldn't comply with the approval order of this Board. He doesn't want to get into the architectural details, because he doesn't even know if they have the legal authority to do that, but the supporting documentation submitted with the variance applications definitely show two-story houses, so this can be made a condition for approving the variances.

Mr. Taylor said the Board has the authority to include this as a condition of approval, or not.

Eric Kenney, 6 Oceanside Drive, St. Augustine Beach, Florida, 32080, applicant, said he had two possible sets of plans designed for the homes he'd like to build on these lots, one of which is 30-feet-wide-by-56-feet-deep, and a second design which is 30-feet-wide-by-51-feet deep. Both of these designs are well within the requested 20-foot front and rear setbacks, and the 30-foot widths will fit on the 50-foot-wide lots with the 15-foot street side setbacks required on the west side with the permanent easement and five-foot setbacks on the east sides of the lots. He only wants to build two-story houses, so he's fine with this as a condition for approval.

Mr. Kincaid suggested the Board table the motion and not vote on the variance applications for these two lots until the Board reviews the next agenda item, as what the applicant is requesting for the four lots adjacent to the east ties into what he's requesting in these variance applications. He motioned to table the variance applications until the Board goes through the application for the next agenda item, and then the Board can address these applications all at the same time. Unless he's missing something, it appears to him that they are all sort of

dependent upon each other, as they're building almost an entire neighborhood here. If they haven't discussed the second part of this yet, he's a little confused as to where the Board wants to go with the first part.

Mr. Law said the next application is actually an overlay district application, not a variance, for the next four lots adjacent and to the east of the two lots for which the variances are requested. Reduced setbacks and regulations for the overlay district are allowed per City Code, subject to the Board's review for compliance to the Code.

Mr. Taylor said as a point of procedural information, the Board can table the variance applications and move on to the next application on the agenda, but they do need to be voted on separately, as they are separate applications. All the Board has to do is table the variance applications, discuss the second application on the agenda, and then bring the first applications, which are the variances, off the table for a motion and vote.

Mr. Kincaid said that's what he'd like to do. He asked for public comment.

Dan Jung, 10 Linda Mar Drive, St. Augustine Beach, Florida, 32080, said he reviewed the proposed house plans, thinks aesthetically, they'd look nice in this area. If the homes can be kept to a two-story level, and not three stories, he thinks most people will be pretty happy with them, but what's built needs to be consistent, as he wouldn't like to see a two-story house on one lot and a three-story house next door. He's a licensed contractor in the construction industry for over 30 years, and he'd like to see the Board give the applicant a fair shake on this.

Mr. Kincaid said if there is no objection, the Board will table the applicant's variance applications and bring this agenda item back up after they've heard the application for the next agenda item.

C. Overlay District File No. OD 2020-01, for overlay district setbacks of minimum 20-foot front and rear yard setback requirements and minimum 7.5-foot side yard setback requirements for proposed new construction of a two-story, single-family residence on each of four lots, Lots 11, 12, 13, and 14, Block 18, Chautauqua Beach Subdivision, in a medium density residential land use district at 122 4th Street, 121 5th Street, 126 4th Street, and 125 5th Street, Eric R. Kenney, Applicant

Ms. Miller said this is an overlay district application filed by the same applicant, Mr. Eric Kenney, who submitted the variance applications that were just tabled. This application is for Lots 11, 12, 13, and 14, Block 18, Chautauqua Beach Subdivision, addressed as 122 14th Street, 121 5th Street, 126 4th Street, and 125 5th Street, respectively, which are also small-platted lots per the overlay district regulations in Section 3.08.00 of the City's LDRs. Unlike a variance, demonstration of a hardship is not required for overlay district reduced setbacks, as this section of the Code says overlay district applications shall be approved by this Board upon review and determination that the application complies with the regulations for overlay district development per Section 3.08.00. The applicant requests the reduced setbacks allowed for construction on the small-platted lots in the overlay district, which are a minimum of 20 feet for front and rear yard setbacks and a minimum of 7.5 feet for side yard setbacks.

Eric Kenney, 6 Oceanside Drive, St. Augustine Beach, Florida, 32080, applicant, said going back to the previous variance applications, if it wasn't for the 15-foot easement on the westerly sides of these lots, he'd be including those two lots in this overlay district application. Because of the 15-foot easement, however, he's requesting variances for the two most westerly lots, and on these other four lots, he's applying for reduced overlay district setbacks for small-platted lots as allowed per City Code. He has different possible house plans along the same lines as those presented for the variance applications, and again, the plans are for two-story homes approximately 28.5 feet in height, 35-feet wide and ranging in depth from 48 feet to 56 feet, with square footage totals from 2128 square feet to 2501 square feet. These plans were specifically designed for the size of these lots with the overlay district setbacks of 20 feet front and rear and 7.5 on sides, subject to this Board's review and approval.

Ms. Longstreet asked if the 28.5-foot height of the proposed homes is dependent on the pitch of the roof, and if the applicant knows if any fill dirt will have to be added to any of the lots he's proposing to build these houses on.

Mr. Kenney said these houses are already fully designed, and the lots are flat. He thinks Ms. Longstreet's question is where the 28.5-foot height measurement starts, and on at least two of the lots, the elevation is such that about 1.5 feet to 2.5 feet of fill dirt will be required. It's Mr. Law's call as to at what elevation the height measurement begins, but he's not asking to put 20 feet of dirt on the lots and then start measuring the height from there.

Mr. Law said similar to what was done to the development of the lots north of the Courtyard by Marriott, he will authorize one clearance permit to sculpt the elevation of the six lots Mr. Kenney is applying to develop, to maintain positive drainage. This is a very simple development, and he believes there is a series of catch basins adjacent to the two most westerly lots, so staff will be working with the Public Works Director, Mr. Tredik, on the drainage. To answer Ms. Longstreet's questions, the single-family homes built on these lots will not breach the City's 35-foot height maximum. Mr. Kenney will be paving part of the westerly portion of 4th Street in order to provide access to the lots, prior to energization, with the Public Works Department, as this portion of 4th Street was never paved. The County Fire Department will be involved with this as well, to ensure there is fire truck accessibility.

Mr. Kincaid said it's his understanding that the Board is required to approve overlay district applications that clearly meet the regulations and requirements set forth in City Code, and if there is nothing contrary to the Code.

Mr. Law said yes, the Code is very clear that if an overlay district application complies with the intent of the overlay district regulations, the Board must approve it, unless it is deemed that there is nonconformance to the Code.

Mr. Kincaid said as far as he can tell, everything Mr. Kenney is asking to do on these lots is allowed per City Code for small-platted lots within the overlay district. He asked if the Board can approve this application with the condition that the homes built on these lots be limited to two stories, as they've proposed doing for the approval of the variance applications for reduced setbacks for the two lots with the 15-foot easement on their west sides.

Mr. Law said there are restrictions on three-story buildings in the beachside medium density overlay district, which is in the medium density residential land use district on the east side of A1A Beach Boulevard, but for small-platted lots on the west side of the Boulevard, there is no provision prohibiting three-story buildings. With variances, however, the Board is well within its rights to put any conditions the Board sees fit as part of the Board's approval.

**Motion:** to approve Overlay District File No. OD 2020-01, for overlay district minimum setback requirements of 20 feet front and rear and 7.5 feet sides for proposed new construction of a single-family residence on each of four lots, Lots 11, 12, 13, and 14, Block 1B, Chautauqua Beach Subdivision, in a medium density residential land use district at 122 4th Street, 121 5th Street, 126 4th Street, and 125 5th Street. **Moved** by Mr. Kincaid, **seconded** by Mr. Mitherz, **passed 7-0** by unanimous voice-vote.

Mr. Kincaid said if there are no objections, he'll now move to bring the tabled variance applications back up for discussion. The requested variances for 20-foot front and rear setbacks will put the houses built on these lots in line with the lots just approved for the same overlay district setbacks, and just a little closer to the houses on the east sides, as the variances request five-foot side setbacks on the east sides of Lots 15 and 16. For the record, the demonstrated hardship is the 15-foot permanent easement on the westerly side of both lots. The statement on the applications stating the applicant is asking for the previous setbacks allowed before the setbacks were changed can't be the hardship, as this basically puts the Board in a bad position, because the Board can't do anything about the current setbacks, this is something that needs to be brought back up to the City Commission. The 15-foot easement on the westerly sides of these lots actually qualifies as a hardship, however, because this permanent easement can't be moved and nothing can be built within it, making it difficult for the owner to use his property.

Ms. Longstreet suggested the roof pitch remain the same as shown on the conceptual house plans submitted by the applicant as part of the variance applications.

**Motion:** to approve Land Use Variance File Nos. VAR 2020-07 and VAR 2020-08 as requested for reduction of front and rear minimum setbacks to 20 feet each and reduction of minimum east side setbacks to five feet each

for proposed new construction of a two-story, single-family residence on each of Lots 15 and 16, Block 18, Chautauqua Beach Subdivision, in a medium density residential land use district at 130 4th Street and 129 5th Street, subject to the conditions that the new single-family residences be limited to two stories in height and the roof pitch for each shall be consistent with the conceptual house plans submitted as part of the applications. **Moved** by Ms. Odom, **seconded** by Mr. Einheuser, **passed 6-1** by voice-vote, with Mr. Mitherz dissenting.

D. Overlay District File No. OD 2020-02, for overlay district setbacks of minimum 20-foot front and rear yard setback requirements and minimum 7.5-foot side yard setback requirements for proposed new construction of a two-story, single-family residence on Lot 1, Block 33, Chautauqua Beach Subdivision, at 202 A 5treet, Richard Mottola and Mark Nugent, Agents for Centerpoint Homes LLC, Applicant

Ms. Miller said this an overlay district application for a lot at 202 A Street adjacent to the City plaza on the corner of A Street and 2nd Avenue. This lot is also an originally platted 50-foot-by-93-foot lot, and the applicant is applying for reduced overlay district setbacks of 20 feet front and rear and 7.5 on each side to build a new two-story single-family residence in conformance to all overlay district regulations for small-platted lots per Section 3.08.00 of the City's LDRs. The 15-foot-wide alley behind this lot has been vacated.

Mr. Law said height of the building at this point is not relevant as long as it complies with the height regulations per City Code, and the applicant is requesting the reduced overlay district setbacks of 20 feet front and rear and 7.5 feet on each side for small-platted lots. At this point, based on what was submitted, he sees nothing that is not in compliance with the overlay district regulations per Section 3.08.00 of the LDRs, but he advised everyone to keep in mind that this is a medium density residential property, so all new development will also have to comply with medium density regulations per the LDRs. The building permit application was submitted for the single-family home the applicant proposes to build on this lot without the contractor knowing it was not in compliance with the current setbacks, as this same contractor built a house across the street and a little further to the west on A Street prior to the setback changes that reverted the setbacks to a minimum of 25 feet and rear and 10 feet on the sides. The contractor was told to apply for overlay district setbacks for the design of the house to the previous minimum setbacks of 20 feet front and rear and 7.5 feet on sides, which is how they got here.

Rick Mottola, 307 Orchis Road, St. Augustine, Florida, 32086, agent for applicant, said the width of the house proposed on this lot is 34 feet, which is wider than the current minimum 10-foot side setbacks allow, so this is why they've applied for this overlay district application for reduced setbacks.

Mr. Mitherz said from the site plan submitted with the overlay district application, it looks like there are some trees that will be removed in the driveway of the proposed new home. Her asked if this will be a gravel driveway.

Mr. Mottola said it will actually be a paver driveway, and the trees that will be removed are mostly cabbage palms and non-protected trees.

Mr. Kincaid asked for public comment.

Denny Dean, 205 A Street, St. Augustine Beach, Florida, 32080, said he was a little confused about this application, because it seemed like it was for a variance, but as he understands now, it's an overlay district application, which does not require a hardship. He lives across the street from the lot at 202 A Street, and built his house 30 years ago, in 1990, so he's very familiar with A Street, which has a lot of traffic. Pushing houses closer to the street creates a lot of problems, he's seen a dog on a leash get run over because cars were going 40 miles per hour on it, and it also allows houses to be that much closer to the houses across the street. Also, most of the houses built on A Street were built with a 25-foot front setback, and he thinks it's important to keep the street line consistent.

Michel Cloward, 204 A Street, Unit A, St. Augustine Beach, Florida, 32080, said she and her husband have a four-year-old and a one-year-old, so sleep in their house is very important, and she has a huge concern with what's about to be built next door. She's grown to love the lot next door, as there are so many birds and wildlife there,

and having this vacant lot next door has been very peaceful for her family. She's very sorry to see it will no longer be a vacant lot, as she'll be sad to see all the trees go. With the request to build the new home with a 7.5-foot side setback, her bedroom window will be less than 20 feet away from this new house. She lives across the street from Mr. Dean, who just spoke, and shares the same concerns about danger from traffic that won't slow down.

Mr. Kincaid said he wants to remind everyone that because this is an overlay district application, the Board doesn't have the ability to say no if it meets all of the requirements for the overlay district per the LDRs, so the decision-making process he thinks some people are looking for may not be available as an option for the Board.

Mr. Law said Section 3.08.00.B.2 of the LDRs states, "The Comprehensive Planning and Zoning Board of the City shall be responsible for reviewing all applications. The Board shall be required to approve any and all applications that clearly meet the requirements set forth in this section."

Ms. Cloward asked if the rules changed after the houses that are already on A Street were built.

Mr. Law said several years ago, the setbacks were a minimum of 25 feet front and rear and 10 feet on the sides, but in 2013, the setbacks were reduced to a minimum of 20 feet front and rear and 7.5 feet on the sides. In 2018, the City Commission voted to return the setbacks to the original minimum 25 feet front and rear and 10 feet on the sides. The overlay district was adopted as part of the draft code of revisions to the LDRs, which the City spent serious resources to have done. Part of the problem with the 50-foot-by-93-foot lots is that if you follow the minimum 25-foot front and rear and 10-foot side setback requirements, buildings are basically limited to only 28 percent lot coverage. The Code allows a maximum of 35 percent lot coverage for residential buildings, so there was a discord in the Code, but in lieu of changing the Code for a blanket statement, lots platted before the adoption of the Code were incorporated in the overlay district which made them eligible for reduced setbacks per application, review and approval from this Board that the application meets the overlay district regulations.

Brian Del Rey, 203 1st Street, St. Augustine Beach, Florida, 32080, said he also thought this was a variance. His reason for being here is because he hopes if this lot is developed, it will be done to present standards. He presumes the pushback for the setbacks to go back to what they were originally was because people were getting fed up with the "McMansions" that were going up and disrupting neighborhoods and the nature around them. This lot is a beautiful lot, so he hopes what's built on it will be in line with all the other homes on A Street.

Cynthia Pennington, 203 A Street, St. Augustine Beach, Florida, 32080, said she thinks everyone was under the impression they were coming here tonight for a variance for 20-foot front and rear and 7.5-foot side setbacks, but as explained, this is an overlay district application, which is exempt from the conversation. She asked what the point was in putting a sign up on the lot when the application will be approved, regardless of what the public has to say about it. The request for a 20-foot front setback will put the house 20 feet back from the sidewalk, not the street, as there are sidewalks on the north side of A Street. This is what concerns her, because she thinks putting the house that much closer to the sidewalk in front of it is going to cause problems. She can see where this might fit on a different street, where there's not a ton of traffic going up and down as there is on A Street nowadays.

Chris Pennington, 203 A Street, St. Augustine Beach, Florida, 32080, said he and his wife have lived here for 20 years, and like how the politics are run here in the City, you just make a decision, and it's done. He has a concern with the drainage, as they have a terrible drainage problem in this area, and it's been a problem for years. Also, as his wife said, moving the house forward will put it that much closer to the sidewalk in front of it, so he advised City staff to approach the County to see if they will widen this sidewalk, and the Police Department needs to work on slowing traffic down on A Street. All the houses on A Street are uniform, as Mr. Dean said. No one else in the neighborhood has gotten a variance for reduced setbacks between properties, and it should stay this way.

Mr. Mottola said to address concerns about moving the house closer to the sidewalk in front, which is something he tends to agree with, there's plenty of room to move the house back, as it is not too incredibly long. He doesn't have a problem with moving it back five feet, so it has a 25-foot front setback that matches the other houses.

Sally Nichols, 115 15th Street, St. Augustine Beach, Florida, 32080, said she owns the property next door at 204 A Street, and having a house built 7.5 feet away from her property line is hard on the people who live there. She asked how this can be handled so her tenants can live in peace while this house is being built so close to them.

Mr. Kincaid said this Board only has the ability to regulate per the rules and regulations in the LDRs, and if an applicant is not proposing an exception or anything outside of these rules and regulations, and if the application meets all the requirements in the LDRs, the Board is required to approve an overlay district application.

Ms. Nichols asked if what Mr. Kincaid is saying is that looking to the future, changing the law or the code is the only way to change this.

Mr. Kincaid said he'd imagine there is always this option, yes.

David Kfoury, 339 Arricola Avenue, St. Augustine, Florida, 32080, said he's actually the next applicant up on the agenda, and thinks what they have here is a fundamental misunderstanding across the board with the misinterpretation of the rules. The way this should be is that if someone wants to build on a 50-foot-by-93-foot lot located within the overlay district, they should just have to submit an application to the Building Department for review and approval or denial at this level, without having to incur the cost of an application fee, making 14 copies of the application, plans, and other submittal documents, and having to appear before this Board. This would save the applicant time and money, save the time of the people who came to this meeting to speak, because their efforts are futile, and if they really have an issue, their only alternative is to petition the City Commission to try to get things changed. The way overlay district applications are currently handled is obsolete, in his opinion.

Mr. Law said as some of the Board members may recall, he did try to eliminate the overlay districts and install reduced setbacks for 50-foot-by-93-foot lots, but this was met with some resistance, so the City Commission ended up not taking action on it. Every effort was made to revise the current regulations to eliminate the overlay districts, but this did not get any traction, so the Commission was concerned about eliminating them. .

Mr. Mitherz thanked the applicant for volunteering to put the house back to the 25-foot front setback line. He thinks this was a very nice thing to do and it may help with some of the neighbors' concerns.

Ms. Longstreet said she thinks this is kind of necessary to maintain the uniform look of the properties. If all of the other properties on A Street have conformed to the normal setbacks, and one property is allowed to have a 20-foot front setback, it's going to look completely off. This street is dangerous, as everybody goes ridiculously over the speed limit and the speed ramps aren't slowing traffic down. She didn't even realize the overlay district actually extended as far as 2nd Avenue, but in any case, she thinks the front setback should be no less than 25 feet.

Mr. Kincaid said he doesn't think the Board can put any conditions on this, they need to either approve it or deny it. Without a reason to deny it, the Board is required to approve it.

Ms. Longstreet said she thinks the Board can put conditions on the approval, because aesthetically, the setbacks are not the norm, and what the applicant proposes to build does not go with everything else on the entire street.

Mr. Kincaid said the LDRs say if an application meets the rules and regulations for development in the overlay district, the Board has to approve it. The rules do not say anything about matching the other neighboring houses.

Ms. Longstreet asked if this application will go to the City Commission.

Mr. Law said no, this is a one-stop-shop-and-drop. If the application complies with the overlay district regulations, the Board is required by the LDRs to approve it. The applicant has voluntarily and verbally said he'd be more than happy to move the house back, but to the best of his understanding, and the City Attorney can back him up on this or tell him he's wrong, the Board has no authority to grant any specific conditions. If this were a variance or

conditional use application, yes, the Board could dictate the terms, but this is purely an overlay district application which the Board is charged with reviewing for conformance to the overlay district regulations per the LDRs.

Ms. Odom asked if it would be acceptable if the wording in the motion included the statement made by the applicant that he agreed to move the house back so that it would have a 25-foot front setback.

Mr. Law said he'll ask the City Attorney to weigh in on this, but he'd say no, because you can only enforce what the Code is. Staff has had nothing but good dealings with this builder, and he expects he'll honor his word.

Mr. Taylor said he would not advise the Board to do this, as he thinks it would be opening it up to legal issues.

**Motion:** to approve Overlay District File No. OD 2020-02, for overlay district minimum setback requirements of 20 feet front and rear and 7.5 feet sides for proposed new construction of a single-family residence on Lot 1, Block 33, Chautauqua Beach Subdivision, at 202 A Street. **Moved** by Mr. Kincaid, **seconded** by Ms. Odom, **passed 6-1** by voice-vote with Ms. Longstreet dissenting.

E. Overlay District File No. OD 2020-03, for overlay district setbacks of minimum 20-foot front and rear yard setback requirements and minimum 7.5-foot side yard setback requirements for proposed new construction of a two-story, single-family residence on Lot 13, Block 49, Coquina Gables Subdivision, at 314 B Street, David Kfoury, Agent for 904 Ventures LLC, Applicant

Ms. Miller said this application is also an overlay district application for a small-platted lot, Lot 13, Block 49, Chautauqua Beach Subdivision, at 314 B Street. The applicant is asking to build a two-story house with reduced overlay district setbacks of 20 feet front and rear and 7.5 feet on the sides.

Mr. Mitherz asked what the height of the proposed two-story residence will be.

David Kfoury, 339 Arricola Avenue, St. Augustine, Florida, 32080, agent for 904 Ventures LLC, applicant, said the height of the proposed single-family residence is 20 feet.

Mr. Kincaid asked if this overlay district application meets all of the overlay district requirements per the LDRs.

Mr. Law said yes, as far as he understands. He'd like to bring to the Board's attention that Mr. Kfoury has designed a house that is actually a little bit narrower than what the overlay district setbacks allow. The overhangs don't seem to be an issue and neither is the overall total height. As Mr. Kfoury stated, this proposed two-story house is in no jeopardy of breaching, or even coming close, to the 35-foot-maximum building height allowed in the City.

Mr. Kfoury said essentially, he's asking for a vote from the Board for something that has to be approved if it meets the overlay district regulations per City Code. The house he proposes to build is an 1,800-square-foot house, like many other houses of similar size 904 Ventures LLC has built many within the City limits, at 401 B Street, 403 B Street, 405 B Street, 400 C Street and 402 C Street, to name a few. None of these home exceed 1,800 square feet, and anytime his company builds west of A1A Beach Boulevard, they always try to maintain the integrity of the neighborhoods, save as many trees as possible and not build any three-story homes or homes that go up over 20 feet in height. Much like the other houses they've built on the west side of the Boulevard, this home will fit right in, and the lot has already been cleared, as there was previously a one-story home on it that straddled this lot and the corner lot next door to the west, addressed as 316 B Street, which has since been sold.

Mr. Kincaid asked for public comment. There was none.

**Motion:** to approve Overlay District File No. OD 2020-03, for overlay district minimum setback requirements of 20 feet front and rear and 7.5 feet sides for proposed new construction of a single-family residence on Lot 13, Block 49, Coquina Gables Subdivision, at 314 B Street. **Moved** by Ms. Odom, **seconded** by Mr. Pranis, **passed 7-0** by unanimous voice-vote.

F. Mixed Use File No. MU 2020-02, for post-permit modifications for parking reconfiguration and 1,117-square-foot ground floor wood deck and retention wall additions to Oceans Thirteen, a two-story mixed use building consisting of two commercial units on the first floor and two residential units on the second floor as approved per Mixed Use Order File No. MU 2017-01, in a commercial land use district in the mixed use district on Lots 62, 63, and 64, Atlantic Beach Subdivision, at 12 13th Street, Richard Thomas Marsh, Agent for Sunsation Real Estate LLC, Applicant

Mr. Law said the Board members were given copies of memorandums from the City's Public Works Director, Bill Tredik, which staff did not receive until 4:40 p.m. today, regarding Mr. Tredik's comments on the parking reconfiguration and his request for some landscaping, which will be discussed later on. The application is for post-permit modifications to a mixed use development approved by the Planning and Zoning Board in November 2017 for a mixed use building with two businesses on the first floor and two residential units on the second floor. There were some design issues with this property which included lowering the pitch of the roof to get it into compliance with the maximum building height, for which signed and sealed letters were provided to the City by surveyors and architects to verify the height of the building. During construction, staff noticed while driving by the rather large deck included as part of the post-permit modifications. This deck was not on the original plans submitted with the mixed use application approved by this Board in November 2017. The Board was also given copies of what was originally approved and plans for the post-permit modifications consisting of the deck, retaining wall and a revised parking plan, which was reviewed by St. Johns County Fire Department, which had no significant concerns with it.

Mr. Mitherz asked if all of the parking spaces for the mixed use building will be on 14th Lane.

Mr. Law said the revised parking plan has eight parking spaces and a handicap space on the north side adjacent to 14th Lane, and four parking spaces on the south side, off 13th Street. Public Works Director Bill Tredik is asking for a five-foot landscape buffer to be installed along the south and east sides of the northern parking lot.

Mr. Mitherz asked if the four parking spaces on the south side of the building are on the Oceans Thirteen property, or on the right-of-way.

Mr. Law said the four parking spaces on the south side adjacent to 13th Street are partially on the Oceans Thirteen property and partially on the City-owned right-of-way of 13th Street, which is why Mr. Tredik is involved in this. During the initial design phase approved by the Planning and Zoning Board in 2017, he believes there was a lot of discussion about the closeness of the Oceans Thirteen building to the duplex behind it. Architect Dave Mancino designed the Oceans Thirteen building for extensive fire-rating in compliance with the Florida Building Code. There also was an issue with the staircase on the north side of the building encroaching into the original parking site on the north side adjacent to 14th Lane, basically rendering it unworkable, so while the zoning review was approved by the Planning and Zoning Board, it was left to the Building Department to make the building and the parking work, which is part of the reason this application for post-permit modifications was required. Another reason is the front doors on the west side of the building facing the Boulevard swing out, which could be potentially dangerous for a wheelchair to transit across the handicap ramp from the one handicap parking space, and also navigate the columns coming down from the second-story in front of the building.

Ms. Longstreet asked why the front doors cannot swing in, instead of out. She also asked about the retaining wall, which wasn't part of the original approval of this building.

Mr. King asked if he is correct in saying that this deck is already built.

Mr. Law said traditionally, commercial doors swing out to provide better egress for getting out of the building. The retaining wall is part of the post-permit modifications, as a new structurally-engineered retaining wall will be put into place pending the Board's approval of this application. The deck was built without a permit, and a stop work order was posted on the deck about a month ago. The contractor was notified to cease and desist any further work on the deck. The interior work has been allowed to continue as it does not affect the deck.

Tom Marsh, 22 Soto Street, St. Augustine, Florida, 32086, agent for applicant and contractor for Oceans Thirteen, said basically what is requested are post-permit modifications to provide handicap access to the commercial entrances of the building. During the construction of this building, it was found to be a particular challenge to try to get to the elevation of the entrances, given the short amount of real estate of the site, so after consultation with Mr. Tredik, who provided some good ideas as to how they could accommodate a ramp for handicap access, the handicap parking space has been relocated from the original location on the south side of the building to the north side, to allow enough horizontal distance to accommodate a ramp to get to the finished floor elevation of the building. The original application provided means of a five-foot-wide concrete access to the commercial spaces but by and large did not provide adequate detail on how to get there and get around the columns in front of the building facing the Boulevard from what was the original handicap parking space on the south side.

Mr. Mitherz asked why the handicap parking is proposed partially on the right-of-way of 14th Lane, and not totally on the Ocean's Thirteen property.

Mr. Marsh said the original location of the handicap space on the south side of the building was partially on the right-of-way of 13th Street, but the post-permit parking modifications include moving the handicap space to the north side of the property site, adjacent to 14th Lane, where the handicap space and eight standard-size parking spaces are located entirely on the Oceans Thirteen property site. There are four additional standard-size parking spaces on the south side of the Oceans Thirteen building, and these are partially on the 13th Street right-of-way.

Mr. Pranis asked if the relocation of the handicap space and the transition to the ramp basically came about because the first floor level of the building is too high to actually have the slope on the south side of the building.

Mr. Marsh said the finished floor elevation of the new Oceans Thirteen building under construction is identical to the duplex building directly behind it to the east, but it wasn't until the new building was up that they realized it was kind of difficult to get handicap access from that close proximity between the building and the actual space available. As Mr. Law indicated, for handicap access you've got to have a lot of lawn to get that rise out of the ramp, so they found there's a lot more space where the handicap space has been relocated on the north side to allow them to get to that elevation to match the existing duplex to the east and behind the new building.

Mr. King asked why the deck appears to be so much larger than what would be required for accessibility.

Mr. Marsh said the application for post-permit modifications requests eight feet for the deck width to the west carried around the corner to eleven feet on the north side to allow them to get the ramp and deck in that space.

Mr. King asked if the corners could be cut so handicap access could still follow the contour of the deck access.

Mr. Marsh said he doesn't see why not. In other words, what Mr. King is asking is if the deck could potentially be dog-eared. As this really isn't his call, he'd like to ask one of the owners who is here for his input on this.

Doug Carr, 111 Marshside Drive, St. Augustine, Florida, 32080, said he's one of the owners of Oceans Thirteen. He met with Mr. Tredik and Mr. Marsh after being out of town for 10 days and finding that the deck had been erected by a secondary contractor. He shut the work down immediately and shaved the deck back, so as intrusive as it is now, it was much more so before. He'd agree to cut the corners of the deck off to allow the access point where you get to the stop sign at 14th Street and A1A Beach Boulevard, to be able to see traffic coming and going along the Boulevard, which can be an extremely busy road, so clear vision of pedestrians, bicyclists and vehicular traffic is important. Utilizing the north side of the site for most of the parking makes sense as this allows the handicap space and ramp to be more easily accessible. The deck is the only way to make the site handicap accessible. The handicap parking space is 30-feet-long-by-20-feet-wide, with total access on all sides

Ms. Longstreet asked if the handicap parking space is on the alley side on the north side of the property adjacent to 14th Lane, is this much deck then needed on the south side of the Oceans Thirteen property?

Mr. Marsh said what you don't see if you go to this property site now is that there will be a set of stairs on the south side leading to the second floor of the building. That staircase extends four feet off the building, and that deck coming around the south side of the building at eight feet will go around that staircase and not end at the staircase, so there won't be an edge at the bottom of the staircase, but the deck will be there to allow adequate passage for people coming up and down the staircase. The originally approved plans for this building always had two separate residential units upstairs, and right now, there's only a temporary set of construction stairs on the north side. There will be a permanent staircase on the north side and a permanent staircase on the south side of the building, and both of these staircases will be four feet wide, so their proposal with the deck at eight feet at the Boulevard side is to come around using that same eight feet and go past that staircase with four feet of width.

Mr. Pranis asked why, with the relocation of the handicap parking spot and eight parking spaces to the north side of the property site, there are four additional parking spaces now on the south side of the building.

Mr. Marsh said the goal was to not lose any parking spaces, as the mixed use approval for this development was specific to a certain number of parking spaces. The net number of parking spaces for the reconfigured parking plan is identical to the number of parking spaces originally approved for this mixed use building.

Mr. Kincaid asked Mr. Law if he has any issues with any of the proposed post-permit modifications.

Mr. Law said he has no objections to the parking reconfiguration on the south side. Handicap accessibility is one of their biggest concerns, and as for dog-earring the deck, five feet is the standard handicap width, because this is the minimum for turning space for a wheelchair to spin. One thing he hasn't asked is if there is going to be a secondary set of stairs to get up to the deck area on the south end.

Mr. Marsh said yes.

Ms. Odom said aesthetically, the building will look better if the deck on both sides looks the same.

Mr. Law said definitely, he'd say the angles should be made to be the same on each side, but he is requesting a five-foot minimum for handicap accessibility. He has no objections to the deck, as he knows the applicant and the contractor have worked excessively with Mr. Tredik on the site plan for the deck and the reconfigured parking. If the post-permit modifications are approved by the Board, he'd recommend the approval be subject to Mr. Tredik's comments in his staff memo dated today, July 21, 2020, to install a five-foot landscape buffer south of the north parking lot along 14th Lane, and he suggested this landscape buffer be comprised of Florida-friendly plants.

Ms. Longstreet said she thinks the applicants need to go before the City's Beautification Advisory Committee (now renamed SEPAC, Sustainability and Environmental Planning Advisory Committee) for that.

Mr. Law said only landscape plans along the Boulevard are reviewed by SEPAC, as this committee does not have the authority to review landscaping plans along side streets. However, if SEPAC wants to make recommendations for the landscaping, it is well within the Board's purview to subject approval to that specific condition.

Mr. Kincaid asked for public comment.

Sonia Kulyk, 114 13th Street, St. Augustine Beach, Florida, 32080, said she lives a block to the west of the Oceans Thirteen property, and she and a couple of her neighbors have been following this project since 2017. Basically, it just looked like there was way too big of a building on way too small a lot, which is probably why the applicant is here asking for more concessions for the parking and deck. The bottom line is that the building is just too big for this piece of land. She went to all the meetings concerning this project and remembers specifically the parking issue, because it didn't seem adequate for the duplex that was already there and the additional new building with commercial units on the first floor and residential units above. It just didn't seem like the numbers were going to work. She specifically remembers, after a lot of wrangling, that the handicap parking space was allowed on the 13th Street side of the property, basically on the right-of-way. The way this got permitted was that this property

Coopers, they're just not going to fit. As for the deck, he asked why the doors can't be redesigned, as there are all kinds of bi-folding and sliding doors. An eight-foot-wide deck to accommodate handicap access is not needed.

Ms. Longstreet said she has a problem with the parking, because as the gentleman who lives on 13th Street said, 13th Street, and 14th Lane as well, is crazy, there are children riding bicycles and scooters up and down the street and if you're not really careful, it's hard to see them. Then there is the vacation rental across the street from the Oceans Thirteen property on 13th Street, and this rental has five bedrooms, and anywhere from 10 to 25 people in it at any given day. Even though there are "No Parking" signs posted on the street, cars are parked along there all the time, so she does not see how 13th Street can handle or hold any more cars or traffic.

Ms. Odom said the new mixed use building is required to have the minimum number of parking spaces per City Code and as approved by this Board when this project came before the Board and was approved in 2017.

Mr. Law said yes, the number of parking spaces as shown on the site plan when approval for this development was given by this Board in 2017 has to be maintained. He shares Ms. Longstreet's concerns about public safety, but parking is also a requirement. Just for the record, he asked if the western side of the front of the deck will have a two-foot setback off the Oceans Thirteen property line. A minimum two-foot setback is required for decks per City Code, as the City reserves the right for a two-foot easement around lot lines for hardscaping. Staff has also recommended that the corners of the deck be dog-eared a minimum of five feet not to exceed six feet.

Mr. Marsh said yes, the deck right now extends eight feet off the face of the building wall.

Mr. Kincaid said his understanding is that they're not taking any parking spaces away but leaving the same number of spaces as were approved during the original approval of this project in 2017. The parking has been reconfigured specifically for handicap access, and some of the spaces moved around from one side of the site to the other.

Mr. Mitherz said it is still a big issue for him that the parking spaces are not all on the Oceans Thirteen property.

Ms. Odom said right or wrong, the parking for the duplex has always gone over the property line and extended into the right-of-way. Ms. Longstreet makes a valid point for safety, as there is a lot of activity on the streets in this area east of A1A Beach Boulevard, but it will be the people parking at the Oceans Thirteen building who will have to pay attention to all the traffic and activity, not the owners or the developers.

**Motion:** to approve Mixed Use File No. MU 2020-02, for post-permit modifications for parking reconfiguration and ground floor wood deck and retention wall additions to Oceans Thirteen, a two-story mixed use building consisting of two commercial units on the first floor and two residential units on the second floor as approved per Mixed Use Order File No. MU 2017-01, in a commercial land use district in the mixed use district on Lots 62, 63, and 64, Atlantic Beach Subdivision, at 12 13th Street, subject to the following conditions: 1) The corners of the ground-floor wood deck addition shall be cut back to a minimum of five feet of useable space not to exceed a maximum of six feet; 2) The landscaping on the north side of the Oceans Thirteen property site shall be reviewed by the City's Sustainability & Environmental Planning Advisory Committee (SEPAC) for SEPAC's recommendations regarding the landscaping for the required five-foot landscape buffer; 3) Materials used for the retaining wall shall be consistent with materials used for the existing retaining wall; 4) The staff comments and recommendations from Public Works Director William Tredik in his memos dated July 21, 2020 to Building and Zoning Director Brian Law regarding the proposed post-permit modifications to Oceans Thirteen shall be adhered to and incorporated as part of the approval of these modifications, and these memos shall also be forwarded to SEPAC. **Moved** by Mr. Kincaid, **seconded** by Ms. Odom, **passed 5-2** by roll-call vote, with Mr. Kincaid, Ms. Odom, Mr. Einheuser, Mr. King, and Mr. Pranis assenting, and Ms. Longstreet and Mr. Mitherz dissenting.

## VII. OLD BUSINESS

There was no old business.

is actually three combined lots, with the duplex directly to the east of the new mixed use building, and she remembers hearing that these two buildings would not be separated, as they are almost touching each other. There is a zero setback at the rear wall of the new mixed use building, and now the duplex is up for sale by itself. Considering the whole thing was calculated as one unit or parcel, to get all the square footage, parking, and setbacks to work, she's just not sure how the duplex can be sold by itself. She has no horse in this race or stake in the property, she's just a citizen who has watched this site go from a vacant lot to what's there now, and in all honesty, she's seen this sort of thing happen all over the beach. This particular building caught her eye because it's just right there off the Boulevard. She knows it's up to the Board to approve or deny the current application for the parking and the deck, but she wanted to state her case as to what's been done here from her perspective.

Mr. Kincaid said the Board did have some discussion at its meeting last month about the separation of the two properties, the duplex and the new mixed use building, all of which have been built on this one parcel. The Board was given the understanding that the properties were combined and advised at the time by the City Attorney and the Building Official that any sale of any part of the property was outside of the Board's purview.

Mr. Law said it is also outside the Building Department's authority to intervene in a private property sale. There's nothing in the previously approved mixed use order saying the property can't be sold, and even if there was, he believes that could be challenged in a legal scenario. If the Board had issued an order saying the property could not be sold, and someone chose to try to sell it in 10 years, he believes the City could quite possibly be guilty of a government taking of property. He's sure the applicant and owner are more than capable of explaining what's going on with this property, as the Building Department does not have any purview in private property sales.

Michael Longstreet, 11 13th Street, St. Augustine Beach, Florida, 32080, said he's a former St. Augustine Beach City Commissioner and also has extensive experience as a land surveyor. He's surprised this project was ever approved in the first place, and if this was all because of a loophole in the City's building codes, that loophole really needs to be closed. He's concerned about the project causing future flooding issues on 13th Street, and the handicap accessibility and retaining wall and deck, built without a permit, should have all been part of the original plans and application approved years ago. He doesn't know how these properties could be broken up and sold separately when the rooflines overlap, the parking for the mixed use building is on the right-of-way, and the drainage for the commercial part of the mixed use building is on the duplex's property. If this is an example of a builder trying to completely get around the City's Building Department, he asked the Board to please take a stand for the City and do what can be done to not approve this, with the exception of the handicap accessibility modifications.

Ms. Odom asked the City Attorney if she can ask the owners to clarify the question about the sale of the property.

Mr. Taylor said yes, definitely.

Mr. Carr said they're not selling the property, the intent is to sell the interior space of the duplex as condominiums. He's been a realtor for 30 years and has done this several times. They've been put in a situation where they just simply can't carry the entire project, and they have the ability, by law, to do this. They've completed 99 percent of the mandates required by State law to convert the duplex into condominiums and will be getting an application in through their attorney very shortly. This does not mean they're selling out the project, and they'd never try to enclose the duplex and sell it off separately, because the three lots the duplex and the mixed use building are on are one property, and nothing was approved separately. They recently spent an extraordinary amount of money renovating the entire exterior of the duplex, including all the fences, landscaping, sprinkler systems, parking spaces, and the drainage system. It is not that they did not plan for the handicap accessibility and drainage, the modifications are simply the result of the way things are laid out in the City and the way things are evolving.

Allan Richmond, 103 13th Street, St. Augustine Beach, Florida, 32080, said he has concerns about the parking, because on weekends, there are no less than nine cars parked on that corner, four for the duplex and five for the vacation rental across the street, so he doesn't know where four more cars are going to park, unless they're Mini-

## VIII. BOARD COMMENT

Mr. Kincaid reminded everyone that the Board's next meeting has been rescheduled to Tuesday, August 25, 2020, due to early voting for the primary election being held in this meeting room on the Board's usual meeting date.

Mr. Mitherz said it's his opinion that if the vacated portion of an alley is added onto the size of a small-platted lot, it is no longer a 50-foot-by-93-foot small platted lot, as an additional 7.5-feet is then added to the length of the lot, making it 50-feet-by-100.5 feet. This is just his own personal opinion, but he does not think this is fair or right.

Mr. Law said these lots still qualify as small-platted lots, because they were originally platted as 50-foot-by-93-foot lots. Whether an alley behind a lot has been vacated or not, the vacated portion of the alley is not part of that individually platted lot. This was discussed in 2018, and while the vacated square footage of an alley can be used for setbacks, lot coverage, and ISR coverage, nothing can be built in the square footage of a vacated alleyway. With any application that asks to build up to a vacated alley, the owner is asked to sign a statement acknowledging, for example, that even the footers of a pool or screen enclosure can't encroach into the 7.5 feet of a vacated alley.

Ms. Longstreet said she thinks the overlay district needs to be addressed with the City Commission, as the Board heard a lot of public comment tonight from people who have valid concerns about their neighborhoods even though the Board has no choice to not approve an overlay district application if it meets the requirements in the LDRs. People are coming and pouring out their hearts about something the Board has no control over, so she doesn't see the point in letting the public speak when the Board can't do anything but rubberstamp an application.

Mr. Law said as for rubberstamping overlay district applications, he doesn't agree with this. It is the Board's responsibility to review the site plans submitted with an overlay district application for conformance to overlay district regulations per the LDRs. Staff may make recommendations and provide technical expertise, but the Board members are the ones challenged with reviewing the submittal documents for conformance to the Code.

Ms. Odom asked for an update on the Island Donuts building, and an estimated opening date.

Mr. Law said he is proud to say this building just passed a meter-can inspection and is in the process of being energized under limited power to allow the air-conditioning systems to be energized. Inside, the majority of the trim work is done, and the next phase is to energize the entire building so the hood systems can be balanced and installed. He's not sure about an opening date, as construction on this site has already gone on for over a year.

## IX. ADJOURNMENT

The meeting was adjourned at 8:32 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.)

**COMMISSION REPORT**

**August 2020**

**TO:** MAYOR/COMMISSIONERS

**FROM:** ROBERT A. HARDWICK, CHIEF OF POLICE

**DEPARTMENT STATISTICS –July 16 - August 24**

**CALLS FOR SERVICE 1331**
**OFFENSE REPORTS 101**
**CITATIONS ISSUED 79**
**LOCAL ORDINANCE CITATIONS 26**
**DUI 0**
**TRAFFIC WARNINGS 352**
**TRESSPASS WARNINGS 45**
**ANIMAL COMPLAINTS 20**
**ARRESTS 16**

- **1 Aggravated Assault- Weapon**
- **1 Marijuana Possession- Not more than 20 Grams**
- **2 Drug Possession- Control Substance w/o Prescription**
- **1 Disorderly Intoxication**
- **1 Synthetic Narcotic- Schedule 1 or 2**
- **3 Trespassing**
- **2 Battery**
- **1 Damage Property- Criminal Mischief**
- **1 Aggravated Battery**
- **1 Probation Violation**
- **2 Child Neglect w/o Harm**

**ANIMAL CONTROL:**

- St. Johns County Animal Control handled **20** complaints in St. Augustine Beach area.

**MONTHLY ACTIVITIES:**
Activities canceled/limited due to COVID-19

# MEMORANDUM

Date: September 3, 2020

To: Max Royle, City Manager

From: Bill Tredik, P.E., Public Works Director

Subject: August 2020 - Public Works Monthly Report

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## Hurricane Preparedness

Public Works is closely monitoring the tropics and is prepared to act if needed. Precautions include:

- Ensuring small tools and equipment are in good working condition
- Keeping fuel tanks full
- Emergency generators have been tested
- Sand is stockpiled to ensure adequate quantity for closing of beach ramps
- Ensuring availability of lease equipment for pre and post hurricane activities
- Identifying trees or other potential objects in public spaces which may require trimming or removal due to vulnerability to high winds and risk to the public

## Funding Opportunities

Public Works has been awarded the following grant applications:

- **City of St. Augustine Beach Vulnerability Assessment**
  Florida Resilient Coastlines Program - Resilience Planning Grant
  Grant amount - $72,500; no match required
  Status – State has notified the City of final ranking and award. Revenue agreement has been executed. Contractor has commenced work.

- **Ocean Hammock Park Phase 2B Design**
  Coastal Partnership Initiative Grant – NOAA funded
  Grant amount $25,000; $25,000 match required
  Status – The Grant Agreement has been executed. Consultant selection is being finalized.

- **Mizell Pond Weir and Stormwater Pump Station**
  Districtwide Cost Share – St. Johns River Water Management District
  Grant amount $632,000; FEMA HMGP money counts as match
  Status – Awaiting SJRWMD budget approval in September

- **Ocean Hammock Park Phase 2A Construction**
  Florida Recreation Development Assistance Program (FRDAP)
  Grant amount - $106,500; $35,500 match required
  Status – FDEP is finalizing documents for the grant agreement

Public Works is exploring grant opportunities for construction of Phase 2B of Ocean Hammock Park.

## Maintenance Activities

**Rights-of-way and Parkettes** – Public Works continues to provide essential maintenance services on rights-of-way and parkettes. Restrooms on 10th St. and A St. are open all day and are regularly cleaned and disinfected to help reduce spread of COVID-19. Mowing and litter collection efforts for rights-or-way and parkettes have been increased in frequency during the growing season.

**Splash Park** – Splash Park and the adjacent children's play area remain closed until further notice to reduce the potential for transmission of the COVID-19 virus.

**Mickler Boulevard Landscaping** – Construction of these improvements was originally planned for Spring 2020 but is currently on hold due to potential financial impacts of the COVID-19 virus. Landscaping will be planned upon completion of resurfacing of this section of roadway in the second quarter of FY21.

**Buildings** – Enhanced sanitization operations continue at City buildings and public restrooms to minimize the risk of spread of COVID-19. Essential maintenance activities at city buildings continue.

**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) [FINAL PLAN APPROVAL]** – The project includes repairing and improving the damaged weir, replacing stormwater pumps and improving the downstream conveyance. The City has received required permits and submitted the final design (Phase 1 of the HMGP) to the Florida Division of Emergency Management (FDEM). Environmental review of the project is anticipated to be complete by September 7., 2020 after which FDEM will submit Phase 2 to FEMA for final project approval. Staff anticipates FEMA reimbursement of 75% of the total construction cost. The remaining 25% of the construction cost will be funded by a grant from the St. Johns River Water Management District (SJRWMD) FY2021 districtwide cost-share program. The SJRWMD funding is contingent upon district final budget approval in September 2020. The City intends to bid the project in Fall 2020 and commence construction in the second quarter of FY2021.

**Ocean Hammock Park Phase 2A [DESIGN]** –Public Works is currently designing the Phase 2A improvements to Ocean Hammock Park. Phase 2A improvements include handicap accessible restrooms (including a sanitary lift station and force main), electrical and lighting improvements, an outside shower, water/bottle fountain, an additional handicap parking space in the parking lot, two (2) picnic areas near the parking lot, an informational kiosk, a nature trail with interpretative signage, and handicap access to the existing beach walkway. Construction is funded by park impact fees and a $106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Construction is scheduled to commence in FY2021 upon completion of design and permitting.

**Ocean Hammock Park Phase 2B [DESIGN]** – Public Works is set to commence design and permitting of Phase 2B of Ocean Hammock Park. Phase 2b includes additional parking and improvements to the interior of the park including, a picnic pavilion, observation deck, education center, additional trails with interpretative signage, bike and kayak storage, and handicap accessible connection to phase 2A and to the existing beach walkway. Design and permitting is funded by a park impact fees and a $25,000 grant from the Coastal Partnership Initiative. Design will commence in October 2020 and will be completed in FY2021.

**Vulnerability Assessment [underway]** – Contracts are executed and work has commenced on the vulnerability assessment. The vulnerability assessment is to be conducted in three (3) phases, with the 1st phase being completed this fiscal year. Work will include data collection and analysis to identify vulnerabilities to storm surge and extreme tides, updating the City's GIS drainage database, updating the City stormwater model, public outreach and involvement, development of adaptation plan, including

conceptual plans for projects which increase resiliency. The final plan will be presented to the City Commission for approval and use in developing future capital improvement plans.

**11th Street Pipe Repair [FY21]** – 11th Street is experiencing subsidence in several locations due to leaks in existing pipe joints. Public Works procured geotechnical investigation on the roadway to ascertain the severity of the problem and determine the appropriate solution. The geotechnical investigation did not reveal any voids which pose an imminent danger to vehicular traffic. Public works has installed temporary patches to level and improve the safety and drivability of the roadway. This project has been re-budgeted in FY21.

**Pavement Resurfacing [FY21]** – Roadways slated for resurfacing in FY 2021 include Mickler Boulevard, Oceanside Circle, Atlantic Alley, and Tides End. Preparations for resurfacing will be accomplished in the 1st quarter of FY21 with paving to commence in the 2nd quarter.

**Streets / Rights of Way / Drainage**

**11th Street Ditch Cleaning** – The cleaning of the 11th Street Ditch is complete, substantially improving stormwater conveyance from Mickler Boulevard to Lakeside Park pond. This work was one of the short-term solutions identified after recent extreme rainfalls in early June.

**Mickler Boulevard Ditch Cleaning (16th Street to 11th Street)** - Public Works has completed the removal of vegetation and muck from the Mickler Boulevard Ditch between 16th Street and 11th Street to reduce friction and improve flow to the 11th Street Ditch. The cleaning of this segment of ditch was one of the short-term solutions identified after the recent extreme rainfalls in early June.

**Mickler Boulevard Ditch Cleaning (11th Street to A Street)** - Public Works has completed removal of vegetation from the Mickler Boulevard Ditch between 11th Street and A Street. Removal of accreted muck will take place in the fall. A survey will be conducted on the ditch and culverts to determine how flow can be further improved in the ditch system.

**Ocean Walk Drainage - Interim improvements** – Public works has budgeted in FY21 for a trailer-mounted high-volume stormwater bypass pump to allow stormwater in the Lee Drive area to be pumped into the Mickler Boulevard drainage system. Public Works has ordered and will install a new drainage pump-out structure in the Mickler Boulevard right-of-way, from which Lee Drive drainage will be pumped as needed. Backflow protection will be installed to prevent water in the Mickler Pipe from reverse flowing into the new pump-out structure.

**Ocean Walk Drainage Study –** The roadway in Ocean Walk (Lee Drive) is extremely low in places and has insufficient drainage infrastructure to convey the water from the subdivision. Public Works has proposed including design and permitting of improvements in the FY 2021 budget. Potential solutions include backflow prevention to protect the low-lying areas from high tailwaters, stormwater pumping, additional drainage structures on Lee Drive, an additional outfall from Lee Drive and underdrains to provide groundwater control in low-lying areas. The development of drainage improvements in Ocean Walk is one of the long-term solutions identified after the recent extreme rainfalls in early June.

**Lighting –** Public Works is moving forward with the new streetlights along S.R. A1A and A1A Beach Boulevard. The city-wide conversion to LED streetlights was delayed due to Covid-19. Staff will be coordinating with FPL regarding appropriate LED lamp types for various locations throughout the City.

**Electric Vehicle Charging Station** – Staff met with the installer and a quote was prepared for review and approval by the TPO. Installation of the charging station is anticipated in September.

# M E M O R A N D U M

**TO:** MAX ROYLE, CITY MANAGER

**FROM:** PATTY DOUYLLIEZ, FINANCE DIRECTOR

**SUBJECT:** MONTHLY REPORT

**DATE:** 8/26/2020

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**Finance**

July financials have been reviewed with approximately 83.33% of the year complete, our Citywide revenues are at 66% and expenditures are 59.5%. The remainder of FY20 will be monitored closely to ensure expenditures are minimized and do not exceed revenues.

**Communications and Events**

The TDC has conducted their review of our application and we were awarded a score 84%, however, it was decided not to fund any event prior to January 1, 2021. There will be a topic on the agenda for this month to discuss Beach Blast Off.

Melinda also participated in the first conference call regarding St Johns County's 200th Celebration. She will continue to participate in the planning of this event with the County and City of St. Augustine over the next year and half. One of the tasks she will be working on is providing an artifact to include in a time capsule representing the City. She will be asking the Commission to consider what artifact they would like to select.

Plans for Veteran's Day are moving forward after some discussion with Mr. Dudley, Chairman of the Veteran's Council of St Johns County. He has indicated they will not be participating in a live event this year due to Covid-19. Melinda will be working on a recorded presentation that will be posted on our website, social media, and press.

**Technology**

The IT Staff has no updates currently.

Range of Checking Accts: First to Last Range of Check Dates: 07/01/20 to 07/31/20
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | | | | | | |
| 43443 | 07/02/20 | A1AAU020 A1A AUTO CENTER INC | | | | 07/31/20 | 1538 | |
| 20-01748 | 1 | VEHICLE #120 OIL CHANGE | 41.45 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 41 | 1 |
| 20-01749 | 1 | VEHICLE #122 OIL CHANGE | 71.45 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 42 | 1 |
| | | | 112.90 | | | | | |
| 43444 | 07/02/20 | AFLAC005 AFLAC | | | | 07/31/20 | 1538 | |
| 20-01775 | 1 | PREMIUMS | 339.96 | 001-229-2100 Insurance-Other Employee Paid | G/L | | 63 | 1 |
| 43445 | 07/02/20 | BOZAR010 BOZARD FORD COMPANY | | | | 07/31/20 | 1538 | |
| 20-01754 | 1 | VEHICLE #103 OIL CHANGE | 31.99 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 47 | 1 |
| 20-01755 | 1 | VEHICLE #105 OIL CHANGE | 31.99 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 48 | 1 |
| 20-01756 | 1 | VEHICLE #112 REPAIRS | 836.41 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 49 | 1 |
| 20-01768 | 1 | VEHICLE #110 MAINTENANCE | 103.63 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 61 | 1 |
| 20-01769 | 1 | VEHICLE #108 MAINTENANCE | 81.98 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 62 | 1 |
| 20-01778 | 1 | VEHICLE #118 OIL CHANGE | 31.99 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 67 | 1 |
| | | | 1,117.99 | | | | | |
| 43446 | 07/02/20 | CANON010 CANON FINANCIAL SERVICES | | | | 07/31/20 | 1538 | |
| 20-01703 | 1 | COPIER LEASE & USAGE | 47.84 | 001-1900-519-4430 OTHER GOVERNMENTAL | Expenditure | | 14 | 1 |
| 20-01703 | 2 | COPIER LEASE & USAGE | 53.36 | 001-3400-534-4430 GARBAGE | Expenditure | | 15 | 1 |
| 20-01703 | 3 | COPIER LEASE & USAGE | 82.80 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 16 | 1 |
| 20-01703 | 4 | COPIER LEASE & USAGE | 4.37 | 001-1900-519-5100 OTHER GOVERNMENTAL | Expenditure | | 17 | 1 |
| 20-01703 | 5 | COPIER LEASE & USAGE | 4.87 | 001-3400-534-5100 GARBAGE | Expenditure | | 18 | 1 |
| 20-01703 | 6 | COPIER LEASE & USAGE | 7.56 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 19 | 1 |
| 20-01704 | 1 | COPIER LEASE & USAGE | 125.00 | 001-2400-524-4430 PROT INSPECTIONS | Expenditure | | 20 | 1 |
| 20-01704 | 2 | COPIER LEASE & USAGE | 71.99 | 001-2400-524-4700 PROT INSPECTIONS | Expenditure | | 21 | 1 |
| 20-01704 | 3 | COPIER LEASE & USAGE | 125.00 | 001-2100-521-4430 LAW ENFORCEMENT | Expenditure | | 22 | 1 |
| 20-01704 | 4 | COPIER LEASE & USAGE | 80.10 | 001-2100-521-4700 LAW ENFORCEMENT | Expenditure | | 23 | 1 |
| 20-01704 | 5 | COPIER LEASE & USAGE | 125.00 | 001-1300-513-4430 FINANCE | Expenditure | | 24 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43446 | | CANON FINANCIAL SERVICES Continued | | | | | | |
| 20-01704 | 6 | COPIER LEASE & USAGE | 59.84 | 001-1300-513-4700 FINANCE | Expenditure | | 25 | 1 |
| | | | 787.73 | | | | | |
| 43447 | 07/02/20 | CHIEF020 CHIEFMART | | | | 07/31/20 | 1538 | |
| 20-01765 | 1 | MUGS | 326.00 | 001-2100-521-5240 LAW ENFORCEMENT | Expenditure | | 58 | 1 |
| 20-01766 | 1 | MUGS | 326.00 | 001-2100-521-5240 LAW ENFORCEMENT | Expenditure | | 59 | 1 |
| | | | 652.00 | | | | | |
| 43448 | 07/02/20 | CLERK020 CLERK OF CIRCUIT COURT | | | | 07/31/20 | 1538 | |
| 20-01705 | 1 | TRAFFIC CITATIONS 3159-RYF | 166.00 | 001-354-300 Ordinance Violation Fines | Revenue | | 26 | 1 |
| 20-01705 | 2 | TRAFFIC CITATIONS 3160-RYF | 116.00 | 001-354-300 Ordinance Violation Fines | Revenue | | 27 | 1 |
| | | | 282.00 | | | | | |
| 43449 | 07/02/20 | COMMU010 COMMUNICATIONS INTERNATIONAL I | | | | 07/31/20 | 1538 | |
| 20-01767 | 1 | LASER & RADAR CERTIFICATIONS | 858.00 | 001-2100-521-4620 LAW ENFORCEMENT | Expenditure | | 60 | 1 |
| 43450 | 07/02/20 | CREAT005 CREATIVE FLEET MARKINGS LLC | | | | 07/31/20 | 1538 | |
| 20-01746 | 1 | VEHICLE #117 DECALS | 360.00 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 38 | 1 |
| 20-01746 | 2 | VEHICLE #117 DECALS | 40.00 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 39 | 1 |
| | | | 400.00 | | | | | |
| 43451 | 07/02/20 | CSAB-030 CSAB - POLICE EDUCATION FUND | | | | 07/31/20 | 1538 | |
| 20-01699 | 1 | PE FROM FINES | 70.74 | 001-351-500 Court Fines | Revenue | | 8 | 1 |
| 43452 | 07/02/20 | DELMA005 DEL MAR VETERINARY HOSPITAL | | | | 07/31/20 | 1538 | |
| 20-01747 | 1 | VETERINARIAN SERVICES-KILO | 207.76 | 001-2100-521-4640 LAW ENFORCEMENT | Expenditure | | 40 | 1 |
| 43453 | 07/02/20 | DOUGL005 DOUGLAS LAW FIRM | | | | 07/31/20 | 1538 | |
| 20-01737 | 1 | LEGAL JUN-20 | 6,000.00 | 001-1300-513-3100 FINANCE | Expenditure | | 28 | 1 |
| 43454 | 07/02/20 | FLAGL030 FLAGLER CARE CENTER | | | | 07/31/20 | 1538 | |
| 20-01760 | 1 | PHYSICAL DRUG SCREEN-NEW EMPL | 115.00 | 001-1300-513-5290 FINANCE | Expenditure | | 54 | 1 |
| 43455 | 07/02/20 | FLORI170 FLORIDA JANITOR & PAPER SUPPLY | | | | 07/31/20 | 1538 | |
| 20-01750 | 1 | JANITORIAL SUPPLIES | 394.84 | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 43 | 1 |

| Check # Check Date Vendor<br>PO # Item Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Ref Num<br>Contract Ref Seq Acct |
|---|---|---|---|---|
| 001TDOPERATING | Continued | | | |
| 43455 FLORIDA JANITOR & PAPER SUPPLY Continued | | | | |
| 20-01751 1 COVID CLEANING SUPPLIES | 638.59 | 001-1900-519-5290<br>OTHER GOVERNMENTAL | Expenditure | 44 1 |
| | 1,033.43 | | | |
| 43456 07/02/20 FLORI250 FLORIDA POWER & LIGHT COMPANY | | | | 07/31/20 1538 |
| 20-01758 1 ELECTRICITY | 96.11 | 001-1900-519-4310<br>OTHER GOVERNMENTAL | Expenditure | 50 1 |
| 20-01758 2 ELECTRICITY | 107.21 | 001-3400-534-4310<br>GARBAGE | Expenditure | 51 1 |
| 20-01758 3 ELECTRICITY | 166.37 | 001-131-1000<br>Due From Road & Bridge Fund | G/L | 52 1 |
| | 369.69 | | | |
| 43457 07/02/20 FOPLO005 FOP LODGE 113 | | | | 1538 |
| 20-01776 1 MEMBERSHIP DUES | 8.34 | 001-229-1000<br>Miscellaneous Deductions | G/L | 64 1 |
| 20-01776 2 MEMBERSHIP DUES | 8.34 | 001-229-1000<br>Miscellaneous Deductions | G/L | 65 1 |
| | 16.68 | | | |
| 43458 07/02/20 GALLS010 GALLS LLC | | | | 07/31/20 1538 |
| 20-01745 1 TACTICAL SHORT - BRYANT | 44.54 | 001-2100-521-5210<br>LAW ENFORCEMENT | Expenditure | 37 1 |
| 43459 07/02/20 GTDIS005 GT DISTRIBUTORS | | | | 07/31/20 1538 |
| 20-01740 1 HANDCUFFS | 127.45 | 001-2100-521-5230<br>LAW ENFORCEMENT | Expenditure | 32 1 |
| 20-01742 1 POWELL UNIFORM | 207.88 | 001-2100-521-5210<br>LAW ENFORCEMENT | Expenditure | 34 1 |
| | 335.33 | | | |
| 43460 07/02/20 HASTY020 HASTY'S COMMUNICATIONS | | | | 07/31/20 1538 |
| 20-01753 1 MOBILE RADIO - ASHLOCK | 12.10 | 001-2100-521-5230<br>LAW ENFORCEMENT | Expenditure | 46 1 |
| 43461 07/02/20 INSTI010 INSTITUTE OF POLICE TECHNOLOGY | | | | 07/31/20 1538 |
| 20-01738 1 DETECTIVE TRAINING | 495.00 | 001-2100-521-5430<br>LAW ENFORCEMENT | Expenditure | 29 1 |
| 20-01738 2 DETECTIVE TRAINING | 795.00 | 001-2100-521-5430<br>LAW ENFORCEMENT | Expenditure | 30 1 |
| | 1,290.00 | | | |
| 43462 07/02/20 LEGAL005 LEGALSHIELD | | | | 07/31/20 1538 |
| 20-01700 1 PREPAID LEGAL | 15.95 | 001-229-2100<br>Insurance-Other Employee Paid | G/L | 9 1 |
| 43463 07/02/20 LVHIE010 L.V. HIERS INC. | | | | 07/31/20 1538 |
| 20-01761 1 697 GAL DIESEL FUEL | 1,340.89 | 001-141-0000<br>Inventories - Fuel | G/L | 55 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43463 | | L.V. HIERS INC. Continued | | | | | | |
| 20-01762 | 1 | 374 GAL REG 87 OCTANE | 728.10 | 001-141-0000 Inventories - Fuel | G/L | | 56 | 1 |
| | | | 2,068.99 | | | | | |
| 43464 | 07/02/20 | MARIO010 MARIOTTI'S | | | | 07/31/20 | 1538 | |
| 20-01701 | 1 | UNIFORM DRYCLEAN SVC MAY-20 | 122.00 | 001-2100-521-5210 LAW ENFORCEMENT | Expenditure | | 10 | 1 |
| 43465 | 07/02/20 | MIKES005 MIKE'S COLLISION CENTER | | | | 07/31/20 | 1538 | |
| 20-01764 | 1 | SANDBLAST SERVICE VEHICLE #101 | 1,500.00 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 57 | 1 |
| 43466 | 07/02/20 | NATIO090 NATIONWIDE RETIREMENT SOLUTION | | | | 07/31/20 | 1538 | |
| 20-01777 | 1 | DEFERRED COMPENSATION | 1,714.52 | 001-235-0000 Deferred Compensation | G/L | | 66 | 1 |
| 43467 | 07/02/20 | PUBLI020 PUBLIX | | | | 07/31/20 | 1538 | |
| 20-01743 | 1 | KITCHEN SUPPLIES | 8.33 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 35 | 1 |
| 43468 | 07/02/20 | QUILL010 QUILL LLC | | | | 07/31/20 | 1538 | |
| 20-01702 | 1 | OFFICE SUPPLIES | 11.66 | 001-1900-519-5100 OTHER GOVERNMENTAL | Expenditure | | 11 | 1 |
| 20-01702 | 2 | OFFICE SUPPLIES | 13.00 | 001-3400-534-5100 GARBAGE | Expenditure | | 12 | 1 |
| 20-01702 | 3 | OFFICE SUPPLIES | 20.17 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 13 | 1 |
| 20-01759 | 1 | OFFICE SUPPLIES | 11.36 | 001-2100-521-5100 LAW ENFORCEMENT | Expenditure | | 53 | 1 |
| | | | 56.19 | | | | | |
| 43469 | 07/02/20 | STADV010 STAPLES | | | | 07/31/20 | 1538 | |
| 20-01698 | 1 | OFFICE SUPPLIES | 4.01 | 001-1300-513-5100 FINANCE | Expenditure | | 6 | 1 |
| 20-01698 | 2 | OFFICE SUPPLIES | 34.82 | 001-2400-524-5100 PROT INSPECTIONS | Expenditure | | 7 | 1 |
| | | | 38.83 | | | | | |
| 43470 | 07/02/20 | TIREH005 TIREHUB LLC | | | | 07/31/20 | 1538 | |
| 20-01752 | 1 | VEHICLE #112 TIRES | 544.00 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 45 | 1 |
| 43471 | 07/02/20 | ULINE005 ULINE | | | | 07/31/20 | 1538 | |
| 20-01744 | 1 | KITCHEN SUPPLIES | 58.66 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 36 | 1 |
| 43472 | 07/02/20 | ULTRA005 ULTRASHRED TECHNOLOGIES, INC | | | | 07/31/20 | 1538 | |
| 20-01739 | 1 | SHRED SERVICE | 51.51 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 31 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43473 | 07/02/20 | VERIZ010 VERIZON WIRELESS | | | | 07/31/20 | 1538 | |
| 20-01697 | 1 | CELLL PHONES | 0.70 | 001-1300-513-4100 FINANCE | Expenditure | | 1 | 1 |
| 20-01697 | 2 | CELLL PHONES | 129.53 | 001-2400-524-4100 PROT INSPECTIONS | Expenditure | | 2 | 1 |
| 20-01697 | 3 | CELLL PHONES | 108.21 | 001-2100-521-4100 LAW ENFORCEMENT | Expenditure | | 3 | 1 |
| 20-01697 | 4 | CELLL PHONES | 236.41 | 001-3400-534-4100 GARBAGE | Expenditure | | 4 | 1 |
| 20-01697 | 5 | CELLL PHONES | 236.41 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 5 | 1 |
| | | | 711.26 | | | | | |
| 43474 | 07/02/20 | VKASE005 VKA SECURITY | | | | 07/31/20 | 1538 | |
| 20-01741 | 1 | BACK DOOR BAR REPAIR | 263.00 | 001-2100-521-4610 LAW ENFORCEMENT | Expenditure | | 33 | 1 |
| 43475 | 07/02/20 | HEATH010 HEATH ELECTRIC | | | | 07/31/20 | 1539 | |
| 20-01779 | 1 | CITY HALL PARKING LOT LIGHTS | 842.07 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 1 | 1 |
| 43476 | 07/17/20 | A1AAL005 A1A ALTERATIONS LLC | | | | | 1544 | |
| 20-01835 | 1 | COVID19 MASKS | 300.00 | 001-2100-521-5210 LAW ENFORCEMENT | Expenditure | | 122 | 1 |
| 43477 | 07/17/20 | ADVAN010 ADVANCED DISPOSAL SERVICES | | | | 07/31/20 | 1544 | |
| 20-01783 | 1 | RECYCLE CONTRACT FEES JUN-20 | 11,121.88 | 001-3400-534-3400 GARBAGE | Expenditure | | 39 | 1 |
| 43478 | 07/17/20 | ATLAN040 ATLANTIC DODGE-CHRYSLER-JEEP | | | | 07/31/20 | 1544 | |
| 20-01793 | 1 | VEHICLE #116 OIL CHANGE | 77.07 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 54 | 1 |
| 43479 | 07/17/20 | ATTUV010 AT&T | | | | 07/31/20 | 1544 | |
| 20-01827 | 1 | INTERNET | 45.47 | 001-1300-513-4100 FINANCE | Expenditure | | 106 | 1 |
| 20-01827 | 2 | INTERNET | 45.48 | 001-2400-524-4100 PROT INSPECTIONS | Expenditure | | 107 | 1 |
| | | | 90.95 | | | | | |
| 43480 | 07/17/20 | AUGUS015 AUGUSTINE ALARM INC. | | | | 07/31/20 | 1544 | |
| 20-01806 | 1 | PB ALARM MONITOR JUL-20/JUL-21 | 360.00 | 001-1900-519-4620 OTHER GOVERNMENTAL | Expenditure | | 76 | 1 |
| 43481 | 07/17/20 | BOZAR010 BOZARD FORD COMPANY | | | | 07/31/20 | 1544 | |
| 20-01792 | 1 | VEHICLE #131 WATER LEAK REPAIR | 187.48 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 53 | 1 |
| 43482 | 07/17/20 | BROCK010 BROCK FENCE | | | | 07/31/20 | 1544 | |
| 20-01788 | 1 | PD GATE REPAIR | 450.00 | 001-1900-519-6200 OTHER GOVERNMENTAL | Expenditure | | 41 | 1 |

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|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | Continued | | | | | | |
| 43483 | 07/17/20 | CLERK020 CLERK OF CIRCUIT COURT | | | | 07/31/20 | 1544 | |
| 20-01801 | 1 | CITATION JOHANNA SEVERINO | 53.00 | 001-354-300 Ordinance Violation Fines | Revenue | | 70 | 1 |
| 20-01801 | 2 | CITATION BRYAN SEVERINO | 53.00 | 001-354-300 Ordinance Violation Fines | Revenue | | 71 | 1 |
| | | | 106.00 | | | | | |
| 43484 | 07/17/20 | COLON010 COLONIAL SUPPLEMENTAL INSURANC | | | | 07/31/20 | 1544 | |
| 20-01817 | 1 | SUPPLEMENTAL INSURANCE | 572.28 | 001-229-2100 Insurance-Other Employee Paid | G/L | | 83 | 1 |
| 43485 | 07/17/20 | COMCA015 COMCAST | | | | 07/31/20 | 1544 | |
| 20-01847 | 1 | CABLE TV-NEWS | 65.40 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 147 | 1 |
| 43486 | 07/17/20 | COVAN005 COVANTA ENVIRONMENTAL | | | | 07/31/20 | 1544 | |
| 20-01797 | 1 | EVIDENCE DESTRUCTION | 403.40 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 58 | 1 |
| 43487 | 07/17/20 | CRAFT010 CRAFT'S TROPHIES & AWARDS INC | | | | 07/31/20 | 1544 | |
| 20-01787 | 1 | PLAQUES | 259.50 | 001-1100-511-4990 LEGISLATIVE | Expenditure | | 40 | 1 |
| 20-01837 | 1 | PLAQUES | 144.00 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 124 | 1 |
| | | | 403.50 | | | | | |
| 43488 | 07/17/20 | DEBOR010 DEBORAH K CHRISTOPHER | | | | 07/31/20 | 1544 | |
| 20-01796 | 1 | PAYROLL JUN-20 | 690.00 | 001-2100-521-3400 LAW ENFORCEMENT | Expenditure | | 57 | 1 |
| 43489 | 07/17/20 | FIRST070 FIRST BANKCARD | | | | 07/17/20 VOID | 0 | |
| 43490 | 07/17/20 | FIRST070 FIRST BANKCARD | | | | 07/17/20 VOID | 0 | |
| 43491 | 07/17/20 | FIRST070 FIRST BANKCARD | | | | 07/17/20 VOID | 0 | |
| 43492 | 07/17/20 | FIRST070 FIRST BANKCARD | | | | 07/17/20 VOID | 0 | |
| 43493 | 07/17/20 | FIRST070 FIRST BANKCARD | | | | 07/31/20 | 1544 | |
| 20-01151 | 1 | COSTUME-PD SANTA SUIT RETURN | 206.60- | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 1 | 1 |
| 20-01662 | 1 | SWIFTWATER KIT | 2,845.00 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 2 | 1 |
| 20-01709 | 1 | AMAZON-PD HERO'S AWARD | 9.80 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 6 | 1 |
| 20-01711 | 1 | AMAZON-SPEAKERS PIO-EVENTS | 14.99 | 001-1300-513-5230 FINANCE | Expenditure | | 7 | 1 |
| 20-01712 | 1 | AMAZON-PHONE CASE - CITY MGR | 15.99 | 001-1200-512-5230 EXECUTIVE | Expenditure | | 8 | 1 |
| 20-01713 | 1 | AMAZON-PD HERO'S AWARD | 33.88 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 9 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43493 FIRST BANKCARD | | Continued | | | | | | |
| 20-01714 | 1 | AMAZON-PD COMP SURGE PROTECT | 46.99 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 10 | 1 |
| 20-01715 | 1 | AMAZON-PD HERO AWARDS | 55.96 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 11 | 1 |
| 20-01716 | 1 | AMAZON-PD UNIFORM SHOES | 74.84 | 001-2100-521-5210 LAW ENFORCEMENT | Expenditure | | 12 | 1 |
| 20-01717 | 1 | AMAZON-WEBCAM VIDEO ZOOM MEETG | 79.98 | 001-1300-513-5230 FINANCE | Expenditure | | 13 | 1 |
| 20-01718 | 1 | AMAZON-FIN VIDEO PROD EQUIP | 368.84 | 001-1300-513-5230 FINANCE | Expenditure | | 14 | 1 |
| 20-01718 | 2 | AMAZON CANCEL-FIN VIDEO PROD | 368.84- | 001-1300-513-5230 FINANCE | Expenditure | | 15 | 1 |
| 20-01719 | 1 | AMAZON-FIN VIDEO PROD EQUIP | 664.05 | 001-1300-513-5230 FINANCE | Expenditure | | 16 | 1 |
| 20-01720 | 1 | AAA-CONST SCHL BLDG CONT EDU | 79.00 | 001-2400-524-5430 PROT INSPECTIONS | Expenditure | | 17 | 1 |
| 20-01721 | 1 | SJC TAX COLLECTOR-TAG #60 | 140.99 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 18 | 1 |
| 20-01722 | 1 | ENGLAND-BLDG ZONING INSP QUIZ | 69.00 | 001-2400-524-5430 PROT INSPECTIONS | Expenditure | | 19 | 1 |
| 20-01723 | 1 | HASTY CARPET-BLDG COVE BASE | 174.04 | 001-2400-524-6200 PROT INSPECTIONS | Expenditure | | 20 | 1 |
| 20-01724 | 1 | HOBBY LOBBY-PD FRAMES | 11.98 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 21 | 1 |
| 20-01725 | 1 | HOME DEPOT-BLDG HAND TOOLS | 40.90 | 001-2400-524-5230 PROT INSPECTIONS | Expenditure | | 22 | 1 |
| 20-01726 | 1 | ICC-BLDG EXAM - L PIEROTTI | 219.00 | 001-2400-524-5430 PROT INSPECTIONS | Expenditure | | 23 | 1 |
| 20-01727 | 1 | OFFICE MAX-BLDG CHAIR | 109.99 | 001-2400-524-5230 PROT INSPECTIONS | Expenditure | | 24 | 1 |
| 20-01728 | 1 | OFFICE MAX-BLDG CHAIR/CORKBRD | 196.96 | 001-2400-524-5230 PROT INSPECTIONS | Expenditure | | 25 | 1 |
| 20-01729 | 1 | UPS STORE-PD POSTAGE | 42.77 | 001-2100-521-4200 LAW ENFORCEMENT | Expenditure | | 26 | 1 |
| 20-01730 | 1 | TRANSCRIPTIONPUPPY-CEB MINUTES | 67.20 | 001-2400-524-5290 PROT INSPECTIONS | Expenditure | | 27 | 1 |
| 20-01731 | 1 | ZOOM-COVID VIRTUAL MEETING SVC | 14.99 | 001-1100-511-5290 LEGISLATIVE | Expenditure | | 28 | 1 |
| 20-01770 | 1 | AMAZON-PD K-9 KILO SUPPLIES | 51.21 | 001-2100-521-4640 LAW ENFORCEMENT | Expenditure | | 32 | 1 |
| 20-01771 | 1 | AMAZON-PD KITCHEN SUPPLIES | 50.93 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 33 | 1 |
| 20-01772 | 1 | GLOCK PROF-PD TRAINING MCNETT | 250.00 | 001-2100-521-5430 LAW ENFORCEMENT | Expenditure | | 34 | 1 |
| 20-01773 | 1 | CHEWY-PD K9 KILO FOOD | 61.74 | 001-2100-521-4640 LAW ENFORCEMENT | Expenditure | | 35 | 1 |
| 20-01774 | 1 | HOBBY LOBBY-PD FRAMING & SUPP | 160.32 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 36 | 1 |
| 20-01781 | 1 | INDEED-BLDG PERMIT TECH JOB | 25.31 | 001-2400-524-4890 PROT INSPECTIONS | Expenditure | | 37 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43493 | | FIRST BANKCARD Continued | | | | | | |
| 20-01810 | 1 | AMAZON-SPLASH PK SHOWER REPAIR | 165.01 | 001-7200-572-4620 PARKS AND REC | Expenditure | | 78 | 1 |
| 20-01822 | 1 | AMAZON-PWD CANCEL PRIME MEMBR | 12.99- | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 86 | 1 |
| 20-01832 | 1 | WALGREENS-PD PICTURE FOR WALL | 4.25 | 001-2100-521-5240 LAW ENFORCEMENT | Expenditure | | 119 | 1 |
| | | | 5,557.48 | | | | | |
| 43494 | 07/17/20 | FLAGL030 FLAGLER CARE CENTER | | | | 07/31/20 | 1544 | |
| 20-01848 | 1 | NEW HIRES ACCT#42369-1 | 550.00 | 001-2100-521-5250 LAW ENFORCEMENT | Expenditure | | 148 | 1 |
| 43495 | 07/17/20 | FLORI170 FLORIDA JANITOR & PAPER SUPPLY | | | | 07/31/20 | 1544 | |
| 20-01821 | 1 | JANITORIAL SUPPLIES | 150.12 | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 85 | 1 |
| 20-01840 | 1 | JANITORIAL SUPPLIES | 107.56 | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 128 | 1 |
| 20-01840 | 2 | JANITORIAL SUPPLIES | 106.14 | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 129 | 1 |
| | | | 363.82 | | | | | |
| 43496 | 07/17/20 | FLORI250 FLORIDA POWER & LIGHT COMPANY | | | | 07/31/20 | 1544 | |
| 20-01799 | 1 | ELECTRICITY | 25.25 | 001-7200-572-4310 PARKS AND REC | Expenditure | | 60 | 1 |
| 20-01799 | 2 | ELECTRICITY | 34.47 | 001-7200-572-4310 PARKS AND REC | Expenditure | | 61 | 1 |
| 20-01799 | 3 | ELECTRICITY | 848.23 | 001-2100-521-4310 LAW ENFORCEMENT | Expenditure | | 62 | 1 |
| 20-01799 | 4 | ELECTRICITY | 532.02 | 001-1900-519-4310 OTHER GOVERNMENTAL | Expenditure | | 63 | 1 |
| 20-01799 | 5 | ELECTRICITY | 354.69 | 001-2400-524-4310 PROT INSPECTIONS | Expenditure | | 64 | 1 |
| | | | 1,794.66 | | | | | |
| 43497 | 07/17/20 | FLORI400 FDOT | | | | 07/31/20 | 1544 | |
| 20-01846 | 1 | PWD TOLL - TRUCK PICKUP | 2.25 | 001-3400-534-4630 GARBAGE | Expenditure | | 146 | 1 |
| 43498 | 07/17/20 | FOPLO005 FOP LODGE 113 | | | | | 1544 | |
| 20-01842 | 1 | MEMBERSHIP DUES - TODD SMITH | 8.34 | 001-229-1000 Miscellaneous Deductions | G/L | | 137 | 1 |
| 20-01842 | 2 | MEMBERSHIP DUES - BRYAN WRIGHT | 8.34 | 001-229-1000 Miscellaneous Deductions | G/L | | 138 | 1 |
| | | | 16.68 | | | | | |
| 43499 | 07/17/20 | GALLS010 GALLS LLC | | | | 07/31/20 | 1544 | |
| 20-01790 | 1 | UNIFORMS-POWELL | 248.75 | 001-2100-521-5210 LAW ENFORCEMENT | Expenditure | | 51 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | Continued | | | | | | |
| 43500 | 07/17/20 | GLACI005 GLACIER HEATING & A/C | | | | 07/31/20 | 1544 | |
| 20-01816 | 1 | PD A/C UNIT-STORAGE ROOM | 3,900.00 | 001-1900-519-6200 OTHER GOVERNMENTAL | Expenditure | | 82 | 1 |
| 43501 | 07/17/20 | GLEND005 GLENDALE PARADE STORE.COM | | | | | 1544 | |
| 20-01833 | 1 | HONORGUARD EQUIPMENT | 489.75 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 120 | 1 |
| 20-01834 | 1 | HONORGUARD EQUIPMENT | 187.10 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 121 | 1 |
| | | | 676.85 | | | | | |
| 43502 | 07/17/20 | HAGAN020 HAGAN ACE MANAGEMENT CORP | | | | 07/31/20 | 1544 | |
| 20-01818 | 1 | MURIATIC ACID-SPLASH PARK | 23.36 | 001-7200-572-5290 PARKS AND REC | Expenditure | | 84 | 1 |
| 43503 | 07/17/20 | HASTY020 HASTY'S COMMUNICATIONS | | | | | 1544 | |
| 20-01794 | 1 | RADIO CHARGER | 72.95 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 55 | 1 |
| 20-01795 | 1 | RADIO MIC | 118.28 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 56 | 1 |
| | | | 191.23 | | | | | |
| 43504 | 07/17/20 | INDIA010 INDIANHEAD EXPLORATION, LLC | | | | 07/31/20 | 1544 | |
| 20-01803 | 1 | DISPOSAL FEES JUN-20 | 4,338.16 | 001-3400-534-4940 GARBAGE | Expenditure | | 73 | 1 |
| 43505 | 07/17/20 | MIKES005 MIKE'S COLLISION CENTER | | | | 07/31/20 | 1544 | |
| 20-01782 | 1 | VEHICLE #132 VANDALISM REPAIRS | 6,500.69 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 38 | 1 |
| 43506 | 07/17/20 | NATIO090 NATIONWIDE RETIREMENT SOLUTION | | | | 07/31/20 | 1544 | |
| 20-01843 | 1 | DEFERRED COMPENSATION | 1,714.52 | 001-235-0000 Deferred Compensation | G/L | | 139 | 1 |
| 43507 | 07/17/20 | PETTY065 PETTY CASH-CYNTHIA ADERHOLD | | | | 07/31/20 | 1544 | |
| 20-01798 | 1 | PETTY CASH REIMBURSEMENT | 5.00 | 001-2100-521-4700 LAW ENFORCEMENT | Expenditure | | 149 | 1 |
| 43508 | 07/17/20 | QUADI005 QUADIENT LEASING USA INC | | | | 07/31/20 | 1544 | |
| 20-01824 | 1 | MAIL MACHINE LEASE 8/5-11/4/20 | 99.21 | 001-1300-513-4430 FINANCE | Expenditure | | 89 | 1 |
| 20-01824 | 2 | MAIL MACHINE LEASE 8/5-11/4/20 | 27.06 | 001-2100-521-4430 LAW ENFORCEMENT | Expenditure | | 90 | 1 |
| 20-01824 | 3 | MAIL MACHINE LEASE 8/5-11/4/20 | 54.12 | 001-2400-524-4430 PROT INSPECTIONS | Expenditure | | 91 | 1 |
| | | | 180.39 | | | | | |
| 43509 | 07/17/20 | QUILL010 QUILL LLC | | | | 07/31/20 | 1544 | |
| 20-01841 | 1 | OFFICE SUPPLIES | 8.32 | 001-2100-521-5100 LAW ENFORCEMENT | Expenditure | | 130 | 1 |
| 20-01841 | 2 | PARKS-ARBOR DAY EVENT BAGS | 46.64 | 001-7200-572-4833 PARKS AND REC | Expenditure | | 131 | 1 |

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|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43509 QUILL LLC | | Continued | | | | | | |
| 20-01841 | 3 | BLDG DISH RACK | 16.91 | 001-2400-524-5230 PROT INSPECTIONS | Expenditure | | 132 | 1 |
| 20-01841 | 4 | OFFICE SUPPLIES | 1.53 | 001-1300-513-5100 FINANCE | Expenditure | | 133 | 1 |
| 20-01841 | 5 | OFFICE SUPPLIES | 108.44 | 001-1300-513-5100 FINANCE | Expenditure | | 134 | 1 |
| 20-01841 | 6 | OFFICE SUPPLIES | 31.84 | 001-1500-515-5100 COMP PLANNING | Expenditure | | 135 | 1 |
| 20-01841 | 7 | OFFICE SUPPLIES | 32.54 | 001-2100-521-5100 LAW ENFORCEMENT | Expenditure | | 136 | 1 |
| | | | 246.22 | | | | | |
| 43510 07/17/20 | | SAFET020 SAFETY PRODUCTS, INC. | | | | 07/31/20 | 1544 | |
| 20-01811 | 1 | GLOVES | 450.96 | 001-3400-534-5290 GARBAGE | Expenditure | | 79 | 1 |
| 43511 07/17/20 | | SANFO005 SANFORD AND SON AUTO PARTS INC | | | | 07/31/20 | 1544 | |
| 20-01839 | 1 | VEHICLE #75 REPAIR PARTS | 4.49 | 001-3400-534-4630 GARBAGE | Expenditure | | 126 | 1 |
| 20-01839 | 2 | VEHICLE #75 REPAIR PARTS | 4.49 | 001-3400-534-4630 GARBAGE | Expenditure | | 127 | 1 |
| | | | 8.98 | | | | | |
| 43512 07/17/20 | | SIGNS010 SIGNS NOW | | | | 07/31/20 | 1544 | |
| 20-01831 | 1 | MASK UP SIGNS-COVID19 | 635.00 | 001-1300-513-4850 FINANCE | Expenditure | | 118 | 1 |
| 43513 07/17/20 | | SMITH010 SMITH BROS. PEST CONTROL | | | | 07/31/20 | 1544 | |
| 20-01800 | 1 | PEST CONTROL | 25.00 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 65 | 1 |
| 20-01800 | 2 | PEST CONTROL | 30.00 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 66 | 1 |
| 20-01800 | 3 | PEST CONTROL | 52.00 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 67 | 1 |
| 20-01800 | 4 | PEST CONTROL | 52.00 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 68 | 1 |
| 20-01800 | 5 | PEST CONTROL | 25.00 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 69 | 1 |
| | | | 184.00 | | | | | |
| 43514 07/17/20 | | STADV010 STAPLES | | | | 07/31/20 | 1544 | |
| 20-01825 | 1 | OFFICE SUPPLIES | 73.49 | 001-1300-513-5100 FINANCE | Expenditure | | 92 | 1 |
| 20-01825 | 2 | OFFICE SUPPLIES | 222.58 | 001-2100-521-5100 LAW ENFORCEMENT | Expenditure | | 93 | 1 |
| 20-01825 | 3 | OFFICE SUPPLIES | 115.64 | 001-1500-515-5100 COMP PLANNING | Expenditure | | 94 | 1 |
| 20-01825 | 4 | OFFICE SUPPLIES | 59.95 | 001-2400-524-5100 PROT INSPECTIONS | Expenditure | | 95 | 1 |
| | | | 471.66 | | | | | |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43515 | 07/17/20 | STAUG110 ST AUGUSTINE RECORD | | | | 07/31/20 | 1544 | |
| 20-01706 | 1 | LEGAL ADVERTISING | 251.30 | 001-1300-513-4810 FINANCE | Expenditure | | 3 | 1 |
| 20-01707 | 1 | LEGAL ADVERTISING | 143.60 | 001-1300-513-4810 FINANCE | Expenditure | | 4 | 1 |
| 20-01708 | 1 | PZB LEGAL ADVERTISING | 116.68 | 001-1500-515-4810 COMP PLANNING | Expenditure | | 5 | 1 |
| 20-01732 | 1 | LEGAL ADVERTISING | 56.00 | 001-1900-519-4810 OTHER GOVERNMENTAL | Expenditure | | 29 | 1 |
| 20-01732 | 2 | LEGAL ADVERTISING | 62.47 | 001-3400-534-4810 GARBAGE | Expenditure | | 30 | 1 |
| 20-01732 | 3 | LEGAL ADVERTISING | 96.93 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 31 | 1 |
| | | | 726.98 | | | | | |
| 43516 | 07/17/20 | STJOH110 ST. JOHNS COUNTY SOLID WASTE | | | | 07/31/20 | 1544 | |
| 20-01802 | 1 | DISPOSAL FEES JUN-20 | 15,732.46 | 001-3400-534-4940 GARBAGE | Expenditure | | 72 | 1 |
| 43517 | 07/17/20 | STJOH140 ST. JOHNS COUNTY UTILITY DEPAR | | | | 07/31/20 | 1544 | |
| 20-01826 | 1 | WATER SERVICE JUN-20 | 113.37 | 001-2100-521-4320 LAW ENFORCEMENT | Expenditure | | 96 | 1 |
| 20-01826 | 2 | WATER SERVICE JUN-20 | 360.63 | 001-7200-572-4320 PARKS AND REC | Expenditure | | 97 | 1 |
| 20-01826 | 3 | WATER SERVICE JUN-20 | 408.63 | 001-7200-572-4320 PARKS AND REC | Expenditure | | 98 | 1 |
| 20-01826 | 4 | WATER SERVICE JUN-20 | 845.41 | 001-7200-572-4320 PARKS AND REC | Expenditure | | 99 | 1 |
| 20-01826 | 5 | WATER SERVICE JUN-20 | 70.55 | 001-7200-572-4320 PARKS AND REC | Expenditure | | 100 | 1 |
| 20-01826 | 6 | WATER SERVICE JUN-20 | 59.14 | 001-1900-519-4320 OTHER GOVERNMENTAL | Expenditure | | 101 | 1 |
| 20-01826 | 7 | WATER SERVICE JUN-20 | 65.96 | 001-3400-534-4320 GARBAGE | Expenditure | | 102 | 1 |
| 20-01826 | 8 | WATER SERVICE JUN-20 | 102.37 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 103 | 1 |
| 20-01826 | 10 | WATER SERVICE JUN-20 | 618.15 | 001-1900-519-4320 OTHER GOVERNMENTAL | Expenditure | | 104 | 1 |
| 20-01826 | 11 | WATER SERVICE JUN-20 | 412.11 | 001-2400-524-4320 PROT INSPECTIONS | Expenditure | | 105 | 1 |
| | | | 3,056.32 | | | | | |
| 43518 | 07/17/20 | SUNLI010 SUN LIFE FINANCIAL | | | | 07/31/20 | 1544 | |
| 20-01789 | 1 | LIFE INS PREM AUG-20 | 4.56 | 001-1200-512-2300 EXECUTIVE | Expenditure | | 42 | 1 |
| 20-01789 | 2 | LIFE INS PREM AUG-20 | 63.91 | 001-1300-513-2300 FINANCE | Expenditure | | 43 | 1 |
| 20-01789 | 3 | LIFE INS PREM AUG-20 | 14.15 | 001-1500-515-2300 COMP PLANNING | Expenditure | | 44 | 1 |
| 20-01789 | 4 | LIFE INS PREM AUG-20 | 45.10 | 001-1900-519-2300 OTHER GOVERNMENTAL | Expenditure | | 45 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43518 | | SUN LIFE FINANCIAL Continued | | | | | | |
| 20-01789 | 5 | LIFE INS PREM AUG-20 | 200.86 | 001-2100-521-2300 LAW ENFORCEMENT | Expenditure | | 46 | 1 |
| 20-01789 | 6 | LIFE INS PREM AUG-20 | 40.63 | 001-2400-524-2300 PROT INSPECTIONS | Expenditure | | 47 | 1 |
| 20-01789 | 7 | LIFE INS PREM AUG-20 | 50.31 | 001-3400-534-2300 GARBAGE | Expenditure | | 48 | 1 |
| 20-01789 | 8 | LIFE INS PREM AUG-20 | 78.06 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 49 | 1 |
| 20-01789 | 9 | LIFE INS PREM AUG-20 | 405.70 | 001-229-2100 Insurance-Other Employee Paid | G/L | | 50 | 1 |
| | | | 903.28 | | | | | |
| 43519 | 07/17/20 | SYMBA010 SYMBOL ARTS | | | | 07/31/20 | 1544 | |
| 20-01838 | 1 | RETIRED BADGE | 270.00 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 125 | 1 |
| 43520 | 07/17/20 | SZOKE010 SZOKE POWER SYSTEMS INC | | | | 07/31/20 | 1544 | |
| 20-01823 | 1 | GENERATOR SERVICE - PWD | 375.00 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 87 | 1 |
| 20-01823 | 2 | GENERATOR SERVICE - CITY HALL | 475.00 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 88 | 1 |
| | | | 850.00 | | | | | |
| 43521 | 07/17/20 | THEBA005 THE BANCORP BANK | | | | 07/31/20 | 1544 | |
| 20-01805 | 1 | VEHICLE #128 LEASE | 389.49 | 001-2100-521-4431 LAW ENFORCEMENT | Expenditure | | 74 | 1 |
| 20-01805 | 2 | VEHICLE #114 LEASE | 425.00 | 001-2100-521-4431 LAW ENFORCEMENT | Expenditure | | 75 | 1 |
| | | | 814.49 | | | | | |
| 43522 | 07/17/20 | TOMNE010 TOM NEHL TRUCK COMPANY | | | | 07/31/20 | 1544 | |
| 20-01812 | 1 | VEHICLE #77 REPAIR | 61.40 | 001-3400-534-4630 GARBAGE | Expenditure | | 80 | 1 |
| 20-01813 | 1 | VEHICLE #77 REPAIRS | 72.80 | 001-3400-534-4630 GARBAGE | Expenditure | | 81 | 1 |
| 20-01836 | 1 | VEHICLE #75 REPAIR | 150.66 | 001-3400-534-4630 GARBAGE | Expenditure | | 123 | 1 |
| | | | 284.86 | | | | | |
| 43523 | 07/17/20 | UNITE020 UNITED HEALTHCARE INSURANCE CO | | | | 07/31/20 | 1544 | |
| 20-01828 | 1 | INSURANCE PREMIUM AUG-20 | 7,668.78 | 001-229-2000 Health Insurance-Employee Portion | G/L | | 108 | 1 |
| 20-01828 | 2 | INSURANCE PREMIUM AUG-20 | 3,144.65 | 001-229-2100 Insurance-Other Employee Paid | G/L | | 109 | 1 |
| 20-01828 | 3 | INSURANCE PREMIUM AUG-20 | 706.25 | 001-1200-512-2300 EXECUTIVE | Expenditure | | 110 | 1 |
| 20-01828 | 4 | INSURANCE PREMIUM AUG-20 | 6,475.52 | 001-1300-513-2300 FINANCE | Expenditure | | 111 | 1 |
| 20-01828 | 5 | INSURANCE PREMIUM AUG-20 | 1,060.50 | 001-1500-515-2300 COMP PLANNING | Expenditure | | 112 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43523 | | UNITED HEALTHCARE INSURANCE CO Continued | | | | | | |
| 20-01828 | 6 | INSURANCE PREMIUM AUG-20 | 5,065.13 | 001-1900-519-2300 OTHER GOVERNMENTAL | Expenditure | | 113 | 1 |
| 20-01828 | 7 | INSURANCE PREMIUM AUG-20 | 19,460.61 | 001-2100-521-2300 LAW ENFORCEMENT | Expenditure | | 114 | 1 |
| 20-01828 | 8 | INSURANCE PREMIUM AUG-20 | 2,448.33 | 001-2400-524-2300 PROT INSPECTIONS | Expenditure | | 115 | 1 |
| 20-01828 | 9 | INSURANCE PREMIUM AUG-20 | 5,649.57 | 001-3400-534-2300 GARBAGE | Expenditure | | 116 | 1 |
| 20-01828 | 10 | INSURANCE PREMIUM AUG-20 | 8,766.57 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 117 | 1 |
| | | | 60,445.91 | | | | | |
| 43524 | 07/17/20 | USBAN005 US BANK VOYAGER FLEET SYS | | | | 07/31/20 | 1544 | |
| 20-01809 | 1 | FUEL 6-9-20 to 7-8-20 | 3,447.13 | 001-2100-521-5220 LAW ENFORCEMENT | Expenditure | | 77 | 1 |
| 43525 | 07/17/20 | VERIZ010 VERIZON WIRELESS | | | | 07/31/20 | 1544 | |
| 20-01791 | 1 | CELL PHONES | 835.17 | 001-2100-521-4100 LAW ENFORCEMENT | Expenditure | | 52 | 1 |
| 43526 | 07/17/20 | WINDS005 WINDSTREAM | | | | 07/31/20 | 1544 | |
| 20-01845 | 1 | PHONE/INTERNET | 677.32 | 001-1300-513-4100 FINANCE | Expenditure | | 140 | 1 |
| 20-01845 | 2 | PHONE/INTERNET | 1,411.09 | 001-2100-521-4100 LAW ENFORCEMENT | Expenditure | | 141 | 1 |
| 20-01845 | 3 | PHONE/INTERNET | 310.44 | 001-2400-524-4100 PROT INSPECTIONS | Expenditure | | 142 | 1 |
| 20-01845 | 4 | PHONE/INTERNET | 84.67 | 001-1900-519-4100 OTHER GOVERNMENTAL | Expenditure | | 143 | 1 |
| 20-01845 | 5 | PHONE/INTERNET | 141.11 | 001-3400-534-4100 GARBAGE | Expenditure | | 144 | 1 |
| 20-01845 | 6 | PHONE/INTERNET | 197.55 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 145 | 1 |
| | | | 2,822.18 | | | | | |
| 43527 | 07/31/20 | ADVAP010 ADVANCED AUTO PARTS | | | | | 1546 | |
| 20-01886 | 1 | VEHICLE #106 BATTERY | 122.90 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 58 | 1 |
| 20-01887 | 1 | VEHICLE #106 HEADLIGHT | 9.79 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 59 | 1 |
| | | | 132.69 | | | | | |
| 43528 | 07/31/20 | AMERIC10 AMERICAN CROSSROADS APPAREL CO | | | | | 1546 | |
| 20-01897 | 1 | UNIFORM SHIRTS - MELINDA | 75.00 | 001-1300-513-5210 FINANCE | Expenditure | | 68 | 1 |
| 43529 | 07/31/20 | ATLAN040 ATLANTIC DODGE-CHRYSLER-JEEP | | | | | 1546 | |
| 20-01891 | 1 | VEHICLE #104 REPAIRS | 498.30 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 63 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43530 | 07/31/20 | BETTE005 BETTER BODIES HEALTH & FITNESS | | | | | 1546 | |
| 20-01900 | 1 | GYM MEMBERSHIPS | 600.00 | 001-2100-521-5420 LAW ENFORCEMENT | Expenditure | | 76 | 1 |
| 43531 | 07/31/20 | BOZAR010 BOZARD FORD COMPANY | | | | | 1546 | |
| 20-01854 | 1 | VEHICLE #132 REPAIRS | 478.75 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 26 | 1 |
| 20-01874 | 1 | VEHICLE #23 OIL CHANGE | 67.20 | 001-2400-524-5220 PROT INSPECTIONS | Expenditure | | 48 | 1 |
| 20-01890 | 1 | VEHICLE #109 REPAIRS | 485.03 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 62 | 1 |
| | | | 1,030.98 | | | | | |
| 43532 | 07/31/20 | CANON010 CANON FINANCIAL SERVICES | | | | | 1546 | |
| 20-01850 | 1 | COPIER LEASE & USAGE | 125.00 | 001-2400-524-4430 PROT INSPECTIONS | Expenditure | | 10 | 1 |
| 20-01850 | 2 | COPIER LEASE & USAGE | 49.85 | 001-2400-524-4700 PROT INSPECTIONS | Expenditure | | 11 | 1 |
| 20-01850 | 3 | COPIER LEASE & USAGE | 125.00 | 001-2100-521-4430 LAW ENFORCEMENT | Expenditure | | 12 | 1 |
| 20-01850 | 4 | COPIER LEASE & USAGE | 38.42 | 001-2100-521-4700 LAW ENFORCEMENT | Expenditure | | 13 | 1 |
| 20-01850 | 5 | COPIER LEASE & USAGE | 125.00 | 001-1300-513-4430 FINANCE | Expenditure | | 14 | 1 |
| 20-01850 | 6 | COPIER LEASE & USAGE | 81.77 | 001-1300-513-4700 FINANCE | Expenditure | | 15 | 1 |
| 20-01851 | 1 | COPIER LEASE & USAGE | 47.84 | 001-1900-519-4430 OTHER GOVERNMENTAL | Expenditure | | 16 | 1 |
| 20-01851 | 2 | COPIER LEASE & USAGE | 53.36 | 001-3400-534-4430 GARBAGE | Expenditure | | 17 | 1 |
| 20-01851 | 3 | COPIER LEASE & USAGE | 82.80 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 18 | 1 |
| 20-01851 | 4 | COPIER LEASE & USAGE | 2.64 | 001-1900-519-5100 OTHER GOVERNMENTAL | Expenditure | | 19 | 1 |
| 20-01851 | 5 | COPIER LEASE & USAGE | 2.94 | 001-3400-534-5100 GARBAGE | Expenditure | | 20 | 1 |
| 20-01851 | 6 | COPIER LEASE & USAGE | 4.57 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 21 | 1 |
| | | | 739.19 | | | | | |
| 43533 | 07/31/20 | CDWGO010 CDW GOVERNMENT INC. | | | | | 1546 | |
| 20-01675 | 1 | DESKTOP COMPUTERS | 1,062.57 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 1 | 1 |
| 20-01675 | 2 | DESKTOP COMPUTERS | 1,063.06 | 001-1300-513-5230 FINANCE | Expenditure | | 75 | 1 |
| 20-01804 | 1 | HONEYWELL 4MP DOME CAMERAS | 3,263.36 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 7 | 1 |
| 20-01804 | 2 | 8TB HONEYWELL NVR | 1,015.23 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 8 | 1 |
| | | | 6,404.22 | | | | | |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43534 | 07/31/20 | CHIEF020 CHIEFMART | | | | | 1546 | |
| 20-01892 | 1 | PADFOLIOS | 626.00 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 64 | 1 |
| 43535 | 07/31/20 | CRAFT010 CRAFT'S TROPHIES & AWARDS INC | | | | | 1546 | |
| 20-01895 | 1 | LIFE SAVING PLAQUES | 30.00 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 67 | 1 |
| 43536 | 07/31/20 | CREAT010 CREATIVE SIGNS | | | | | 1546 | |
| 20-01862 | 1 | REFUND - OVERPAYMENT | 53.00 | 001-202-4000 Accounts Payable - Other | G/L | | 39 | 1 |
| 43537 | 07/31/20 | CSAB-030 CSAB - POLICE EDUCATION FUND | | | | 07/31/20 | 1546 | |
| 20-01867 | 1 | PE FROM FINES | 136.97 | 001-351-500 Court Fines | Revenue | | 46 | 1 |
| 43538 | 07/31/20 | ENTIR005 ENTIRE INC. | | | | | 1546 | |
| 20-01863 | 1 | REFUND - OVERPAYMENT | 53.00 | 001-202-4000 Accounts Payable - Other | G/L | | 40 | 1 |
| 20-01863 | 2 | REFUND - OVERPAYMENT | 53.00 | 001-202-4000 Accounts Payable - Other | G/L | | 41 | 1 |
| | | | 106.00 | | | | | |
| 43539 | 07/31/20 | FEDER005 FEDERAL EASTERN INTERNATIONAL | | | | | 1546 | |
| 20-01894 | 1 | PANELS VEST | 141.40 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 66 | 1 |
| 43540 | 07/31/20 | FLORI170 FLORIDA JANITOR & PAPER SUPPLY | | | | | 1546 | |
| 20-01882 | 1 | JANITORIAL SUPPLIES | 67.05 | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 55 | 1 |
| 43541 | 07/31/20 | FOPLO005 FOP LODGE 113 | | | | | 1546 | |
| 20-01899 | 1 | MEMBERSHIP DUES - TODD SMITH | 8.34 | 001-229-1000 Miscellaneous Deductions | G/L | | 70 | 1 |
| 20-01899 | 2 | MEMBERSHIP DUES - BRYAN WRIGHT | 8.34 | 001-229-1000 Miscellaneous Deductions | G/L | | 71 | 1 |
| | | | 16.68 | | | | | |
| 43542 | 07/31/20 | GREGS005 GREG'S AUTO COLLISION CENTER | | | | | 1546 | |
| 20-01888 | 1 | VEHICLE #104 REPAIRS | 900.00 | 001-2100-521-4630 LAW ENFORCEMENT | Expenditure | | 60 | 1 |
| 43543 | 07/31/20 | GULFI005 GULF ICE SYSTEM | | | | | 1546 | |
| 20-01883 | 1 | SCOOP FOR ICE MACHINE | 117.66 | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 56 | 1 |
| 43544 | 07/31/20 | HAGAN020 HAGAN ACE MANAGEMENT CORP | | | | | 1546 | |
| 20-01878 | 1 | ROPE CLAMPS-COVID MASK SIGNAGE | 13.41 | 001-1900-519-5290 OTHER GOVERNMENTAL | Expenditure | | 52 | 1 |

| Check # Check Date Vendor<br>PO # Item Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Ref Num<br>Contract Ref Seq Acct |
|---|---|---|---|---|
| 001TDOPERATING Continued | | | | |
| 43545 07/31/20 HASTY020 HASTY'S COMMUNICATIONS | | | | 1546 |
| 20-01902 1 800 MEGAHERTZ RADIO | 22.53 | 001-2100-521-5230<br>LAW ENFORCEMENT | Expenditure | 74 1 |
| 43546 07/31/20 HEATH010 HEATH ELECTRIC | | | | 1546 |
| 20-01879 1 CITY HALL PARKING LOT LIGHTS | 389.50 | 001-1900-519-4610<br>OTHER GOVERNMENTAL | Expenditure | 53 1 |
| 20-01879 3 CITY HALL PARKING LOT LIGHTS | 425.00 | 001-1900-519-4610<br>OTHER GOVERNMENTAL | Expenditure | 54 1 |
| | 814.50 | | | |
| 43547 07/31/20 HOMED010 HOME DEPOT | | | | 1546 |
| 20-01876 1 PD STORAGE ROOM DOOR CLOSER | 64.98 | 001-1900-519-4610<br>OTHER GOVERNMENTAL | Expenditure | 51 1 |
| 43548 07/31/20 LEECA010 LEE & CATES GLASS, INC. | | | | 1546 |
| 20-01830 1 VEHICLE #132 REPL WINDSHIELD | 1,168.23 | 001-2100-521-4630<br>LAW ENFORCEMENT | Expenditure | 9 1 |
| 43549 07/31/20 LEGAL005 LEGALSHIELD | | | | 1546 |
| 20-01857 1 PREPAID LEGAL | 15.95 | 001-229-2100<br>Insurance-Other Employee Paid | G/L | 34 1 |
| 43550 07/31/20 LVHIE010 L.V. HIERS INC. | | | | 1546 |
| 20-01859 1 387 GAL REG 87 OCTANE | 729.84 | 001-141-0000<br>Inventories - Fuel | G/L | 36 1 |
| 20-01860 1 728 GAL DIESEL FUEL | 1,397.10 | 001-141-0000<br>Inventories - Fuel | G/L | 37 1 |
| | 2,126.94 | | | |
| 43551 07/31/20 MARIO010 MARIOTTI'S | | | | 1546 |
| 20-01866 1 UNIFORM DRYCLEAN SVC JUN-20 | 126.11 | 001-2100-521-5210<br>LAW ENFORCEMENT | Expenditure | 45 1 |
| 43552 07/31/20 MCCIL005 MCCI, LLC | | | | 1546 |
| 20-01865 1 ANNUAL SUPPORT RENEWAL | 9,316.45 | 001-1100-511-3170<br>LEGISLATIVE | Expenditure | 44 1 |
| 43553 07/31/20 MRAIN005 MRA INTERNATIONAL | | | | 1546 |
| 20-01885 1 INK FOR PLOTTER | 275.66 | 001-2400-524-5100<br>PROT INSPECTIONS | Expenditure | 57 1 |
| 43554 07/31/20 NATIO090 NATIONWIDE RETIREMENT SOLUTION | | | | 1546 |
| 20-01898 1 DEFERRED COMPENSATION | 1,714.52 | 001-235-0000<br>Deferred Compensation | G/L | 69 1 |
| 43555 07/31/20 PATCH005 PATCH PLAQUES & MORE | | | | 1546 |
| 20-01855 1 CUSTOM WALL PLAQUE | 132.45 | 001-2100-521-5290<br>LAW ENFORCEMENT | Expenditure | 27 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43556 | 07/31/20 | PEOPL005 PEOPLEREADY FLORIDA INC | | | | | 1546 | |
| 20-01875 | 1 | TEMP LABOR SERVICE | 615.22 | 001-1900-519-3400 OTHER GOVERNMENTAL | Expenditure | | 49 | 1 |
| 20-01875 | 2 | TEMP LABOR SERVICE | 64.77 | 001-3400-534-3400 GARBAGE | Expenditure | | 50 | 1 |
| | | | 679.99 | | | | | |
| 43557 | 07/31/20 | PIPPR010 PIP PRINTING | | | | | 1546 | |
| 20-01893 | 1 | BUSINESS CARDS-EVANS | 57.00 | 001-2100-521-4700 LAW ENFORCEMENT | Expenditure | | 65 | 1 |
| 43558 | 07/31/20 | QUILL010 QUILL LLC | | | | | 1546 | |
| 20-01853 | 1 | COVID OFFICE SUPPLIES | 18.05 | 001-2100-521-5100 LAW ENFORCEMENT | Expenditure | | 22 | 1 |
| 20-01853 | 2 | COVID OFFICE SUPPLIES | 4.69 | 001-1900-519-5100 OTHER GOVERNMENTAL | Expenditure | | 23 | 1 |
| 20-01853 | 3 | COVID OFFICE SUPPLIES | 5.24 | 001-3400-534-5100 GARBAGE | Expenditure | | 24 | 1 |
| 20-01853 | 4 | COVID OFFICE SUPPLIES | 8.12 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 25 | 1 |
| | | | 36.10 | | | | | |
| 43559 | 07/31/20 | SHI00005 SHI INTERNATIONAL CORP | | | | | 1546 | |
| 20-01733 | 1 | 5 PANASONIC FZ55 TOUGHBOOK | 1,225.00 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 3 | 1 |
| 20-01733 | 2 | 5 PANASONIC FZ55 TOUGHBOOK | 11,250.00 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 4 | 1 |
| 20-01733 | 3 | 5 PANASONIC FZ55 TOUGHBOOK | 640.00 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 5 | 1 |
| 20-01733 | 4 | 5 PANASONIC FZ55 TOUGHBOOK | 440.00 | 001-2100-521-5230 LAW ENFORCEMENT | Expenditure | | 6 | 1 |
| | | | 13,555.00 | | | | | |
| 43560 | 07/31/20 | SIGNS010 SIGNS NOW | | | | | 1546 | |
| 20-01858 | 1 | ARBOR DAY 2020 SIGNAGE | 267.00 | 001-7200-572-4833 PARKS AND REC | Expenditure | | 35 | 1 |
| 43561 | 07/31/20 | STAUG120 ST AUGUSTINE RECORD | | | | | 1546 | |
| 20-01864 | 1 | NEWS SUBSCRIPTION | 201.10 | 001-1300-513-5410 FINANCE | Expenditure | | 42 | 1 |
| 20-01864 | 2 | NEWS SUBSCRIPTION | 201.10 | 001-1200-512-5410 EXECUTIVE | Expenditure | | 43 | 1 |
| | | | 402.20 | | | | | |
| 43562 | 07/31/20 | SUPER055 SUPERIOR PRESS | | | | | 1546 | |
| 20-01861 | 1 | GF CHECK STOCK | 405.17 | 001-1300-513-4700 FINANCE | Expenditure | | 38 | 1 |
| 43563 | 07/31/20 | SYMBA010 SYMBOL ARTS | | | | | 1546 | |
| 20-01901 | 1 | GIANNOTTA BADGE REPAIR | 60.00 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 73 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 001TDOPERATING | | | Continued | | | | | |
| 43564 | 07/31/20 | ULINE005 ULINE | | | | | 1546 | |
| 20-01868 | 1 | MIRROR FOR PD BACK LOT | 149.20 | 001-1900-519-4610 OTHER GOVERNMENTAL | Expenditure | | 47 | 1 |
| 43565 | 07/31/20 | VERIZ010 VERIZON WIRELESS | | | | | 1546 | |
| 20-01856 | 1 | CELL PHONES | 299.99 | 001-1200-512-5230 EXECUTIVE | Expenditure | | 28 | 1 |
| 20-01856 | 2 | CELL PHONES | 0.92 | 001-1300-513-4100 FINANCE | Expenditure | | 29 | 1 |
| 20-01856 | 3 | CELL PHONES | 108.21 | 001-2100-521-4100 LAW ENFORCEMENT | Expenditure | | 30 | 1 |
| 20-01856 | 4 | CELL PHONES | 131.42 | 001-2400-524-4100 PROT INSPECTIONS | Expenditure | | 31 | 1 |
| 20-01856 | 5 | CELL PHONES | 236.80 | 001-3400-534-4100 GARBAGE | Expenditure | | 32 | 1 |
| 20-01856 | 6 | CELL PHONES | 236.80 | 001-131-1000 Due From Road & Bridge Fund | G/L | | 33 | 1 |
| | | | 1,014.14 | | | | | |
| 43566 | 07/31/20 | WATER015 WATERLOGIC | | | | | 1546 | |
| 20-01889 | 1 | WATER SYS SVC 7/15/20-10/14/20 | 139.91 | 001-2100-521-5290 LAW ENFORCEMENT | Expenditure | | 61 | 1 |

| Checking Account Totals | Paid | Void | Amount Paid | Amount Void |
|---|---|---|---|---|
| Checks: | 120 | 4 | 199,351.14 | 0.00 |
| Direct Deposit: | 0 | 0 | 0.00 | 0.00 |
| Total: | 120 | 4 | 199,351.14 | 0.00 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 002IMPACTFEES | | | | | | | | |
| 1583 | 07/31/20 | STJOH020 ST JOHNS COUNTY FINANCE DEPT | | | | | 1549 | |
| 20-02006 | 1 | IMPACT FEES-JULY 2020 | 13,821.59 | 001-208-0000 Due to Other Governments | G/L | | 1 | 1 |

| Checking Account Totals | Paid | Void | Amount Paid | Amount Void |
|---|---|---|---|---|
| Checks: | 1 | 0 | 13,821.59 | 0.00 |
| Direct Deposit: | 0 | 0 | 0.00 | 0.00 |
| Total: | 1 | 0 | 13,821.59 | 0.00 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 101TDBANKRDBRG | | | | | | | | |
| 20716 | 07/02/20 | FLORI250 FLORIDA POWER & LIGHT COMPANY | | | | 07/31/20 | 1537 | |
| 20-01757 | 1 | ELECTRICITY | 16.31 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 3 | 1 |
| 20-01757 | 2 | ELECTRICITY | 31.62 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 4 | 1 |
| 20-01757 | 3 | ELECTRICITY | 115.30 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 5 | 1 |
| | | | 163.23 | | | | | |
| 20717 | 07/02/20 | MUNIC020 MUNICIPAL SUPPLY & SIGN CO. | | | | 07/31/20 | 1537 | |
| 20-01736 | 1 | A1A BEACH SIGNAGE | 200.30 | 101-4100-541-5310 ROADS & BRIDGES | Expenditure | | 2 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 101TDBANKRDBRG | | Continued | | | | | | |
| 20718 | 07/02/20 | SRMCO005 SRM CONCRETE | | | | 07/31/20 | 1537 | |
| 20-01763 | 1 | MIZEL POND DISCHARGE MATERIAL | 960.00 | 101-4100-541-6380 ROADS & BRIDGES | Expenditure | | 6 | 1 |
| 20719 | 07/02/20 | STJOH245 ST JOHNS SALES & SERVICE | | | | 07/31/20 | 1537 | |
| 20-01735 | 1 | REPAIR TO SCAG MOWER | 221.83 | 101-4100-541-4620 ROADS & BRIDGES | Expenditure | | 1 | 1 |
| 20720 | 07/17/20 | BOZAR010 BOZARD FORD COMPANY | | | | 07/31/20 | 1542 | |
| 20-01785 | 1 | VEHICLE #69 REPAIRS | 96.53 | 101-4100-541-4630 ROADS & BRIDGES | Expenditure | | 2 | 1 |
| 20721 | 07/17/20 | EVANS010 EVANS AUTOMOTIVE | | | | 07/31/20 | 1542 | |
| 20-01820 | 1 | VEHICLE 63-68 REPAIRS | 35.76 | 101-4100-541-4630 ROADS & BRIDGES | Expenditure | | 16 | 1 |
| 20722 | 07/17/20 | FLORI250 FLORIDA POWER & LIGHT COMPANY | | | | 07/17/20 VOID | 0 | |
| 20723 | 07/17/20 | FLORI250 FLORIDA POWER & LIGHT COMPANY | | | | 07/31/20 | 1542 | |
| 20-01786 | 1 | ELECTRICITY | 94.07 | 101-4100-541-5320 ROADS & BRIDGES | Expenditure | | 3 | 1 |
| 20-01786 | 2 | ELECTRICITY | 4,324.63 | 101-4100-541-5320 ROADS & BRIDGES | Expenditure | | 4 | 1 |
| 20-01786 | 3 | ELECTRICITY | 14.20 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 5 | 1 |
| 20-01786 | 4 | ELECTRICITY | 43.23 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 6 | 1 |
| 20-01786 | 5 | ELECTRICITY | 19.92 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 7 | 1 |
| 20-01786 | 6 | ELECTRICITY | 11.55 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 8 | 1 |
| 20-01786 | 7 | ELECTRICITY | 10.89 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 9 | 1 |
| 20-01786 | 8 | ELECTRICITY | 180.40 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 10 | 1 |
| 20-01786 | 9 | ELECTRICITY | 11.55 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 11 | 1 |
| 20-01786 | 10 | ELECTRICITY | 13.07 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 12 | 1 |
| 20-01786 | 11 | ELECTRICITY | 16.41 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 13 | 1 |
| 20-01808 | 1 | ELECTRICITY | 835.91 | 101-4100-541-4310 ROADS & BRIDGES | Expenditure | | 15 | 1 |
| | | | 5,575.83 | | | | | |
| 20724 | 07/17/20 | SRMCO005 SRM CONCRETE | | | | 07/31/20 | 1542 | |
| 20-01844 | 1 | MIZEL POND DISCHARGE MATERIAL | 280.00 | 101-4100-541-6380 ROADS & BRIDGES | Expenditure | | 17 | 1 |
| 20725 | 07/17/20 | THELA020 THE LAKE DOCTORS | | | | 07/31/20 | 1542 | |
| 20-01807 | 1 | WATER MANAGEMENT SERVICE | 595.00 | 101-4100-541-3400 ROADS & BRIDGES | Expenditure | | 14 | 1 |

| Check # / PO # | Check Date / Item | Vendor / Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Contract | Ref Num / Ref Seq | Acct |
|---|---|---|---|---|---|---|---|---|
| 101TDBANKRDBRG | | Continued | | | | | | |
| 20727 | 07/17/20 | WISEM010 WISEMAN FENCE & MORE INC. | | | | | 1543 | |
| 20-01784 | 1 | ACCESS DRAINAGE-OLD BEACH RD | 340.00 | 101-4100-541-6380 ROADS & BRIDGES | Expenditure | | 1 | 1 |
| 20728 | 07/31/20 | ADVAP010 ADVANCED AUTO PARTS | | | | | 1545 | |
| 20-01870 | 1 | TRACTOR #49 TIRE REPAIR SUPPLY | 7.98 | 101-4100-541-5290 ROADS & BRIDGES | Expenditure | | 3 | 1 |
| 20729 | 07/31/20 | ALLEN020 ALLEN'S TOWING SERVICE | | | | | 1545 | |
| 20-01871 | 1 | VEHICLE #76 TOW | 200.00 | 101-4100-541-5290 ROADS & BRIDGES | Expenditure | | 4 | 1 |
| 20730 | 07/31/20 | EVANS010 EVANS AUTOMOTIVE | | | | | 1545 | |
| 20-01869 | 1 | TRACTOR #49 TIRE REPAIR | 22.95 | 101-4100-541-4620 ROADS & BRIDGES | Expenditure | | 2 | 1 |
| 20731 | 07/31/20 | FLORI180 FLORIDA LEAGUE OF CITIES, INC. | | | | | 1545 | |
| 20-01884 | 1 | MOT TRAINING | 375.00 | 101-4100-541-5430 ROADS & BRIDGES | Expenditure | | 12 | 1 |
| 20732 | 07/31/20 | FUTCH010 FUTCH'S TRACTOR DEPOT | | | | | 1545 | |
| 20-01873 | 1 | MOWER DECK REPAIR | 146.75 | 101-4100-541-4620 ROADS & BRIDGES | Expenditure | | 6 | 1 |
| 20733 | 07/31/20 | GOODY020 GOODYEAR COMMERCIAL TIRE | | | | | 1545 | |
| 20-01819 | 1 | VEH 63-68 TIRES | 239.52 | 101-4100-541-4630 ROADS & BRIDGES | Expenditure | | 14 | 1 |
| 20-01896 | 1 | TIRE RETURN CREDIT | 70.00- | 101-4100-541-4630 ROADS & BRIDGES | Expenditure | | 13 | 1 |
| | | | 169.52 | | | | | |
| 20734 | 07/31/20 | HOMED010 HOME DEPOT | | | | | 1545 | |
| 20-01877 | 1 | SILT FENCE-MICKLER DITCH | 89.61 | 101-4100-541-6380 ROADS & BRIDGES | Expenditure | | 7 | 1 |
| 20735 | 07/31/20 | JBCOX005 JB COXWELL CONTRACTING INC | | | | | 1545 | |
| 20-01630 | 1 | DEP BEACH SAND-HURR PROTECTION | 5,950.00 | 101-4100-541-5310 ROADS & BRIDGES | Expenditure | | 1 | 1 |
| 20736 | 07/31/20 | MELVI010 MELVIN'S REPAIR SHOP | | | | | 1545 | |
| 20-01872 | 1 | LOADER BACKHOE HYD HOSE REPAIR | 59.86 | 101-4100-541-4620 ROADS & BRIDGES | Expenditure | | 5 | 1 |
| 20737 | 07/31/20 | MUNIC020 MUNICIPAL SUPPLY & SIGN CO. | | | | | 1545 | |
| 20-01880 | 1 | STREET SIGNS | 68.80 | 101-4100-541-5310 ROADS & BRIDGES | Expenditure | | 8 | 1 |
| 20738 | 07/31/20 | STJOH245 ST JOHNS SALES & SERVICE | | | | | 1545 | |
| 20-01881 | 1 | EQUIPMENT REPAIR - EDGER | 38.15 | 101-4100-541-4620 ROADS & BRIDGES | Expenditure | | 9 | 1 |
| 20-01881 | 2 | EQUIPMENT REPAIR - CHAIN SAW | 19.94 | 101-4100-541-4620 ROADS & BRIDGES | Expenditure | | 10 | 1 |

| Check # Check Date Vendor<br>PO # Item Description | Amount Paid | Charge Account | Account Type | Reconciled/Void Ref Num<br>Contract Ref Seq Acct |
|---|---|---|---|---|
| 101TDBANKRDBRG | Continued | | | |
| 20738 ST JOHNS SALES & SERVICE Continued | | | | |
| 20-01881 3 EQUIPMENT REPAIR - CHAIN SAW | 24.63 | 101-4100-541-4620<br>ROADS & BRIDGES | Expenditure | 11 1 |
| | 82.72 | | | |

| Checking Account Totals | Paid | Void | Amount Paid | Amount Void |
|---|---|---|---|---|
| Checks: | 21 | 1 | 15,641.67 | 0.00 |
| Direct Deposit: | 0 | 0 | 0.00 | 0.00 |
| Total: | 21 | 1 | 15,641.67 | 0.00 |

| Report Totals | Paid | Void | Amount Paid | Amount Void |
|---|---|---|---|---|
| Checks: | 142 | 5 | 228,814.40 | 0.00 |
| Direct Deposit: | 0 | 0 | 0.00 | 0.00 |
| Total: | 142 | 5 | 228,814.40 | 0.00 |

| Totals by Year-Fund<br>Fund Description | Fund | Expend Total | Revenue Total | G/L Total | Total |
|---|---|---|---|---|---|
| GENERAL FUND | 0-001 | 166,815.56 | 595.71 | 45,761.46 | 213,172.73 |
| ROAD & BRIDGE FUND | 0-101 | 15,641.67 | 0.00 | 0.00 | 15,641.67 |
| Total Of All Funds: | | 182,457.23 | 595.71 | 45,761.46 | 228,814.40 |

| Totals by Fund<br>Fund Description | Fund | Expend Total | Revenue Total | G/L Total | Total |
|---|---|---|---|---|---|
| GENERAL FUND | 001 | 166,815.56 | 595.71 | 45,761.46 | 213,172.73 |
| ROAD & BRIDGE FUND | 101 | 15,641.67 | 0.00 | 0.00 | 15,641.67 |
| Total Of All Funds: | | 182,457.23 | 595.71 | 45,761.46 | 228,814.40 |

| Fund Description | Fund | Current | Prior Rcvd | Prior Open | Paid Prior | Fund Total |
|---|---|---|---|---|---|---|
| GENERAL FUND | 0-001 | 166,815.56 | 0.00 | 0.00 | 0.00 | 166,815.56 |
| ROAD & BRIDGE FUND | 0-101 | 15,641.67 | 0.00 | 0.00 | 0.00 | 15,641.67 |
| Total Of All Funds: | | 182,457.23 | 0.00 | 0.00 | 0.00 | 182,457.23 |

# PENDING ACTIVITIES AND PROJECTS

Revised September 3, 2020

PLEASE NOTE: Some parts of this report have been shortened by the removal of outdated information.

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. At its June 1st meeting, the Commission reviewed an ordinance from the Building Official to delineate the boundaries of the mixed-use district along the Boulevard and passed it on first reading. The ordinance had its first public hearing and second reading at the Commission's July 6th meeting and its second public hearing and final reading at the Commission's August 3rd meeting.

   Also, at the August 3rd meeting the Commission approved on first reading an ordinance to amend the Regulations to permit the access of private property from dead-end streets. The ordinance will have its first public hearing and second reading at the Commission's September 14th meeting.

   The Building Department staff is now preparing revisions to the Regulations to implement the new policies in the Comprehensive Plan that was approved by the state in February. The first phase of the revisions will be submitted to the Commission at its October 5th meeting.

3. UPDATING STRATEGIC PLAN. As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. At later meetings in 2019, the Planning Board and the Sustainability and Environmental Planning Advisory Committee provided suggestions for the plan. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking infrastructure. 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 14, 2020, continuation meeting. The City Manager will revise the plan it back to the Commission at a future meeting.

4. PARKING PLAN. The City Commission has changed the focus of the parking plan from paid parking to improvements for parking on City-owned plazas and streets. The staff will draft a five-year plan and the Police Department is to determine the most effective parking regulations for the streets west of A1A Beach Boulevard. The parking plan will be provided to the Commission at a future meeting.

5. JOINT MEETINGS:

   a. With the County Commission. No date has yet been proposed by either Commission for a joint meeting.

   b. 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. At its March 2nd meeting, the Commission asked that the Code Enforcement Board and the Sustainability and Environmental Planning Advisory Committee be asked for dates for a workshop meeting with the

Commission. Because of the social distancing requirement caused by the pandemic, the Commission will be asked later in 2020 or in 2021 when it wants to schedule a joint meeting with the Planning Board and SEPAC.

6. UPDATING PERSONNEL MANUAL. Past updates or changes have included: to designate Christmas Eve and Good Friday as holidays for the City employees; to provide compensation to the employees during emergencies; revisions to provisions in the Manual concerning equal employment opportunity, educational assistance program, Americans with Disabilities Act coordinators, records, interpretations and conflicts of interest. Ms. Beverly Raddatz, the City Clerk, will propose more updates to the Manual at future Commission meetings.

7. NEW REVENUE SOURCES: 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 May 4th meeting, the Commission set the ranges for various categories of solid waste for the non-ad valorem assessment for residential property in the City and scheduled a public hearing on the ranges for Monday, June 15th. However, because the Tax Collectors said specific fees as well as ranges have to be advertised, the Commission at its June 1st meeting agreed to have the public hearing on Tuesday, July 7th, with the following proposed fees: $87 for the collection of solid waste, $67 for disposal, and $24 for recycling. At the July 7th meeting, the Commission approved the ranges for the collection and disposal of solid waste and recyclables, and set the rates for Fiscal Year 2021, which will begin on October 1, 2020.

   At its August 3rd meeting, the Commission approved the interlocal agreement with the St. Johns County Tax Collector for the collection of the non-ad valorem assessment. This topic will no longer be included in this Report.

8. 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 new lights erected. The City Manager has approved the

agreement and a contract has been submitted to FPL. The Public Works Director will call FPL as to the project's status.

9. 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.

10. LED STREETLIGHTS. FPL representatives presented a proposal to the Commission at its June 10, 2019, 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. As its January 13, 2020 ,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 FPL was signed. FPL now must do the design and install the lights.

11. GRANTS. The Public Works Director has prepared and or will prepare applications for grants from the following agencies:

    a. Florida Recreation Development Assistance Program, $106,500, for restrooms at Ocean Hammock Park. City match would be $35,500. Total project cost: $142,000. The Governor approved the appropriation and now the Florida Department of Environmental Protection needs to send the contract. The restrooms are being designed by a local architect.

    b. Coastal Partnership Initiative: $25,000, to fund planning for other improvements to Ocean Hammock Park: picnic pavilion, observation platform, playscape for children, more trails. City match would be $25,000. Total project cost: $50,000. Though it is federal money, the grant is provided through the state, which has approved it. The City will hire a consultant to design and permit the project starting October 1st.

    c. Florida Resilient Coastlines Programs: to do a Vulnerability Assessment and Adaptability Plan. Total amount requested $72,000. No match required. This will involve updating the City's stormwater model, identifying vulnerabilities, and recommending options for inclusion in a future Public Works Capital Improvements Plan. The Governor approved the funding, the civil engineer has been hired and work on the project has started.

    d. 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. In April, the City was notified that its project was in line for funding. However, whether the money will be provided depends on the District appropriating it in the District's Fiscal Year 2021 budget. Approval may approve the funding for this program in September 2020.

12. REQUEST TO ST. AUGUSTINE PORT, WATERWAY AND BEACH COMMISSION FOR FUNDING FOR PROJECTS. In the spring of 2021, City staff will ask the Port Commission to provide money in its Fiscal Year 2022 budget for beach access walkovers.

13. REQUEST FOR FUNDING FROM TOURIST DEVELOPMENT COUNCIL FOR BEACH-RELATED PROJECTS. Requests for funding are on hold because of the significant decline in revenue from the bed tax due to the pandemic.

14. 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.

15. CHARGING STATION FOR ELECTRIC VEHICLES. The Public Works Director is working with the staff of the North Florida Regional Transportation Organization to have a charging station for the public at city hall. The Public Works Director met with the company that builds the stations to determine the location for the station, which will be two charging stations next to Building C on the west side of the south city hall parking lot.

16. FLOODING COMPLAINTS, OCEAN WALK SUBDIVISION. The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16th Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents have complained that the piping of the ditch has caused flooding along the subdivision's west side. The Public Works Director has had the Mickler and 11th Street ditches clear of debris, so as to improve the flow of water, and will propose that the subdivision be surveyed, and the City's civil engineering consultant review the project. The Commission will discuss the Director's proposal at its September 14th meeting.