



## MINUTES

REGULAR CITY COMMISSION MEETING  
MONDAY, AUGUST 1, 2022, 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 Samora called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor Donald Samora, Vice Mayor Rumrell, and Commissioners Undine C. George, and Beth Sweeny.

Commissioner Margaret England was absent.

Also present were City Manager Max Royle, City Attorney Charlie Douglas, Police Chief Daniel Carswell, Police Commander T.G. Harrell, City Clerk Dariana Fitzgerald, Finance Director Patty Douylliez, Building Official Brian Law, and Public Works Director Bill Tredik.

IV. APPROVAL OF MINUTES OF THE REGULAR COMMISSION MEETING ON JULY 11, 2022

**Motion:** To approve the minutes of the regular Commission meeting on July 11, 2022. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

There were none.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

There were none.

VII. PRESENTATIONS

There were none.

Mayor Samora moved on to Item VIII and opened Public Comments. He invited anyone that wanted to speak for three-minutes on non-agenda items.

VIII. PUBLIC COMMENTS

Sarah Michaels, 6 A Street, St. Augustine Beach, FL, thanked the City for doing something about motorized bikes; the City relies on the County police and is not the same level of service on nights/weekends.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, viewed the budget; encouraged another budget meeting before September 12<sup>th</sup>; Commission decided not to go with the proposed 10% and it will change the previous numbers; the non-ad valorem increased from \$74, to \$178, to \$315, with another proposed \$30 increased; many condos/townhouses have HOA fees that include yard waste cleanup and would not get the full benefit from the increase; City spent ARPA funds to buy Public Works solid waste equipment, which should reduce the \$315 fee; budget meetings used to last longer and now the Commissioners meet with the Finance Director Individually and no one knows what's happening.

Mayor Samora closed Public Comments and wanted to address some of the comments. He asked Police Chief Carswell if he wanted to address the comment regarding level of service.

Chief Carswell advised that as long as the Beach Police Department has been established the after-hours dispatch has always gone to the County. He said that he would meet with that individual to discuss the issue. He said that the e-bikes/golf cart ordinance should be ready to go for the next meeting.

Mayor Samora asked if the revised budget would be available online prior to the September 12<sup>th</sup> meeting for residents. Finance Director Douylliez advised that it is going to depend on the numbers that she is waiting for. She said that the Communications Services Tax was saying that it would be available at the end of July, which has now been pushed to the first part of August. She said that the solid waste topic tonight would generate more Commission comments as to which way to go with it. She advised that she would get it out as quickly as possible when the figures are received so that it is not another estimate. Mayor Samora said that September 12<sup>th</sup> is the second meeting and there would be another one after that. Finance Director Douylliez said that this would be her third time presenting the budget and that there is typically an early meeting and then not bringing it back again until September, when there is a more final budget, and propose the final budget two weeks later. Commissioner George asked if there was a proposed date for the final budget. Finance Director Douylliez said it would be two weeks later because there are constraints with TRIM to advertise a certain number of days in advance and hold the meeting so many days afterwards.

Mr. Binder raised his hand. Mayor Samora advised that this is not a question-and-answer segment. Mr. Binder said that the September 12<sup>th</sup> meeting may be the last meeting for the non-ad valorem because it has to go from the City to the County by September 15<sup>th</sup>. Mayor Samora advised that the non-ad valorem is an agenda item tonight.

Mayor Samora moved on to Item IX.

#### IX. COMMISSIONER COMMENTS

Vice Mayor Rumrell advised that the County poured the footers for the other lighted crosswalks, and they should be going in this week. He said that the crosswalk at the pier will be a raised crosswalk and is still in the design phase. The next crosswalk would possibly be at either 11<sup>th</sup> or 16<sup>th</sup> Street.

Mayor Samora asked if any Commissioner feels the need to have another budget workshop. Commissioner Sweeny said no, not since it is being discussed tonight and again on September 12<sup>th</sup>.

Mayor Samora moved on to Item X.1 and asked Building Official Law for his report.

#### X. PUBLIC HEARINGS

1. Request for Conditional Use Permit to Construct Residence in a Commercial Land Use District at #14 6<sup>th</sup> Street (Lot 13, Block 5, Chautauqua Beach Subdivision, Jeffrey and Marcia Kain, Applicants) (Presenter: Brian Law, Building Official)

Building Official Law advised that some Commissioners saw this over a year ago, but unfortunately the applicants did not get a completed application within the calendar year, so the approved conditional use permit expired and there are no options for City staff to extend it. He said that the Planning and Zoning Board recommended approval and he showed an aerial map of the property location next to Obi's Fillin' Station restaurant [Exhibit A]. He said that there have been lengthy debates at Planning and Zoning regarding Obi's parking, which they recognize that they have no right to park there. He advised that if the Commission decides to approve it that it be treated as a medium-density residential and that all limitations would apply.

Mayor Samora asked if the applicant wanted to address the Commission. Marcia Kain, applicant, asked for clarification regarding the parking. Building Official Law said that Obi's has no right to park there if you build a house.

Mayor Samora said that this is standard and that there is a rendering. Building Official Law reminded the Commission that this is not a design process and is a typical rendering, which would be thoroughly reviewed with the zoning application. Mayor Samora asked if the business on the front commercial lot had adequate parking. Building Official Law advised that he believed it is one parking spot per fifty-five square feet of gross floor area and that the City Code has two definitions for gross floor area. He said that one definition is for the serving/consumption of food, not the preparation, and the other definition contradicts that. He said that without knowing the size of the restaurant and looking at the current parking standards that he could not answer that.

Commissioner George said that she has concerns for the impact on the business but does not know how relevant it is for this freestanding application. She asked whether there has been any change of circumstances to the surrounding lots or the Code since the last time the application had been granted. Building Official Law said that the Commission probably reduced the rear setbacks to twenty-feet and that this is a 50 x 93 foot lot and if regulated as medium density would get seven and a half foot side setback, twenty foot front and rear setbacks, the impervious surface ratio (ISR) would be limited to fifty percent, and thirty-five percent lot coverage. Mayor Samora asked if the lot to the east is zoned residential or commercial. Building Official Law said that it might be a split lot and that the linear drag tool showed it is one hundred fifty-four feet to the center and that he would consult with the 1964 plats.

Mayor Samora asked when the conditional use permit was approved before it expired. Building Official Law said that he did not know the exact date but that it was over twelve months ago. The applicant answered away from a microphone that it was April of last year. Mayor Samora advised that the opinion of this Commission has changed over time and when a conditional use permit is approved that does not mean an automatic approval if it expires, and it would need to be reevaluated. He said that there is a commercial business in the front and there would probably be a need for that lot to stay zoned commercial to make it a usable commercial lot.

Vice Mayor Rumrell asked if a commercial business could be on that 50 x 93 foot lot. Building Official Law said that it is not likely and that it would not be cost effective with the possibility of drainage needs and parking requirements. Commissioner George said that is why the applicant's lot is currently being used by the adjacent business. Mayor Samora said that the Commission has been encouraging mixed-use but that any business trying to redevelop it would need more land. Commissioner George said that her main concern with granting and developing it as residential would permanently relegate the other lot to not be able to be commercial. She asked if changing Obi's from a restaurant to office space would require a new review of the parking requirements,

etc. Building Official Law advised that a restaurant is about four times more limiting but that it would require a change of use occupancy and he believed that it would lose any non-conforming status. Commissioner George said that she believes that there is another conditional use for the closed in porch. Building Official Law said that it might be mixed-use based on its proximity to the western property line, which could not be altered without another review from Planning and Zoning.

Commissioner Sweeny asked if this lot was part of the parking plan when Obi's was approved. Building Official Law advised that he was unable to find any reference to the lot to the east. Commissioner George questioned if there was documentary evidence of an agreement for using the lot. Building Official Law said that he did not know if there was an agreement, and that the owner could possibly speak about it. Marcia Kain, applicant, advised that she has owned the lot since 2008 and that there was a closed business there. She said that there was never an agreement and that she thought she would be building a house on her lot. She said that when Obi's came in and wanted additional parking, that she made a lease agreement with them to use it for additional parking. She said that Obi's is aware that she will be building and that there was nothing before it that would indicate that she could not build a house on the lot. She said that the conditional use was approved last year and that she did not know that it would take this long. She said that she has reapplied, paid the fees, etc. and she just wants to complete the dream of building a house. Commissioner George said that it must have been the lease that she was referring to.

Building Official Law advised that according to the Property Appraiser, Obi's is approximately 1,435 square feet and that he does not know the interior breakdown but that he would estimate it would need approximately twenty-six parking spaces. Mayor Samora said that this application is not tied to any conditional use or occupancy of Obi's, but it is an example of a non-conforming business and any other business that came in and changed the use, would have to conform to the parking requirements. Building Official Law said yes, but that nearly every other business would be less restrictive than a restaurant and that he would consult with the City Attorney to see if there were any loopholes. Commissioner George said that changing the lot next door would also be creating a situation for the hardship definition in a variance application.

Mayor Samora asked for Public Comments. Being none, he asked how to move forward.

**Motion:** To approve the Conditional Use Permit for 14 6<sup>th</sup> Street (Lot 13, Block 5, Chautauqua Beach Subdivision) and that it conform to medium density residential requirements and have a one-year deadline. **Moved by:** Commissioner George. **Seconded by:** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora moved on to item X.2 and asked Building Official Law for his report.

2. Request for Approval of Replat of Property at 225 Madrid Street (Part of Lot 21 and All of Lots 22, 23, 28, 29, Block C, Sevilla Gardens Subdivision, IME Civil and Surveying LLC, Brandon Shugart, Agent) (Presenter: Brian Law, Building Official)

Building Official Law showed the lot map and aerial map [Exhibit B] and said that two of the lots front A1A South, which makes them undesirable for accessing off the highway at 45 miles per hour. He said that the applicant is proposing to turn the lots in the north-south directions and that the Commission has been provided with a proposed plat map for review. He said that the Planning and Zoning Board recommended approval five to zero. He advised that it has been sub-contracted out to a third-party surveyor to check its conformity and they made some changes that are also included. He said that he and the Public Works Director both feel strongly about the lot that would abut A1A South and that the driveway should be pushed farther east during construction, which would be handled during the development review. He said that the applicant is asking to replat

the lots and that the lot farthest east is larger and would not conform to the fifty-foot-wide lots and would retain full setbacks.

Mayor Samora asked if it was zoned medium density. Building Official Law said yes, and it would maintain that, and that the dental office to the south is the commercial delineation line. Mayor Samora asked if Madrid Street continued into the Whispering Oaks subdivision. Building Official Law said yes, it is the back entrance into Whispering Oaks. He said that there is a house there and when it is replatted the intent would be to remove the house at some point.

Commissioner George said that there are already four individual lots, which are eligible for residential construction on each one. Building Official Law said yes, potentially, if the Florida Department of Transportation (FDOT) issued curb cuts but that they are individually platted lots. He said that some of the lots farther north have been carved up over time. He said that ideally this would put four driveways on Madrid Street and would require review by the Public Works Director for any drainage concerns. Mayor Samora asked what the process is for the drainage review. Building Official Law advised that the first step with an application is zoning, and they would scan the site plan for drainage review by either the Public Works Director or the Engineer who would then contact the contractor directly. Afterwards it would be returned to the Building Official or the Building Inspector for building plan review. Commissioner George asked what the existing zoning is. Building Official Law said it is medium density. Commissioner George asked if changing the zoning was part of the application. Building Official Law said no, just the replat with medium density zoning.

Mayor Samora opened Public Comments and advised that the Commission received an email and a petition on this.

Bill Chambers, 17-A Lisbon Street, St. Augustine Beach, FL, said that there is a lot of traffic coming in from A1A South; he is opposed to this because four parcels are squeezed in; they would be shot gun homes; there are parking issues in the back; Ewing Street is too narrow and is basically one-way; building the home on the corner would not allow for space to pull over in the grass for congested traffic; concerns for construction vehicles blocking the road; every lot is complete and adding four more is too much and they should be made into bigger parcels.

Jane Panchookian, 201 Sevilla Street, St. Augustine Beach, FL, said that she loves the neighborhood and has lived there for a long time; she is a realtor and developer; it is a quiet neighborhood; customers from the dental office come in and out and to try to build four houses probably would not work; she said that Ewing Street has a fence that closes off Whispering Oaks; this is a single road and you have to go onto the grass when there is traffic coming through; there is flooding in front of her house and she pushes mud back; it was zoned in 1964; she is worried about lights, sewage, the length of the project, etc.; opposes building four houses; no need for a red light coming out of Madrid Street to make a turn.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, lives in the Whispering Oaks subdivision and agrees with the other speakers; is glad that the one driveway would be moved away from State Road A1A; the dental office has employees that park perpendicular making the road more narrow; if approved, the construction vehicles would not be able to park because two way traffic could not get by and there could be a head-on collision; need to limit parking on the north side of Madrid Street; less concerns for two lots vs. four; several years of construction would be a living nightmare for those living there; may need a stop light at the intersection and to do a proper traffic analysis; does not want approval of four lots.

Mayor Samora closed Public Comment and asked if there are people currently parking on Madrid Street. Building Official Law said that there are some people who park there but he was unsure if it was the dental office property or the street. He said that if it is approved, that he and Public

Works Director Tredik would ask for the most western lot to establish a forty foot wide “no vehicle access”, which would leave enough for an eighteen foot wide driveway and could help eliminate the stacking. Mayor Samora asked if there were ordinances/codes to have no parking on that street or could it be done as part of the development order. Building Official Law said yes.

Commissioner Sweeny asked how many lots are being replatted into four. Commissioner George said that there are four lots and two half lots. Commissioner Sweeny said that it is four full lots and three partial lots and asked if it would potentially be reducing the number of homes that could be built. Commissioner George said that the partial lots would not qualify for separate construction because they are not large enough, but the four existing lots could be developed with access from either A1A South, Madrid, or Ewing Street. She said that this would condense all the access to one side that is not on the highway, which may reduce the safety risks.

Mayor Samora asked if staff had any comments regarding access from State Road A1A vs. Madrid or Ewing Streets. Public Works Director Tredik said that he believed that access on Madrid Street is safer than State Road A1A at this location but of course any access from a State Road would require an FDOT permit, which may be doable, but it would not be as safe. He said that the City could put “No Parking” signs on Madrid Street if necessary. Chief Carswell agreed with Director Tredik that it would be much safer off of Madrid Street and that he could look into the number of accidents if the Commission desired.

Commissioner George said that on the survey it looks like Madrid Street is a forty foot right-of-way but that the road is built to twenty-five feet. She said that Ewing Street is a twenty foot right-of-way that is only built to ten feet. She said that aside from the application and the concerns from the neighbors, that Ewing Street might need consideration to widen it, which might address the fears of parking on the Madrid Street side and that the City could take possession of the right-of-way, especially where people think it is their property. Director Tredik agreed with restricting parking along with restrictions for the first forty feet. He said that there have been properties that want parallel parking adjacent in front of their building, which would prevent that in this location. He suggested possibly a “no vehicular access” and also a “no parking” area. Mayor Samora asked if that would be no parking for the first forty feet or no parking on Madrid Street. Director Tredik said that there has to be a sound reason to restrict parking completely and that it may be premature to do it before there is a problem. He said that he did not believe that four more houses would generate that much more traffic.

Vice Mayor Rumrell said that he has noticed some flooding issues on Ewing Street and asked if it would be addressed in the Master Drainage Plan especially if there is going to be more impact from these houses. Director Tredik said that it would be looked at as part of the Atlantic Oaks/Magnolia Dunes project. Commissioner Sweeny agreed and encouraged staff to look at the area on the corner of Sevilla and Ewing Streets. Director Tredik said that the Magnolia Dunes project may not solve all the problems, but it would certainly help identify them. Vice Mayor Rumrell said that the Magnolia Dunes project has already been funded by the State. Director Tredik said yes.

Vice Mayor Rumrell said that the four lots are already platted so someone could build on them right now anyway because they are not asking for a change of use. Building Official Law said that he would require an FDOT permit for the western lots that do not have access off the road and the east lots would need access. He answered Commissioner George and said that it is a twenty foot right-of-way and a forty foot on the southern side. Commissioner George said there is room to provide better access on Ewing Street for drainage improvements, stacking of parked cars, etc. Director Tredik said that Ewing Street would be challenging because of the narrow right-of-way and would not meet the minimum twenty-two foot standard unless easements or additional right-of-ways are obtained but that improvements could be done. Commissioner George asked if he

would recommend not adding additional residential access off of Ewing Street and that Madrid Street Access would be better for the two easterly lots. Director Tredik said yes it probably is because of the narrow right-of-way and that accessing from the State Road is more dangerous. Commissioner George said that a fire truck would have better access off of Madrid Street.

Vice Mayor Rumrell asked if FDOT would be responsible for surveying to determine the need for a traffic light. Director Tredik said yes, and that the City could reach out to them to do an analysis to see if a signal is warranted, which would then dictate whether they proceed with a signal.

Commissioner Sweeny asked if there are a lot of accidents in that area. Chief Carswell said that there are a lot of accidents in that area but that he would have to research whether it is from that street. Commissioner George suggested to get ahead of it and ask for the FDOT study.

Mayor Samora asked Director Tredik if he would contact FDOT about the traffic study. Director Tredik agreed and said that he would also contact St. Johns County.

Mayor Samora asked the City Attorney if Final Development Order FD 22-01 is what is being presented for approval. City Attorney Douglas replied yes.

**Motion:** To approve the replat of property at 225 Madrid Street (part of Lot 21 and all of Lots 22, 23, 28, 29, Block C, Sevilla Gardens Subdivision) with the amendment of prohibiting driveway access from forty feet west of the most westerly lot and prohibiting parking on the right-of-way of Madrid Street. **Moved by:** Commissioner George. **Seconded by:** Mayor Samora.

Mayor Samora asked City Clerk Fitzgerald for a roll call vote. City Clerk Fitzgerald called the vote:

**Commissioner Sweeny** Yes

**Commissioner George** Yes

**Vice Mayor Rumrell** Yes

**Mayor Samora** Yes

Motion passed unanimously.

Mayor Samora moved on to Item X.3 and asked Building Official Law for his report.

3. Ordinance 22-07, Final Reading, to Amend the Comprehensive Plan to Adopt the Private Property Rights Element (Presenter: Brian Law, Building Official)

Building Official Law advised that the Commission saw this two months ago and permission was given to transmit. He said that he has receive no complaints or disagreements and that there is a letter from the DEO in the Commission packets. He asked that it be approved to finalize the process.

Mayor Samora opened Public Comments. Being none, he asked the City Attorney to read the preamble. City Attorney Douglas read the preamble.

**Motion:** To approve Ordinance 22-07. **Moved by:** Mayor Samora. **Seconded by:** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora moved on to Item X.4 and asked Building Official Law for his report.

4. Ordinance 22-08, Final Reading, to Amend the Land Development Regulations to Increase the Number of Transient Rental Licenses from 100 to 123 (Presenter: Brian Law, Building Official)

Building Official Law advised that as directed by the Commission, the City Attorney, and City Clerk Fitzgerald, this is the ordinance that the Commission saw last month with two minor changes of words and that this is an amendment to the existing Land Development Code and not a

replacement. He said that it is based on twenty percent of single family residences in medium and medium low density residential zoning.

Mayor Samora asked the City Attorney how he would like to handle recusals. City Attorney Douglas advised that there are some Commissioners that would recuse themselves and should announce it for the record, and that they could choose to remove themselves from the dais. He advised that there is a quorum, however, depending on the number of Commissioners that are recusing themselves that it is the discretion of the Mayor to pull this item from the agenda, still be able to take public comments, and vote at another Commission meeting when the additional voting Commissioner present.

Commissioner George and Vice Mayor Rumrell recused themselves and temporarily left the room at 6:58 p.m.

Mayor Samora advised that because there is one Commissioner absent, the Commission would not be voting on this but would hear Public Comments. He advised that the Commission would table this topic until another time to be decided upon. Building Official Law advised that he may have misspoken and for the record that this is a correction, not an amendment. Mayor Samora advised that this came to the Commission with the recommendation for denial from the Planning and Zoning Board and that the second reading with the Commission had little public input. He advised that it was approved for this meeting to give the opportunity to have more public input. Mayor Samora opened Public Comments.

Judy Jucker, 106 3<sup>rd</sup> Street, St. Augustine Beach, FL, lives next to a vacation rental and spoke to the Commission last month; opposes an increase and recommended a decrease in medium density; vacation rentals are places of business, which is what the commercial zone is for; need a balance of rentals and not in the neighborhoods; they are mini hotels; there are 164 in medium-density and commercial; more are being built in commercial; 9<sup>th</sup> Street has twelve rentals out of thirty-one; 60 of the 100 rentals are owned by people who do not live in St. Augustine Beach; twelve people hold two or more licenses and one realtor has six licenses; the character/charm is being changed; gave the Commission a letter [Exhibit C].

Sarah Michaels, 6 A Street, St. Augustine Beach, FL, multiple vacation rentals around her; some do not have signs so how are they being tracked; long-term renters are neighbors, short-term renters are not; it is loud, with no respect for the area; more people and traffic and less safety; it will become like Daytona Beach.

John Kulas, 203 4<sup>th</sup> Street, St. Augustine Beach, FL, sent email to the Commissioners for the record and does not support the additional twenty-three licenses; concerned that commercial is being turned into medium density.

Gail Devries, 200 4<sup>th</sup> Street, St. Augustine Beach, FL, agreed with everything that has been said; opposed to the increase in licenses; the short-term rentals disrupt the residents' lives and that deserves more concern.

Bonnie Garrison, 205 4<sup>th</sup> Street, St. Augustine Beach, FL, loves the neighborhood, knows neighbors, feels safe and takes pride; increasing the licenses would change the neighborhood and quality of life; please preserve the neighborhoods.

Diann Walters, 201 B Street, St. Augustine Beach, FL, said that there are three to four hundred properties listed on the rental websites; one hundred licenses is not the true picture; could it even be enforced; one hundred and twenty-three licenses is a lot less than what is actually operating now.



Sandy Eyerly, 107 3<sup>rd</sup> Street, St. Augustine Beach, FL, consider the broader impacts of increasing the licenses because it increases rents; it is unaffordable for people to live where they work; [Exhibit D].

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, agreed with everything said; recent column in The Record asking if the downtown area wanted to be a community or a resort and the same question applies here; the newly approved houses on Madrid are medium density and would probably become short-term rentals; agreed with the Planning Board that there are going to be negative effects; there were 65 licenses in 2008, which was approved to 100 to avoid revisiting it every year; no more are needed.

Roger Wentz, 117 Spanish Oaks Lane, St. Augustine Beach, FL, wants to support fellow citizens that live next to a rental with complaints about noise, traffic, trash, and parking; significant impact on a neighborhood; two bedroom rentals list sleeps six people and a three bedroom sleeps ten; probably not too many homeowners living in a three bedrooms have ten people living there; some say that this area relies on tourism and should put more into economic development to attract other businesses.

Michael Longstreet, 200 16<sup>th</sup> Street, #103, St. Augustine Beach, FL, came late to meeting and agrees with what has been said; some licenses are not even being used so why extend it; many rentals are not properly licensed; why does the crossing light at Publix flash and the Pier does not; 1 13<sup>th</sup> Street built a PVC fence against the pavement, and nothing has been done.

Valerie Bartol, 7 9<sup>th</sup> Street, St. Augustine Beach, FL, in favor of the increase with better management of them; there are a lot of them that are not approved; needs individual consideration for certain areas.

Mayor Samora closed Public Comments and said that this is exactly what the Commission needed. He asked Commissioner Sweeny if she had any questions from the comments. Commissioner Sweeny asked about the current enforcement of the licenses. Building Official Law advised that it falls under Code Enforcement and that there is only one Code Enforcement Officer for the City, which is not enough to handle the transient rental program inspections, along with the regular Code Enforcement items. He advised that they rely a lot on complaints from citizens and also look on the websites, but that people have gotten better at shielding the addresses and the fronts of the houses. He said that another Code Enforcement Officer would go a long way to helping this and that there were a few emails requesting 24-hour Code Enforcement service, which would require four to five more Code Enforcement Officers. He said that a standard Code Enforcement Officer's salary and benefits would be approximately \$65,000 with the need for an additional vehicle at \$40,000. He recommended hiring a second Code Enforcement Officer to provide a better level of enforcement.

Mayor Samora asked for staff comment regarding transient licenses that are not being used. Building Official Law advised that there is no requirement for people that hold a license to rent the house and that they might be holding them for their value alone. He has seen instances where the sale of a commercial property is conditional on allowing a single-family residence to be built. The license stays as a Business Tax Receipt (BTR) and if modified it would only strengthen the program. Mayor Samora said that all one hundred licenses are issued but some are not active rentals. Building Official Law agreed. Commissioner Sweeny asked to clarify what a BTR is. Building Official Law advised that a BTR is a Business Tax Receipt and that most local jurisdictions have them at some level and the City Clerk oversees that program. City Clerk Fitzgerald advised that the BTR program draws from Florida State Statutes Chapter 205, which gives the City the authority for its own ordinances to back it up in Chapter 12 of the City Code, which applies to every business

operating within the City. She said that all businesses are required to renew annually, and the transient rentals need to meet the renewal requirements to maintain their license.

Mayor Samora asked what the mechanism is for reporting suspected Code violations. Building Official Law advised that they use a relatively new software called "Resident Self-Service" portal to log a complaint, or they can call, or use an online form and then the Code Enforcement Officer will reply. Mayor Samora advised that the City's one Code Enforcement officer is doing what he can, and that the City depends on the residents to self-police.

Commissioner Sweeny said that there are not a lot of people tonight supporting an increase in licenses but in past meetings the request for an increase was brought to the Commission's attention. She asked how often staff sees the demand for more licenses. Building Official Law advised that at least once a day they receive a call from a resident or a realtor asking to get on the transient rental program. He said that the limit of one hundred licenses has been met for almost three years. He said that there was an individual who wrote a powerful letter to the Commission several months ago about the twenty-percent rule and that is where this began. They searched all the single-family residences in the applicable zoning districts and twenty percent yielded about twenty-three licenses.

Commissioner Sweeny said that she would personally like to put more teeth into the City ordinance for enforcement and requirements for vacation rentals, but she wants to make sure that the public understands that the City is limited with what it can do by the State Statute that regulates it. She said that substantially changing the City's ordinance could cause it to be completely removed. She said that she shares some of the concerns of the residents and wished that they could be further regulated.

Mayor Samora asked what the procedure would be for being able to vote on this. City Attorney Douglas advised to coordinate it with the City Manager to put it on the agenda. Mayor Samora asked if it would need to be noticed or could it be done during tomorrow's workshop meeting. City Manager Royle advised that it could be continued to tomorrow night's meeting. He said that Florida Power and Light (FPL) is scheduled to start their presentation at 5:00 p.m. and that it could either be before or after their presentation. Mayor Samora advised that he is not comfortable bringing it back up again at a workshop. Commissioner Sweeny agreed. City Manager Royle said that it would not be a workshop but a continuation of this meeting. He said that in about a week, the Commission room will be used for early voting. Mayor Samora asked if there was a time crunch for this to be addressed before the next regular Commission meeting. City Manager Royle advised that he wanted to discuss it with City Attorney McCrea who is on military leave. Building Official Law said that Building and Zoning Department has no opposition to whatever day the Commission chooses. City Manager Royle said that he did not know if there was something legally that needed to be done sooner than later but he suggested to add it to the September 12<sup>th</sup> agenda. He said that the budget meeting could begin at 5:01 p.m. with the regular meeting to follow. City Attorney Douglas advised that September 12<sup>th</sup> would give ample time for notice and if there is a reason to expedite it then a notice for a special meeting could be done. Mayor Samora said that he is much more comfortable with it being on the September 12<sup>th</sup> agenda. Commissioner Sweeny agreed.

It was the consensus to reschedule the continuation of this topic for the September 12<sup>th</sup> regular Commission meeting.

Mayor Samora thanked everyone for attending and advised that their opinions matter and will help move this forward.

Commissioner George and Vice Mayor Rumrell returned to the room at 7:31 p.m.

Mayor Samora moved on to Item XII.

## XI. CONSENT

(Note: Consent items can be approved by one motion and vote unless a Commissioner wants to remove an item for discussion and a separate vote)

### 4.A Resolution 22-10, to Declare Building Department File Cabinets as Surplus and to Authorize Their Disposal

**Motion:** to approve the consent agenda. **Moved by** Vice Mayor Rumrell. **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora moved on to Item XII.5 and asked Director Tredik for his report.

## XII. OLD BUSINESS

### 5. Resolution 22-07, to Adjust the Non-Ad Valorem Assessment Rate for the Construction of 2<sup>nd</sup> Street West of 2<sup>nd</sup> Avenue (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik showed a PowerPoint presentation [Exhibit E] recapping the time frame of how the assessment got to this point. He showed the breakdown of the funding responsibility and the non-ad valorem assessment, which was adopted June 7, 2021. He advised that the \$3,940 first year assessment figure came from the cost estimate at the time divided by twelve lots with up to four lots going into conservation, but the bid estimate came in quite a bit higher than the cost estimate at \$415,850. He advised that the total lot owners' cost does not include the cost to install underground power, or the project management fees. He advised that he expects that costs will be more than the \$325,000 that was the maximum that could be assessed. He showed a slide depicting the three lots that went into conservation, leaving thirteen lots to be included in the assessment. He said that the City expected to generate \$400,000 but with the maximum set at \$25,000 per lot that gave us the \$325,000 maximum. He advised that he hopes to have the underground power cost estimate soon. He recommended setting the assessment at \$325,000 and showed a breakdown of the yearly assessment per lot. He said that the recommended action is to pass Resolution 22-07 setting the 2<sup>nd</sup> Street extension non-ad valorem assessment to \$4,212 per originally platted lot for the next five-years.

Mayor Samora asked if the City pays the cost for any overages. Director Tredik replied that it would come out of impact fees.

Commissioner George asked what it would take to change the maximum assessment amount if there are overages. Director Tredik said that he would defer to legal because that was the advertised range the Commission approved in June of 2021. He believed that it would have to go through a legal advertising process to each of those property owners and have another public hearing to change those ranges. City Attorney Douglas asked if the contractor would be flexible with the acceptance of funds in order for the Commission to come back and raise the upper end of the scale or should the Commission entertain a contingency reserve fund to be used for overages or it would go back to the lot. Director Tredik advised that it would certainly exceed the maximum \$325,000 with nothing coming back and to increase it would require a change to the non-ad valorem assessment. He said that if the Commission wanted to increase it, then it could be increased enough to give the City a contingency for such things as change orders, etc. City Attorney Douglas said the probability would be high for overages.

Commissioner George asked if there was a calendar year restriction for advertising, modifications, etc. Finance Director Douylliez advised that the City is fronting all of it right now with one hundred percent from the Impact Fee Fund, which you will see it being depleted in the upcoming budget. She advised that the City is waiting to receive money back over the next six years. She said that there was no legal restriction for the number of years, which the Commission decided was

reasonable at the time. She advised that if the City chooses to extend the amount to charge each of the residents (i.e., making \$50,000 the maximum) then it would be subject to the same process as done for any non-ad valorem by showing intention and get it to the Tax Collector by the end of this calendar year, notify the impacted residents, and hold the public hearing. She said that the City would be on a clock again but that there is five more years of this to go and so there is plenty of time to entertain the extension further. Commissioner George said that it could be done mid-term and set a projection today but that the numbers would all be different next year. She said that she hesitates to make it known to the contractors that the City has money in reserves because they may try to find a way to bill for it.

Finance Director Douylliez asked when the project is expected to be completed. Director Tredik advised that it would take six months and it would be assessed in arrears. Commissioner George said that the City could wait until next year to see how the project plays out, what the total balance is, and then add on a seventh year so that it is not a financial burden for the property owners and still recoup the money.

Director Tredik advised that tonight the Commission needs to determine the upcoming year assessment, which it could modify again after that as long as it is within those ranges.

Mayor Samora opened Public Comments. Being none, he closed Public Comments and asked for a motion.

**Motion:** to approve Resolution 22-07 at staff's recommendation of a per lot assessment of \$25,000. **Moved by** Commissioner George. **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora moved on to Item XII.6 and asked Director Tredik for his report.

6. Resolution 22-08, to Adjust the Non-Ad Valorem Assessment Rate for Collection and Disposal of Residential Solid Waste and Recyclables (Presenter: Bill Tredik, Public Works Director)

Public Work Director Tredik showed a PowerPoint presentation showing the current approved solid waste non-ad valorem assessment ranges [Exhibit F]. He continued his presentation showing the Consumer Price Index twelve month analysis from June 2022. He continued on to show a slide depicting the rising cost of fuel that has been incurred by the Public Works Department, which jumped in December when they started up the recycling. He moved on showing a slide depicting the current cost evaluation done for City services estimated at roughly \$345 per year. He explained that when the City decided to put the cost per year at \$315, it was intended to cover the actual cost and he has proposed a \$30 increase to bring it to \$345 per year, which is a 9.5% increase and that future reductions may bring that down some. He said that the bottom line is that inflation hits everything and the service fee goes up with inflation not with the house values. He advised that if it is not increased, then the City would fall behind again. He concluded his presentation and recommended passing Resolution 22-08 increasing the solid waste non-ad valorem to \$345 per year with the breakdown of services as shown on the slide presentation.

Mayor Samora asked if this is approved would there be an opportunity to make changes. Finance Director Douylliez explained that she does not have to certify the tax roll until September 15, 2022, and that the Commission can make any final adjustments to the non-ad valorem at the September 12<sup>th</sup> Commission meeting and then those numbers would be certified and submit to the Tax Collector.

Mayor Samora said that he would not anticipate anything changing in the interim and he asked what the major driver is for the cost. Director Tredik advised that he believes that it is across the board because everything costs more money. He said that energy is a major driver, the tipping fee with additional 20% surcharge, labor/salary increase, maintenance, etc. Mayor Samora asked

if the 20% surcharge has been factored into the cost. Director Tredik said yes and that it was not factored in for the \$315 per year non-ad valorem. Mayor Samora asked what staffing increase has been factored in at this point. Director Tredik advised that it was a broad estimate and was not detailed at the 10% proposed during the preliminary budget.

Commissioner Sweeny said that part of the increase was to increase salaries, which were paid from ARPA funds this year and that going forward it is being proposed to be paid for from ad valorem. Finance Director Douylliez advised that it is not projected to be paid from ad valorem taxes. She explained that the decision was made last year to fund one hundred percent of the cost of the Garbage Department based on non-ad valorem, not ad valorem, which did not raise the millage rate to cover the additional fees. Commissioner Sweeny asked to clarify if the ten percent salary increase for ad valorem was to set the millage and that it is not double dipping. Finance Director Douylliez explained that she took the total cost of what is being allocated to this Department and then backed in the cost per home for service would be and that the non-ad valorem fees are what is covering the cost of that Department. She said that the ad valorem fees were only inflated to the highest level allowable for the first meeting and that this Department is covered by non-ad valorem. She said similarly the Building Department has expenses and their revenue has to cover it. Commissioner George said that the accounting program harmonizes all of it, which creates an income that goes in, but in reality, there is a money source from the non-ad valorem, which applies to the reduction in the General Fund that would be needed to fund the salaries and it is all being accounted for. She said that the residents are not seeing a reduction in the millage, and she always double checks it to give them the benefit of the purpose.

Commissioner George asked how many units are in the equation. Finance Director Douylliez advised that she estimated last year's certified tax roll of 2,815 and that she added 200 representing the condos that are moving from individual billing to non-ad valorem, which totals roughly 3,015. Commissioner George said that this proposal would generate an additional \$90,450. Finance Director Douylliez agreed and said that is what she estimated in the preliminary budget that the Commission saw. Commissioner George said that based on the numbers in Director Tredik's presentation regarding gas, that the City would have to absorb an extra \$60,000 per year in fuel cost. Director Tredik said yes. Commissioner George explained how she calculated the numbers to reach her estimated \$60,000 figure.

Finance Director Douylliez explained that the original budget included a ten percent increase would feed into those numbers to cover the full cost for that Department and that there will be some savings when she readjusts down to five percent. She advised that it could be approved tentatively and finalize the resolution in September after the Commission sees the new numbers.

Mayor Samora asked if these funds would be set aside for a possible surplus next year. Finance Director Douylliez advised that it is not currently established as an Enterprise Fund, it is under the umbrella of the General Fund but that she could work with the auditing team to make sure that they review it. Mayor Samora said that he liked that idea. Finance Director Douylliez said that in FY 24 the fleet would be new and there could be a reduction in that department due to no substantial repairs needed and that the savings could go back to the residents. Director Tredik advised that he would anticipate some reduction in the bigger expenses, such as repairs to the garbage trucks. He discussed the age and ten-year life expectancy of the vehicles.

Commissioner George asked how the Capital Improvements play into the overall calculations, such as accounting for the ARPA money acquisitions of equipment, etc. or would it be done in the next fiscal year. Finance Director Douylliez explained that the two new vehicles and the claw truck were purchased with ARPA funds, which are not spent within the General Fund and are separate. She said that there are two units that have note payments at \$50,000 per year for the next several years that play a part in those costs. Commissioner George said next year when the Commission

looks back to see what the overall cost was for determining what the assessment would be, would we see that there is no accounting for the ARPA money, and would we have a basis for reducing the cost or would it still be factored in as the cost of doing business. Finance Director Douylliez said that it would have to be manually calculated and that it would be a disservice not to take into account that the replacement of the vehicles would be every ten years. Director Tredik advised that it would be roughly a new vehicle every other year. Finance Director Douylliez explained that it would have to be taken into some kind of accounting to make sure to cover it if the goal is to continually cover the cost in the future and any excess would have to take into account the expense for the purchase of a future piece of equipment. Commissioner George asked if her recommendation is that it be a policy decision to use the ARPA funds to get ahead of the game to create a better reserve for future capital acquisitions.

Vice Mayor Rumrell advised that he would not want to exceed the \$30 increase and trying to find a cost savings would be helpful. He said that he is a proponent of "users pay users cost". He said that there are a lot of units that would be paying out of the General Fund to subsidize trash and they are not receiving any services. He said that he likes going to an Enterprise Fund so that way it stays separate from the General Fund and would only go towards trash and could be increased or decreased and the overage could go toward maintenance, etc.

Mayor Samora opened Public Comments.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, said that the non-ad valorem four years ago was \$74, which should be at \$132 according to the chart and everything else is an increase all over; some people are paying the non-ad valorem and not getting the benefit; condos/townhouses pay HOA fees, which pay for some cleanup; asked to consider not having 100% coverage for solid waste and use another percentage; it went to \$315 to not raise the millage; then the Mayor said that the City should be able to find \$30,000 and the Finance Director found it; last year was a false budget with all the increase in the non-ad valorem to keep the millage down to 2.45; would like to see this type of discussion for the rest of the budget and should be an open discussion.

Finance Director Douylliez explained that the condos that are being converted to the non-ad valorem fee are not technically condos, but they are deemed as condos/townhomes, such as those in Makarios and Sea Grove where some are individual and/or semi-attached units that have yard waste collected by the City. She said that a traditional condo setting does not receive yard waste collection by the City. Director Tredik advised that the City's ordinance allows for Public Works to pick up yard waste from anyone who is receiving solid waste service from the City, that there is no way to make it completely fair for everyone, and it is challenging to figure out where to draw the line. He said that Public Works got away from the can count for that reason and is still discussing switching over as much commercial as possible to simplify things. He said that he is sympathetic to those that do not use the benefit of the services that the City provides but if they ask for pick up, then Public Works would accommodate them, especially after a storm.

**Motion:** to approve Resolution 22-08 as recommended by staff. **Moved by** Mayor Samora. **Seconded by** Vice Mayor Rumrell.

Commissioner George said that everyone is talking about the CPI increase, wage increases, etc., which the citizens are bearing the cost increases too. She said that she was opposed in the beginning, and she understands and supports the structure of having a fund that can be managed, but anytime it is created it would be maxed out and she would like to see it continue to be subsidized some. Commissioner Sweeny said that she would feel more comfortable with verbiage saying, "up to", and continuing the discussion at the next meeting to find some savings. She said that she is highly sensitive that the City is going to be generating additional revenue through ad

valorem and increase this fund as well, which is concerning. She likes the concept that this service should pay for itself, but also wants to make sure to scrub the numbers and would like a more detailed break down for the increase. Mayor Samora said that he could amend his motion and make it contingent upon reviewing the numbers on September 12<sup>th</sup>. City Attorney Douglas asked if that would leave enough time for the Finance Director. Finance Director Douylliez said as long as a decision is made on September 12<sup>th</sup>, and she could certify the tax roll by September 15<sup>th</sup>.

**Amended Motion:** to approve Resolution 22-08 with "up to a \$30 increase" contingent upon scrubbing the numbers and reviewing on September 12<sup>th</sup>. **Moved by Mayor Samora. Seconded by Vice Mayor Rumrell.** Motion passed unanimously.

Mayor Samora moved on to Item XII.7 and asked Director Tredik for his report.

7. Resolution 22-09, to Modify the Commercial Solid Waste and Recycle Fees (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik showed pages from the agenda book and said that it is passed by a resolution each year and that the Commission can update the fees, which has been done several times. He advised that he based it on the same percentage increase as he recommended for the residential. He showed a slide and recapped the current commercial fees with a proposal to increase it the same 9.5% as proposed for the residential. He suggested to discuss this in September as well to keep it consistent with whatever rate is decided in September for residential.

Mayor Samora asked what the difference is between the amount collected for commercial vs. residential. Finance Director Douylliez said that with switching condos from monthly commercial billing to annual residential taxes, the change is about \$107,000, but that is not reflected in the draft budget they have seen.

Vice Mayor Rumrell stated that he would like to see commercial solid waste revenue in an enterprise fund like residential. Finance Director Douylliez stated that to have an enterprise fund for commercial solid waste, they would need to run a dedicated truck just for the commercial routes, which would require dedicated staff and special route days. She stated that she would like to get the majority of the commercial units off of monthly commercial billing and onto the tax rolls as a commercial solid waste non-ad valorem. She noted that changes are happening too rapidly for our small staff to keep up sometimes, transient rentals get sold or become residential again, people are using unapproved containers, which then need to be counted manually, and the commercial trash cans get moved between properties and need to be accounted for. She plans to propose that in the upcoming year and that would leave maybe twenty-five to thirty commercial customers. Vice Mayor Rumrell stated that he would be in favor of that and thinks it could be a cost saver. Mayor Samora agreed.

Mayor Samora opened public comment. There was none.

**Motion:** to approve Resolution 22-09 contingent upon scrubbing the numbers and reviewing on September 12<sup>th</sup>. **Moved by Mayor Samora. Seconded by Vice Mayor Rumrell.** Motion passed unanimously.

Mayor Samora moved on to Item XIII.8 and asked City Manager Royle for his report.

### XIII. NEW BUSINESS

8. Keys to the City: Consideration of Purchasing Such (Presenter: Max Royle, City Manager)

City Manager Royle stated that in the early 1990s, the City had six symbolic Keys to the City made in a skeleton key design with the City Seal in the handle and gestured that they were approximately four to six inches long. He noted that Emmett Pacetti was mayor at the time, and

they were given out sparingly. He stated that in 2015, a resolution was passed to clarify when and how the Keys could be given out. He commented that Vice Mayor Rumrell had broached the topic of having something more substantial than lapel pins to give out to two local veterans, but he checked and there are no Keys left at this time. He stated that if the Commission wanted to move forward, staff would research more definitive costs.

Vice Mayor Rumrell stated that the cost of getting Keys made may be prohibitive, but the County and State had small coins they give out and those might be considered as a middle ground. Commissioner Sweeny commented that she is familiar with the coins, and she would support purchasing something like them. Mayor Samora agreed. Commissioner George asked the City Manager to contact the County and see if he could find out their vendor.

City Clerk Fitzgerald commented that when the Keys were ordered in 1991, they were molded metal that was electrostatically plated, but that technology has advanced since then and Keys could be ordered as needed, instead of having to buy in bulk.

Commissioner Sweeny stated that she sees the Keys as requiring a vote and to comply with the Resolution, but that coins could be used at Commissioner discretion. The Commission agreed.

Vice Mayor Rumrell asked what the cost might be for a Key. City Clerk Fitzgerald replied that she looked at a vendor specializing in items for government awards and grand opening celebrations. They had a wide variety of options and a simple one with the City Seal could be purchased for about \$30.

Mayor Samora thanked staff for this report and stated that he was looking forward to seeing option for the coins.

#### **XIV. STAFF COMMENTS**

City Manager Royle thank Finance Director Douylliez for her budget presentation on July 25<sup>th</sup> and remarked that he received a call from a former citizen who watched the meeting and thought she did a great job. Finance Director Douylliez joked that she's not planning to quit anytime soon, so she doesn't need to be buttered up.

Commissioner George asked about the timeline for the 11<sup>th</sup> Street piping project. Public Works Director Tredik replied that the Master Drainage Plan update indicated some weaknesses on the east side of A1A Beach Boulevard from 1<sup>st</sup> Street north. He didn't want to move forward on the 11<sup>th</sup> Street project at this time until it could be evaluated to see how these other issues may tie into it. He will keep a close eye on the area in the meantime. Commissioner George asked what the new time frame would be. Director Tredik replied that he will likely budget the project for FY 2024.

Mayor Samora asked when the weir might be complete. Public Works Director Tredik replied that he is hoping to be at substantial completion by the end of July. They are waiting for the pond elevation to rise in order to run the pumps for two hours as required for the test phase.

Chief Carswell reported that the metal detector has arrived, is in the hallway, and thanked Public Works Director Tredik for helping to put it together. He stated that this month they will develop a policy and advertise it on social media, so citizens are aware.

Finance Director Douylliez stated that budget scrubbing is continuing, but she did receive the medical insurance numbers today. That was budgeted at an 8% increase, but came in at 7%. Vice Mayor Rumrell asked if that would be put out to bid next year. Finance Director Douylliez advised it would, that the City had a three year agreement with the Florida Municipal Insurance Trust (FMIT), and this will be the last year. She stated that she plans to start looking at options early,



since insurance tends to be one of the last firm numbers for the budget, given that agencies don't like to quote rates in advance.

City Attorney Douglas noted that a recipient of one of the City Keys is J.P. Hall and his grandson, J.P. Steinmetz, just joined the Douglas Law Firm and lives on the Island. City Manager Royle commented that Mr. Hall would host the Northeast Florida League of Cities dinner at his fish camp and pay for everything.

Mayor Samora read the reminders for upcoming meetings and events in August.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, asked if any representative from St. Johns County had been invited to the FPL workshop and if the City had received the second half of the ARPA funds

Mayor Samora asked City Manager Royle to invite County Commissioner Henry Dean to the workshop.

Finance Director Douylliez stated that the ARPA funds had not yet been received. They were estimated at the end of July, but if they are not received by September 12, she will recommend not budgeting anything further for those funds until they are.

XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

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

Mayor Samora adjourned the meeting at 8:38 p.m.



Donald Samora, Mayor

ATTEST:



Dariana Fitzgerald, City Clerk







Map created with St. Johns County's iMap

**DISCLAIMER**  
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date Created: 8/2/2022

Exhibit B-1  
Date 8-01-2022









## Opposition to > in Transient Rental Licenses Medium Density - Ordinance 22-08

My name is Judy Jucker & I live at 106 3rd St next to a vacation rental.

I strongly oppose ANY increase of transient rental licenses in medium density.

I'm in favor of a lower cap.

### My main point is that -

- Vacation rentals are places of business. This is what the commercial zone is designed for - businesses.
- I'm not opposed to vacation rentals - just not in neighborhoods.
- Single family homes have turned into perpetual mini hotels & are a commercial operation.
- We need to maintain a balance between tourists and residents while we have some control.

164 vacation rentals are currently registered in commercial/medium density combined & commercial vacation rentals are increasing.

More are converting & being built especially, the 2+ lots on each side of A1A zoned commercial. (Example FOR SALE: 109 B st - advertised as an immediate income producing vacation rental quadplex located on 3 large commercial lots.) A business. Another loss to 4 annual renters.

### A few FACTS:

- 9th st is leading with 12 rentals out of 31 houses - 39%.
- My St - 3rd has 9 out of 31 - 29%.
- Some vacation rentals have 2+ units. I see at least 5, so over the 100 cap. Lets count each unit, based on traffic, trash cans, parking, & noise.
- 60 out of 100 are owned by people who do not live in St. Augustine Beach. Many owners (not all!) could care less how we are impacted. It's a \$ making business.
- 12 + people have multiple licenses. 1 person (a realtor) has 6 licenses. A business in a neighborhood. We don't need more.

It's changing the character & charm of STA Beach. Many residents in medium density aren't even aware they could have a vacation rental next to them.

Multiple cities are trying to figure this out. For example, they are banned in MSY - French Quarter/Garden District, NYC/SFO/LAS - the host must be present. Sarasota - must be at least 30 days.

To maintain 20% is just not a valid reason.

Let's keep the limit to 100 in medium density, work to lower the cap, & keep vacation rentals in the commercial zone where they belong. Thanks!

Exhibit C  
Date 8-01-2022

SANDY EYERLY "No" ON INCREASED LICENSES

I am in favor of supporting business in our community, but it is important that the "sharing economy," aka short-term rentals, air B&B, etc., should work for everyone in the community.

So, we have to ask ourselves this question: Are short-term vacation rentals contributing to the country's housing crises?

So, if you are considering this ordinance to increase the number of short term rental licenses, I am asking each commissioners how much thought and research has gone into this decision.

Studies such as one quoted in the Harvard Business Review, entitled: How Airbnb Short-Term Rentals Exacerbate Los Angeles's Affordable Housing Crisis: Analysis and Policy Recommendations:

[https://harvardhpr.com/wp-content/uploads/sites/20/2016/02/10.1\\_10\\_Lee.pdf](https://harvardhpr.com/wp-content/uploads/sites/20/2016/02/10.1_10_Lee.pdf)

shows how the short-term rentals "reduces the affordable housing supply" by distorting the housing market.

A 2016 study from the University of Massachusetts, entitled: Is Home Sharing Driving up Rents? Evidence from Airbnb in Boston.

[http://repec.umb.edu/RePEc/files/2016\\_03.pdf](http://repec.umb.edu/RePEc/files/2016_03.pdf)

concluded that in Boston, MA "home sharing is increasing rents by decreasing the supply of units available to potential residents [and] that a one standard deviation increase in Airbnb listings relative to the total number of housing units in a census tract is associated with an increase in asking rents of 0.4%.

The short-term rental industry has grown by 800% since 2011, it is therefore not hard to see why many people are concerned about this industry's impact on the affordability and availability of long-term rental housing.

Just think about, if a 10% increase in the number of short-term rental listings was found to lead to a 0.42% increase in rents, the actual 800% increase in short-term rental listing since 2011, would be responsible for a 33.6% rent increase over that same time period! For comparison the median household income in the U.S. grew only 18.0% between 2011 and 2016.


 I'd like to know what studies we have done here in St Augustine to assess the impact of short-term rentals on the community.

Exhibit D

Date 8-01-2022





# City of St. Augustine Beach

*Regular City Commission Meeting  
Monday, August 1, 2022*

*Item 5 – Resolution 22-07  
Non-ad Valorem Assessment Rate for  
2<sup>nd</sup> Street Extension*

*William Tredik, P.E. Public Works Director*

1

## 2<sup>nd</sup> Street Extension INITIAL Timeline

Sept. 2020	Initial Commission direction
Dec. 2020	Resolution 20-21
Feb. 2021	Authorization to begin design

2

Exhibit E-1

Date 8-01-2022

## 2<sup>nd</sup> Street Extension Funding

### Breakdown of funding responsibility

Improvement	City %	Lot* Owner %
Improvements east of 2 <sup>nd</sup> Avenue	100%	0%
2 <sup>nd</sup> Street Extension – Roadway and Drainage	33.33%	66.67%
2 <sup>nd</sup> Street Extension – Water and Sewer	0%	100%

\* Lots are as shown in the original recorded subdivision plat.

3

## 2<sup>nd</sup> Street Non-ad valorem assessment

- May 3, 2021 – City Commission set the following:
  - Assessment per lot \$15K min; \$25K max
  - Total revenue to be collected \$400K
  - Term of the Assessment 6 years
  - Annual Assessment range per lot \$2.5K min; \$5K max
  - Year 1 Assessment \$3,940
  - Set public hearing date June 7, 2021
- June 7, 2021 City Commission adopted the assessment

4

Exhibit E-2  
 Date 8-01-2022



## Funding Responsibilities Based Upon Bid

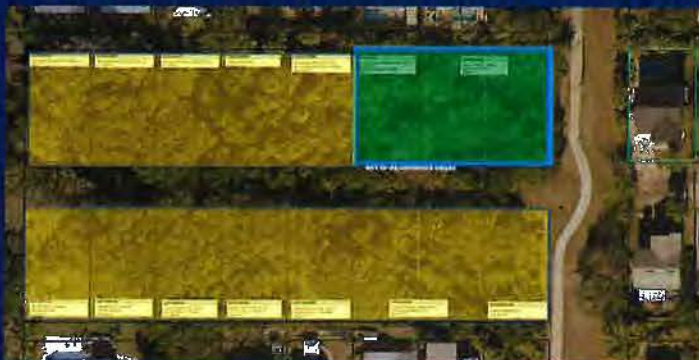
Work	Total Cost	City Cost	Lot Owners Cost
Element A – Roadway Improvements	\$281,850	\$93,950	\$187,900
Element B – Utility Improvements	\$134,000	\$0	\$134,000
<b>TOTALS*</b>	<b>\$415,850</b>	<b>\$93,950</b>	<b>\$321,900</b>

\* Does not include cost to install underground power nor project management costs.

5

## Lots included in Assessment

- 3 lots placed in conservation and deeded to the City



- Remaining 13 lots included in assessment
- Recommended Assessment is \$325,000 (\$25,000 x 13).

6

Exhibit E-3  
Date 8-01-2022

## Assessment Table per Lot

Assessment Year	Annual Assessment per Lot	Number of Lots	Total Annual Assessment	Cumulative Assessed
1	\$3,940	13	\$51,220	\$51,220
2	\$4,212	13	\$54,750	\$105,976
3	\$4,212	13	\$54,750	\$160,732
4	\$4,212	13	\$54,750	\$215,488
5	\$4,212	13	\$54,750	\$270,244
6	\$4,212	13	\$54,750	\$325,000
<b>TOTAL</b>	<b>\$25,000</b>	<b>13</b>	<b>N/A</b>	<b>\$325,000</b>

7

## Recommend Action

Pass Resolution 22-07 setting the 2<sup>nd</sup> Street Extension non-ad valorem assessment to \$4,212 per originally platted lot.

Note:

Multiple originally platted lots shown under one Tax Parcel ID shall be assessed an amount equal to \$4,212 times the number of originally platted lots with the Tax Parcel ID (e.g. \$8,424 for two originally platted lots within one Tax Parcel ID).

8

Exhibit E-4

Date 8-01-2022





# City of St. Augustine Beach

*Regular City Commission Meeting  
Monday, August 1, 2022*

*Item 6 – Resolution 22-08  
Non-ad Valorem Assessment Rate for  
Residential Solid Waste and Recycling Services*

*William Tredik, P.E. Public Works Director*

1

## Solid Waste non-ad Valorem Assessment

- Current Approved Ranges

Service	Min. Annual Assessment	Max. Annual Assessment
Residential Solid Waste Collection	\$75	\$175
Residential Solid Waste Disposal	\$50	\$150
Residential Recycling	\$0	\$50
<b>TOTAL</b>	<b>\$125</b>	<b>\$375</b>

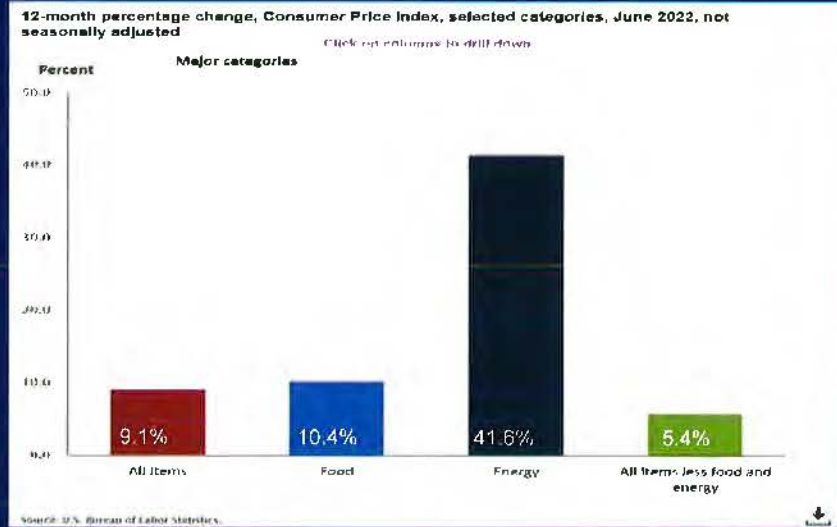
- Current Rates

Service	FY 2022 Annual Assessment
Residential Solid Waste Collection	\$150
Residential Solid Waste Disposal	\$125
Residential Recycling	\$40
<b>TOTAL</b>	<b>\$315</b>

2

Exhibit F-1  
Date 8-01-2022

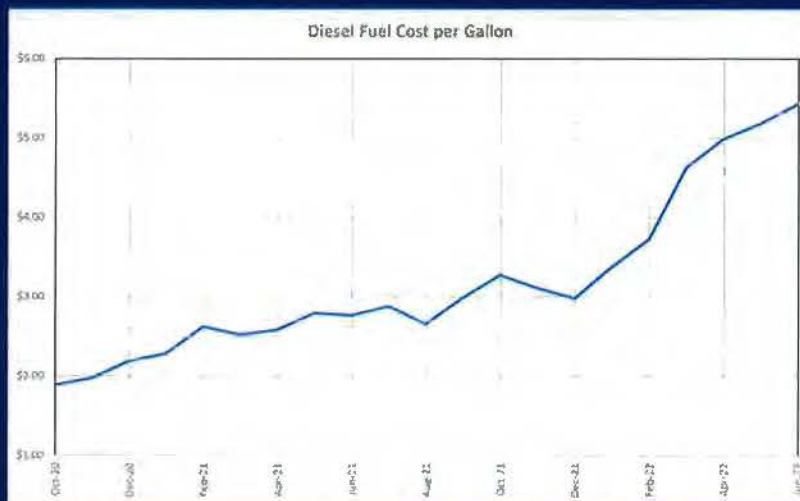
## Increasing CPI



3

## Increasing Cost to Provide Service

- Diesel Fuel Cost per Gallon

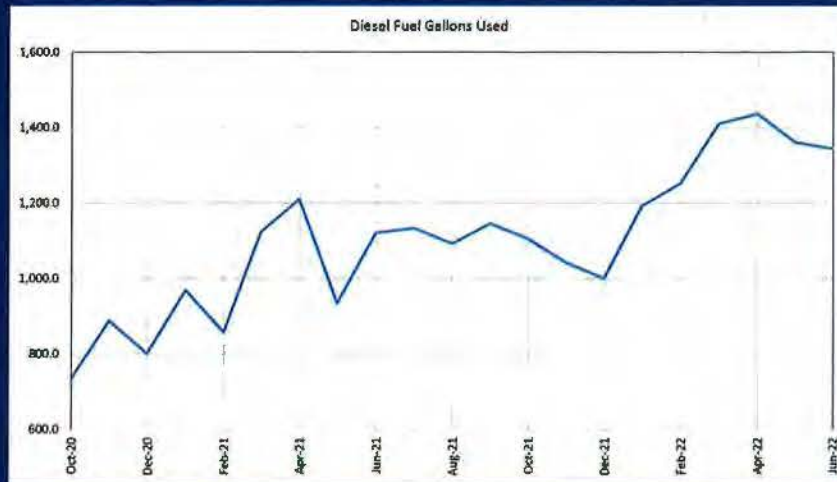


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Exhibit F-2Date 8-01-2022

## Increasing Cost to Provide Service

- Gallons Diesel Used



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## Increasing Cost to Provide Service

- Monthly Diesel Fuel Cost



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Exhibit F-3

Date 8-01-2022



## Current Cost to Provide Service

- Staff evaluation based upon
  - Number of residential customers
  - Staff hours and costs to perform services
  - Recent disposal weight and costs
  - Vehicle mileage
  - Department expenditures to date
- Based upon the above, the following are the calculated FY 2022 costs
 

○ Residential Collection	\$168.08/year
○ Residential Disposal	\$131.99/year
○ <u>Residential Recycling</u>	<u>\$44.71/year</u>
• TOTAL	\$344.78/year

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## Increase in Costs from FY 2021

FY 2021 Calculated Cost	\$315/year
<u>FY 2022 Calculated Cost</u>	<u>\$345/year</u>
Recommended Increase	\$30/year (9.5%)

- Increase in cost to provide service is similar to overall inflationary trend, not energy costs.
- If energy costs were the major driver, costs would increase significantly more than 9.5%
- Future reductions in fuel costs may result in some benefit, but likely will not result in significant reductions in the cost to provide service

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Exhibit F-4  
 Date 8-01-2022

## Recommend Action

Pass Resolution 22-08 setting the FY 2023 residential solid waste and recycling Non-ad Valorem Assessment rates to \$345 per year, broken down as follows:

Residential Solid Waste Collection	\$168
Residential Solid Waste Disposal	\$132
Residential Recycling	\$ 45