



MINUTES

REGULAR CITY COMMISSION MEETING

MONDAY, SEPTEMBER 9, 2019

IMMEDIATELY FOLLOWING THE

SPECIAL BUDGET MEETING AT 6:00 P.M.

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

I. CALL TO ORDER

Mayor George called the meeting to order at 7:42 p.m.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

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

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

IV. APPROVAL OF MINUTES OF SPECIAL BUDGET COMMISSION MEETING ON JULY 31, 2019, AND REGULAR COMMISSION MEETING ON AUGUST 5, 2019

Mayor George introduced Item IV and asked the Commission if there were any discussion regarding the minutes. Being none, Mayor George asked for a motion.

Motion: to approve Special Commission meeting on July 31, 2019 and Regular Commission meeting on August 5, 2019. **Moved by** Vice Mayor England, **Seconded by** Commissioner Samora. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor George asked if there were any additions or deletions of the agenda. She advised that the presentation from the North Florida Green Chamber of Commerce has been rescheduled; however, there will be a presentation for the Anastasia Island Environmental Stewardship Awards by the SEPAC Chair, Sandra Krempasky.

City Manager Royle advised that Item 4 was voluminous and due to Hurricane Dorian, the Committee meeting was changed, so it would be rescheduled to the Final Special Budget meeting.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor George asked if there were any changes to the order of topics on the Agenda. Being none, Mayor George moved on to Item V.

VII. PRESENTATIONS

- A. Presentation of Plaques for the Recipients of the Anastasia Island Environmental Stewardship Awards

Mayor George introduced Item VII. A. and asked Sandra Krempasky, Chair of the SEPAC, to the podium to present the plaques.

Ms. Krempasky explained that the Anastasia Island Environmental Stewardship Awards were to recognize individuals, organizations, and businesses who are working to protect the island's natural resources and enhance its ecosystem. She then presented plaques to Southern Horticulture and to Captain Adam Morley for their conservation efforts.

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

This item has been rescheduled.

Mayor George moved on to Item VIII.

VIII. PUBLIC COMMENTS

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, explained that St. Johns County received \$15.5 million in surplus and suggested the Commission go to County Commissioner Henry Dean or St. Johns County Commission meeting to ask for a portion of the surplus.

Craig Thomson, 6 D Street, St. Augustine Beach, FL, advised that he was glad the City is doing the sustainability awards; thankful that SEPAC is authorized to do workshops and inform people of environmental issues, such as sea level rise; explained that if residents are in a flood plain, residents need to plant trees, reduce runoff by swales and elevated building foundations, etc.; and he suggested hiring a Sustainability Administrator.

Sonia Kulyk, 114 15th Street, St. Augustine Beach, FL, asked what the status is on Oceans 13 and was concerned about the height of the building.

Building Official Law advised that the Oceans 13 building would meet the height requirements and he was permitting it tomorrow. He explained that it has been approved by the Planning and Zoning Board and that the drainage would be inspected by Public Works Director Tredik.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, requested having a national search for a new City Manager; suggested doing the seven-generation sustainability test within the City; why is there no money in the budget for police body cameras.

Mayor George closed the Public Comments section.

Mayor George moved on to Item IX.

IX. COMMISSIONER COMMENTS

Mayor George asked Commissioner Samora to give his comments.

Commissioner Samora explained that he attended the Visitors & Convention Bureau (VCB) meeting and advised that the visitor numbers and occupancy rates have increased. VCB will be adopting a new marketing plan and technology for the area. VCB is also following what the City of St. Augustine has been restricting on transient rentals regarding parking requirements and he suggested to watch what changes are going to be done in the Historic City.

Commissioner Rumrell advised that City Manager Royle and he met with Representative Cyndi Stevenson to discuss the projects and funding needs of the beach. He commented that Representative Stevenson will be researching funding from the state level for the City's beach projects. He advised that they are trying to schedule an appointment with Senator Travis Hutson.

Commissioner Kostka advised that she and City Manager Royle, Vice Mayor England, Commissioner Rumrell attended the Florida League of Cities Annual Conference where they received a lot of information and good ideas to share with staff. She advised that it was a great opportunity for networking with other mayors and commissioners.

Vice Mayor England advised that the conference was great and found that the City of Longboat Key did a large project to put underground utilities as well as the drainage. She advised that it was very informative. She explained that the Longboat Key did a special assessment for the underground utilities and paid their assessments in advance, so they did not have to borrow as much. She explained that there is new technology about flooding, so you do not have to worry about flooding of underground utility lines.

Mayor George thanked the Public Works and the Police Department employees for their hard work during Hurricane Dorian. She commented that she worked a lot of hours, but it was only a fraction of the time the Police and Public Works employees worked. She advised that they did a great job keeping the citizens and the properties safe. She explained that she saw everyone working together at the Emergency Operation Center during the storm and new relationships were forged. She advised that her prayers go out to the Bahamas.

Mayor George moved on to Item 1.

X. PUBLIC HEARINGS

1. Ordinance 19-10, Public Hearing and Final Reading: to Levy a Franchise Fee for Solid Waste Haulers (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 1 and then asked City Attorney Wilson for his report.

City Attorney Wilson explained that this ordinance was requested by the Commission and means that any resident who has a private hauler come into the City that hauler would have to pay a franchise fee. He commented that the franchise fee is \$300 per year and will pay 10% of the haulers gross revenues. He advised that the haulers are required to have an office in St. Johns County.

Finance Director Douylliez advised that she like to remove the language on page 9 under number 6 because that the haulers must have an office in St. Johns County because it would limit the City's franchise fees.

City Attorney Wilson advised that if the Commission would like to remove that language, it should be stated in the motion.

City Manager Royle asked if the ordinance should include the word commercial on Section 10-104 (d)(2)(a) on page 10.

City Attorney Wilson advised that he would add the word commercial to the ordinance as requested.

Vice Mayor England asked what would be included in commercial for the condo buildings.

Finance Director Douylliez advised that condos according to the City's codes are considered commercial if they have more than four units.

Vice Mayor England asked if the Commission should add recycling to the ordinance as well.

Finance Director Douylliez advised that haulers pick up from commercial properties recyclables as well as solid waste and construction debris.

City Attorney Wilson advised that recycling is included in the wording of commercial services.

Mayor George suggested on page 10 under A. or B. to include the words recyclable materials.

Finance Director Douylliez agreed with Mayor George in order to cover all the bases of commercial materials.

Discussion ensued regarding whether to include recyclable materials in the ordinance because the City has a contract with Advanced Disposal regarding recyclable materials and it may result in a legal problem.

After discussion, City Attorney Wilson advised that it gives him pause to include recycling because of the current contract with Advanced Disposal. He explained that he didn't want to have an ordinance in breach of the City's contract. He commented that private haulers would include the recycling costs of their 10% gross revenues without putting it in the ordinance and having it conflict with Advanced Disposal's contract.

Vice Mayor England asked if 10 days after the effective date of the ordinance would be enough time to notify the private haulers.

After discussion, it was decided to change the effective date to November 1, 2019, and to notify the private haulers to send back their franchise forms and insurance.

Commissioner Samora requested that the private haulers submit with their franchise fee form their insurance coverage.

Commission agreed.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, questioned if commercial properties must pay the franchise fees and suggested having a franchise fee on the orange and green trains.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, suggested charging everyone, no matter if they have a City contract; agreed with Mr. Reynolds to charge franchise fees for the orange and green trains; and requested to give a livable wage of \$15 an hour.

Mayor George closed the Public Comments section and asked for any further Commission discussion. Being none, Mayor George asked City Attorney Wilson to read the title of the ordinance.

City Attorney read the title of the ordinance. He advised the Commission that the amendments should be changing the effective date to November 1st and add the word commercial as discussed and to delete Section 10-104 (b) (6).

Mayor George asked for a motion.

Motion: to approve Ordinance 19-10 as amended as described by City Attorney Wilson. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item 2.

2. Ordinance 19-13, Public Hearing and Final Reading: to Remove the Requirement of Dog Licenses from the City Code (Presenter: Beverly Raddatz, City Clerk)

Mayor George introduced Item 2 and then asked City Clerk Raddatz for her report.

City Clerk Raddatz advised that there have not been any changes since the hearing on August 5, 2019 and it would be up to the Commission to move forward or not.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked if the dogs will have to still have rabies shots.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, disagreed with removing dog licenses because it is a safety issue; asked if Police Chief Hardwick has any objections; and requested to table this item.

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

Mayor George advised that she opposes this being removed, but asked Police Chief Hardwick his opinion.

Police Chief Hardwick advised that staff gave factual data regarding this and he doesn't know what more they want from the staff.

Vice Mayor England advised that even though the City doesn't have dog licenses, St. Johns County would be enforcing this.

Police Chief Hardwick advised that St. Johns County is enforcing this, and they are the experts.

City Attorney Wilson advised that the State of Florida enforces the vaccinations. He then read the title of the ordinance.

Mayor George asked for a motion.

Motion: to approve Ordinance 19-13. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka. Motion passed 4 to 1, with Mayor George opposing.

Mayor George moved on to Item 3.

XI. CONSENT

3. Budget Resolution 19-08 and 19-09, to Appropriate Money to the Debt Service Fund and the Road/Bridge Fund's Vehicle Repair and Maintenance Account

Mayor George asked the Commission if they wanted to discuss Item 3 of the Consent Agenda. Being none, Mayor George asked for a motion.

Motion: to approve the Consent Agenda. **Moved by** Mayor George, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George moved on to Item 4.

XII. OLD BUSINESS

4. Liability, Workers Compensation, Vehicle and Property Insurance: Review of Proposals (Presenter: Beverly Raddatz, City Clerk)

This item has been rescheduled to the Special Commission meeting on September 23rd at 6:00 p.m.

5. Denial of Conditional Use Permit to Build a Single-Family Residence in a Commercial Land Use District at 16 5th Street (Lot 18, St Augustine Beach Subdivision): Request by Applicant, Mr. James Cochran, for Commission to Allow New Application for Permit in Accordance with Section 10.03.02.A.3 and 4 of the Land Development Regulations (Presenter: Brian Law, Building Official)

Mayor George introduced Item 5 and then asked Building Official Law for his report.

Building Official Law advised that in April 2019 a single-family home was turned down to construct a transient rental and applicant has requested to exercise his right to waive the requirement to wait one year before reapplying. He explained that the Comprehensive Planning and Zoning Board recommended approval by a motion of 5 to 2 and it was denied at the Commission meeting.

James Cochran, 328 South Forest Dune, St. Augustine Beach, FL, explained that in order to waive the one-year requirement the exception says he must prove that there was an injustice. He commented that his property has been the only conditional use permit denied and since then the Commission has approved identical properties for conditional use permits for single-family homes for a large hotel group. He explained that he has been the only one denied since 2016. He presented Exhibit 1 and explained that all around his property are commercial properties and transient rentals. He advised that the Commission has evolved and changed their minds about transient rentals, and he agrees with that because it is the best for the City but wants the same treatment that everyone else has received. He commented that the perception in this City is that large organizations with deep pockets get different treatment than citizens. He explained that the taxes on this property when the transient rental is constructed would give \$6,000 - \$8,000 in tax revenues to the City. He commented that the lot is not sellable or developable as it currently exists. He agreed with not giving a transient rental in a residential area; however, this area is mostly a transient rental area. He asked for the waiver of the 12 months and secondly the approval of the conditional use permit that he should have received in April. He said that City Attorney Wilson says that he must go back and start the whole process over and have the Comprehensive Planning and Zoning Board reapprove the property, which makes no sense. He explained that he has wasted over \$10,000 in time and money by not receiving a permit. He asked the Commission to allow him to come

back to the Commission for another decision, but not make him start the process all over with the Comprehensive Planning and Zoning Board.

Mayor George asked City Attorney Wilson to explain the impact of the request.

City Attorney Wilson advised that the condition use permit was denied by the Commission and Mr. Cochran didn't appeal the decision, so he must file a new application according to the City's codes. He explained that there needs to be notification again to the neighbors and must advertising for public hearings.

Mayor George advised that at this meeting the Commission could not approve the conditional use permit because it has not been publicly noticed.

City Attorney Wilson advised that this meeting is to see if the Commission wants to give him a waiver for the 12-month requirement or not. He advised that he feels sorry for him, but he didn't do the appeal process and the Commission needs to follow the City's code.

Mayor George asked if denying the conditional use permit is the same as an injustice or must he prove why there was an injustice in the process.

City Attorney Wilson advised that the Commission could waive the requirement to prevent injustice or to facilitate the development of the City.

Mayor George asked if the City has ever waived this requirement.

City Attorney Wilson advised that he was not aware of anyone ever applying for it. He explained that it would have to be a new application and not the same application applied for as before.

Building Official Law advised that this area has been approved for mixed use development and the southernly parcel is under the Public Works Director's review currently. He explained that it is a three-story transient unit being constructed. He advised that the bike shop is being changed and they will be going back to the Comprehensive Planning and Zoning Board for approval.

Commissioner Samora asked if the owner has enough parking spaces if the land is developed.

Building Official Law advised that they do, but they had to do variances. He commented that this would be coming up for discussion on Item 12. He explained that the Comprehensive Planning and Zoning Board recommended on Mr. Cochran's property to have a gravel driveway or 10% or greater permeable pavers. He advised that parking must comply, or the owner would have to get a variance. He explained that Mr. Cochran wants a five-bedroom home, so he would need five parking spaces.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Mr. Cochran and believes he has a valid argument for a waiver and suggested that he go back through the process. He explained that the City of St. Augustine amended their codes on waivers and suggested the Commission review them.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that he has been mistreated and he believes in property owner rights.

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

Mayor George asked Mr. Cochran if he would like to rebut the testimony.

Mr. Cochran advised that he had nothing further to say.

Commissioner Kostka advised that she feels very comfortable with the decisions that were made at the time because the lots on the other side of the street behind Ed's Garage have not been approved at that time for transient rentals and the surrounding properties did not have a formalized plan moving forward. She commented that the Commission discussed at great length whether to approve transient rentals because the Commission did not want a surplus of transient rentals. She explained that there are residential units on that side of A1A Beach Boulevard. She remarked that now, six months later, there is new information so if the owner wanted to go through the process again, it might be looked at differently. The question tonight is whether the Commission would allow a one-year waiver.

Mayor George advised that that was correct, as it has never been applied for before there are no criteria to look at to follow and it could open a precedent. She commented that she was not in the position to say that she made an injustice at the time the Commission made their decision. She explained that the point of the 12-month rule is to stop people from applying repeatedly and it would be an abusive process.

Commissioner Kostka validated Mayor George's concern about setting a new precedent. She commented that we should not change the procedures because of the situation.

Commissioner Rumrell advised that the owner should have come and appealed the decision. He agreed with Mayor George and Commissioner Kostka in not changing the procedures and setting a precedent.

Commissioner Samora explained that he was comfortable with the decision the Commission made at the time with the information that was presented. He disagreed that this is the same as the ones that have just been approved. He explained that when this was presented, he wanted to preserve the commercial properties along the Boulevard. He has received more information tonight and there is now a plan in place to develop commercially mixed-use developments for the lots on the Boulevard, which is a huge change in the direction that the Commission wants to go. He commented that he wouldn't mind waiving the one-year requirement but on the grounds that it would facilitate the proper development of the City.

Vice Mayor England commented that when the decision was made on Mr. Cochran's property, she was concentrating on limiting transient rentals in the commercial districts. She advised that she is leaning towards waiving the 12-month requirement to facilitate proper development. She commented that she was not saying that the decision would change because it would depend on the application.

Mayor George asked Mr. Cochran if he wants to rebut.

Mr. Cochran advised that he is surprised by the Commission because the lot is identical to the lots that have been approved. He commented that Building Official Law advised the Commission that these lots are not viable commercially. He remarked that this transient rental will rent for \$10,000 a month. He advised that the lot is not on the Boulevard. He commented that all the ordinances need to be followed because that is what would generate revenues for the City. He explained that the City's ordinance says that he is entitled to this waiver. He explained that he didn't put in an appeal because it was going to cost \$15,000. He came to the Commission meeting the next month and asked that the Commission would consider it and the Commission directed staff to reconsider it and said it was in the minutes. He said that the ordinances said he was entitled to the conditional use permit. He explained

that he had in writing from the City Manager's office that the conditional use permit would be approved. He asked the question to staff could he get it in writing before he purchased the property and the answer from staff was no. He said that the Commission position on transient rentals has evolved, which was clear by the hotel group at the last meeting.

Mayor George asked why Mr. Cochran should be exempted from the rule everyone else is bound to.

Mr. Cochran stated that he should get a waiver because it is beneficial for the City's development and it's the reason the Commission approved the hotel group's lots. Secondly, he is giving the Commission an opportunity to the perception of impropriety.

Mayor George disagreed with the statements regarding classifying the Commission's actions as well as the allegations of identical scenarios with the hotel group. She stated that she was very concerned about creating a precedent. She commented that it has been six months and makes her uncomfortable. She advised that the Commission can't always make everyone happy no matter what the perception is. She explained that the Commission treats everyone equally and she believes she has accomplished that in her role.

Commissioner Rumrell asked Building Official Law if this City allows, with the owner's consent, to go through an approval of a piece of property prior to purchase and base your purchase on the approval of the City.

Building Official Law advised that the City has an authorization form that is like St. Johns County's form.

Vice Mayor England advised that that was brought up at the first public hearing with Mr. Cochran. She explained that it is disconcerting that Mr. Cochran has indicated that he asked the question and he was told no.

Building Official Law advised that there was a confusion in the question that was being asked by Mr. Cochran. He explained that after the plan review, they contacted the planner because they found out the home would be a transient rental to explain that the cap was reached in the medium density zone. He explained that Deputy City Clerk Fitzgerald was confused by the question asked by Mr. Cochran and what he wanted. He explained that the City was not at fault with any injustice, but proper development would be the only thing that Mr. Cochran could rely on because of the site conditions. Mr. Cochran would have to get everything to the Building Department by Monday or Tuesday to be heard in October and then go to the Commission in November.

Mayor George agreed with Building Official Law that there was no neglect or fault of the City. She then asked if anyone would like to make a motion.

Commissioner Samora made a motion to waive the one-year waiting requirement to reapply for the conditional use permit.

Mayor George asked on what grounds.

Commissioner Samora advised on the grounds to facilitate proper development for the City.

Vice Mayor England seconded Commissioner Samora's motion but amended the motion to waive the 12-month waiting period in order to facilitate proper development of the City and due to some confusion in communication in regard to the initial application.

Commissioner Kostka advised that she doesn't not feel comfortable with the amendment to the motion because it put liability on the City, which she didn't believe that there was. She

explained that she was really comfortable with the decision that was made at the time. During the last approval when the Commission approved all the lots next to the hotel, the Commission asked for research on the number of transient rentals east of the Boulevard so the Commission had a good idea of what was being developed in the City and what was the percentage because they don't have to register them and some owners don't get their business tax receipt licenses. She explained that the motion is to waive the one-year requirement or not.

Vice Mayor England withdrew her amendment to the motion.

Commissioner Rumrell said that there could be an argument for what has been discussed; however, there are rules for a reason. He commented that if we do this by proper development does that set a precedent. He advised that the process has to be done over again, but because the Commission has had more information, he was not sure.

City Attorney Wilson advised that this would not set a precedent and advised that even if Mr. Cochran does the application over does not mean he will get his conditional use permit approved.

Motion: amended his previous motion to allow for the waiver of the 12-month waiting period in order to properly facilitate the development of the City based upon new information coming to light of the development plans for the adjacent lots. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England.

Mayor George asked for a rollcall vote.

City Clerk Raddatz call the roll as follows:

MAYOR GEORGE	No
VICE MAYOR ENGLAND	Yes
COMMISSIONER KOSTKA	No
COMMISSIONER RUMRELL	Yes
COMMISSIONER SAMORA	Yes

Motion passes 3 to 2.

Commissioner Kostka asked to extend the meeting.

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

Mayor George moved on to Item 6.

6. Electric Scooters: Review of Proposed Ordinance to Regulate (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 6 and then asked City Attorney Wilson for his report.

City Attorney Wilson explained that based on the characteristics for the City and his experience with this type of business he has proposed an ordinance. He suggested the following: 1) an non-exclusive franchise agreement; 2) payment of a franchise fee; 3) required insurance; 4) limit the speed to 15 mph or lower on all devices; 5) devices could not be left unattended in City rights-of-way, sidewalks, or City parking lots unless they are put in a docking or bicycle stand; 6) not have docking stations on City properties; 7) minor charge per

unit to be operated; and 8) City may want to limit the number of devices in the City per franchise holder for safety reasons. He explained that these devices could be a nuisance on the streets and sidewalks if left unattended.

Mayor George asked the vendors to come to the podium.

Steven Dennison, FROG Scooter Company representative, 217 Arricola, St. Augustine, FL, explained that FROG has been responding to Requests for Proposals and receiving their business tax receipts when they became involved with any city. He explained that FROG has insurance, which would indemnify the City and is owner-operator model and hires locally which make them more accountable to the City. He explained that FROG's e-scooters are the first commercial grade e-scooters and FROG gives back 1% of their revenues to local organizations. He would like to launch an educational program throughout the City when the time comes.

Mike Wauldron, EWHIPZ, LLC. representative, 5053 Cypress Links Blvd., Elkton, FL, thanked the Commission for hearing him and explained that EWHIPZ, LLC is an independent operator of Bird, which is a multi-billion-dollar company throughout the United States. He advised that the same operations they have in Atlanta, GA would be used here and offer multi e-bike series. His goal is to bring out a network of e-mobility units. He requires that anyone renting a bike would have to read the local laws and is looking for a pilot program to put in place a mobility network system with multi units. He commented that he is local and has a business and a warehouse locally. He advised that he wants to do business throughout St. Johns County.

Mayor George asked about the e-bike and e-mobility units and asked what the primary focus would be on the network.

Mr. Wauldron advised that the two options now would be the e-bikes and e-scooters, which would be on the same network throughout St. Johns County for Phase 1. Phase 2 would include World Golf Village, Nocatee, Ponte Vedra, Vilano Beach, which would be on private properties with local businesses.

Vice Mayor England asked if there would be a local site within the City at the local businesses.

Mr. Wauldron explained that his team and the business would be located on 1711 Dobbs Road in St. Augustine. He commented on his team but advised it would not be in the City limits, but it would be only five minutes away.

Vice Mayor England commented that the Commission would want great customer service within their jurisdiction and help for tourist or residents really quickly.

Mr. Wauldron advised that his people would give good customer service and would teach safety and be an enforcer of the program to help people.

Commissioner Samora asked if a physical location in the City could be a part of the franchise agreement.

City Attorney Wilson advised that it would not have to be the office, but might want someone within the City limits and to be accessible.

Mayor George asked if the e-bikes or e-scooters would be operable in 24 hours a day 7 days a week.

Mr. Wauldron advised that he would operate them according to what Police Chief Hardwick would allow.

Commissioner Rumrell asked where they would be housed.

Mr. Wauldron advised that Salt Life is his partner and he would setup on private property within the City was a business that would like to be a part of this venture. He explained ten e-bikes in one parking station. He commented that it will help businesses who need more parking for their employees if they use the e-bikes, etc.

Vice Mayor England advised that it would be like the beach chair business at a hotel with docking station.

Mr. Wauldron advised that is correct and he would pick them up and maintain the e-bikes and e-scooters and would manage the flow and volume of them between stations. He explained that he would start with e-scooters and then e-bikes. E-bikes would not have pedal assist. He advised that the public can pre-reserve the bikes or scooters. He explained that Phase I will be St. Augustine Beach.

Commissioner Samora asked if they would be using City properties at all.

Mr. Wauldron advised that he would like to have a station at city hall and at the pier. He would like to get information out to the residents because he could see value in not using cars anymore.

City Attorney Wilson advised that he would put together an ordinance and bring it back to the Commission in October.

Discussion ensued regarding to continue the meeting to September 10, 2019 at 5:30 p.m.

Paul Susea, FROG representative, advised that they don't deal with the private sector. He explained that FROG partners with the City and does what the City requests. He commented that the City tells them where the stations should be and they have their own employees pick up the e-scooters that are left. He explained that what Mr. Wauldron is doing is a novelty and he was not aware of any other city working with private businesses. He explained that there would be a lot of problems dealing with private properties. He advised that they pay a franchise fee and a fee per day for the use of the e-scooters so that City could make money. He explained that they do all the things EWHIPZ, LLC. does, but they partner with the City, not the private businesses.

Vice Mayor England advised that the beach chair businesses have someone there onsite to help the customers.

Mr. Susea advised that the people who use the e-scooters would be leaving the beach or going to another place so that is why his employees would go to get the e-scooters and put them back at the City stations. He said that the City has the opportunity to tell us where to put the e-scooters. He explained that he only does e-scooters at this point. He commented that he is working with St. Johns County, City of St. Augustine, and City of Jacksonville Beach, as well.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that e-scooters are not a good thing and explained San Diego was not happy; however, he did like EWHIPZ's model to have the stations on private properties. He explained that people would get fatter and mentioned e-skateboards.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, disagreed with hearing from salesmen; advised that this is not ready to move forward on; requested \$15 an hour living wage for their

employees; does not like independent contractors; needs to check on the safety of the devices; and need a reasonable percentage of the revenues.

Mayor George closed the Public Comments section and thanked Bird and FROG companies for coming. She then moved on to adjourn.

XIV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

Motion: to continue this Regular Commission meeting until September 10, 2019 at 5:30 p.m.

Moved by Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

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

Undine C. George, Mayor

ATTEST:

City Clerk