


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.

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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 ALA SOUTH

ST. AUGUSTINE BEACH, FLORIDA 32080

WWW.STAUGSBCH.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.STAUGRCH.COM

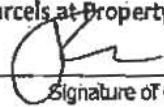
CITY MGR. (904) 471-2122
FAX (904) 471-4108

BLOG. & 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



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

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.

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.

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 1A 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.

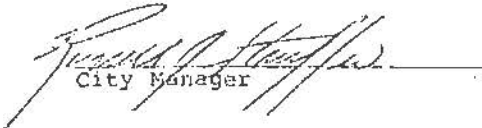
SECTION 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed. This Amended Ordinance No. 67 originally first read September 11, 1978.


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 OF ST. AUGUSTINE BEACH


City Manager

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. 2 nd Street option – Owners Pay Full Cost - | \$20,950 per lot; \$0 cost to City |
| 2. 3 rd Street Option – Owners Pay Full Cost - | \$27,394 per lot; \$0 cost to City |
| 3. 2 nd Street Option – City Pays 1/3 of roadway costs - | \$16,398 per lot; \$72,833 by City |
| 4. 3 rd 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
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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**