



## **AGENDA**

### **REGULAR CITY COMMISSION MEETING MONDAY, MAY 1, 2023, AT 6:00 P.M.**

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

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#### **NOTICE TO THE PUBLIC**

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

#### **RULES OF CIVILITY FOR PUBLIC PARTICIPATION**

1. The goal of Commission meetings is to accomplish the public's business in an environment that encourages a fair discussion and exchange of ideas without fear of personal attacks.
2. Anger, rudeness, ridicule, impatience, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
3. When persons refuse to abide by reasonable rules of civility and decorum or ignore repeated requests by the Mayor to finish their remarks within the time limit adopted by the City Commission, and/or who make threats of physical violence shall be removed from the meeting room by law enforcement officers, either at the Mayor's request or by an affirmative vote of a majority of the sitting Commissioners.

**"Politeness costs so little." – ABRAHAM LINCOLN**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **APPROVAL OF MINUTES OF THE REGULAR COMMISSION MEETING ON APRIL 3, 2022**
- V. **ADDITIONS OR DELETIONS OF THE AGENDA**
- VI. **CHANGES TO THE ORDER OF TOPICS ON THE AGENDA**
- VII. **PRESENTATIONS**
  - A. Sons of the American Revolution Law Enforcement Commendation Award to Sergeant Brandon Hand of the City's Police Department
  - B. Interview of Mr. Rhys Slaughter, Candidate for Position of Junior Alternate, Comprehensive Planning and Zoning Board

- C. Update Report of City's Master Stormwater Plan by Civil Engineering Consulting Firm, Crawford, Murphy and Tilly

VIII. PUBLIC COMMENTS

IX. COMMISSIONER COMMENTS

X. PUBLIC HEARINGS

1. Ordinance 23-02, Final Reading, to Change Language in Chapter 10 of the City Code Concerning Solid Waste Collection for Vacation Rentals (Presenter: Bill Tredik, Public Works Director)

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)

2. Proclamation to Declare Week of April 30-May 6, 2023, as Professional Municipal Clerks Week

XII. OLD BUSINESS

3. Non-Conforming Business Signs: Continuation of Discussion of Proposed Changes to Section 8.00.10 of the Land Development Code (Presenter: Jennifer Thompson, City Planner)
4. Ordinance 23-03, Second Reading, Pertaining to Changes to the Land Development Regulations, Sections 6.01.03 (Building Setback Requirements) and 12.02.06 (Concept Review) (Presenter: Jennifer Thompson, City Planner)
5. Underground Electric Power for 2<sup>nd</sup> Street, West of 2<sup>nd</sup> Avenue: Budget Resolution 23-08 to Pay Costs (Presenter: Bill Tredik, Public Works Director)
6. Transient Rentals: Setting Ranges for Solid Waste Collection, Disposal, and Recycling Fees (Presenter: Bill Tredik, Public Works Director)

XIII. NEW BUSINESS

7. City Attorney Services: Request for Approval of Addendum to Contract with the Douglas Law Firm (Presenter: Charles Douglas, City Attorney)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

**NOTICES TO THE PUBLIC**

1. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE.** It will hold its monthly meeting on Tuesday, May 9, 2023, at 6:00 p.m. in the Commission meeting room at City Hall.
2. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, May 16, 2023, at 6:00 p.m. in the Commission meeting room at City Hall. Topics on the agenda may include: a) Request to construct an 8-foot high masonry wall along A1A Beach Boulevard adjacent to 14 2<sup>nd</sup> Street; b) request for renewal of conditional use permit for outside consumption of food and beverages at the Kookaburra Coffee Shop, 647 A1A Beach Boulevard; c) request for variance to reduce parking requirements for expansion of outside area for the serving

of food and beverages at Crabby's Beachside restaurant, 361 A1A Beach Boulevard; d) request for conditional use permit for outside serving of food and beverages at Crabby's Beachside restaurant, 361 A1A Beach Boulevard; and e) review of proposed ordinance to change regulations concerning non-conforming business signs.

3. **HOLIDAY.** It is Memorial Day, May 29, 2023. CITY OFFICES CLOSED. Residents scheduled for household waste pickup on Monday will have pickup on Tuesday, May 30<sup>th</sup>.

**NOTE:**

*The agenda material containing background information for this meeting is available on the City's website in pdf format or on a CD, for a \$5 fee, upon request at the City Manager's office.*

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

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



## MINUTES

### REGULAR CITY COMMISSION MEETING MONDAY, APRIL 3, 2023, 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, Beth Sweeny, and Virginia Morgan.

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

IV. APPROVAL OF MINUTES OF THE REGULAR COMMISSION MEETING ON MARCH 6, 2022

**Motion:** To approve the minutes of regular Commission meeting on March 6, 2023. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

City Manager Royle advised that Item VII.B.2 will have a speaker, Gretchen Smith, and that Item VII.D would not be on the agenda because the speaker is not present.

City Manager Royle advised that the Commission has been sent additional information for Item XIII.3, Budget Resolution 23-07, versions A, B, and C, for the replacement of the Police Department roof and that Item XIII.4 for City Attorney Services, has requested postponement until the May meeting.

Mayor Samora moved on to Item VI.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

There were none.

Mayor Samora moved on to Item VII.A.

VII. PRESENTATIONS

A. Interview of Mr. George O'Brien III, Candidate for Membership on City's Sustainability and Environmental Planning Advisory Committee

Mayor Samora welcomed Mr. O'Brien, thanked him for volunteering, and asked him for his background information.

Mr. O'Brien Said that he understands how important it is to find good volunteers, that he had worked as an executive for YMCA for fifteen years, retired in 2020, and relocated his family to St. Augustine. He lives on 10<sup>th</sup> Street, has investments in this area, is semi-retired, and is currently a real estate investor. He said that this area stood out as a place to raise his family and he thought it would be good to get involved so that it stays this way.

Mayor Samora asked if he was familiar with SEPAC's schedule and if he thought that he would be able to attend the meetings on a regular basis. Mr. O'Brien said yes.

Commissioner Sweeny said that she appreciated his willingness to serve and asked if he has implemented any sustainability measures in his real estate dealings that might aid in our community. Mr. O'Brien said not really. He said that he is from western Pennsylvania and some of the green initiatives are not necessarily as prominent there but that he has served on some committees for areas similar in culture to this area and that he is personally passionate about some of those initiatives that are important to the City.

**Motion:** To approve Mr. George O'Brien III's application. **Moved by:** Commissioner George, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora welcomed Mr. O'Brien and asked him to get with the City Manager and the City Attorney to become familiar with the Sunshine Laws, etc. Commissioner George advised Mr. O'Brien not to speak to any other SEPAC members about City business because it would be a violation of the Sunshine Law but that he could always feel free to come to the Commissioners.

Mayor Samora moved on to Item VII.B.

B. Proclamations:

- 1) To Recognize April 2023 as Sexual Assault Awareness Month
- 2) To Proclaim April 2023 as Water Conservation Month
- 3) To Proclaim Wednesday, April 26, 2023, as Arbor Day in the City
- 4) To Proclaim May 2023 as Older Americans Month

Ms. Gretchen Smith, Water Conservation Coordinator, St. Johns River Water Management District, spoke about water conservation and said that sustainability is a big deal in Florida especially since the most recent hurricane season. The most important thing that we can do from a sustainability standpoint is water conservation since there are a thousand people moving to Florida every day. She said that water conservation allows all of us to make little changes to make sure that we have the water that we need, such as only watering lawns two days a week or not at all if there has been rain, etc. She said that they love partnering with the City and would help any way they could.

Mayor Samora thanked her for bringing the proclamation to the City, which is a great reminder to everyone to play a role in conserving water.

**Motion:** To approve Proclamations. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor Samora noted that a representative of the Betty Griffin Center was present to receive the proclamation for Sexual Assault Awareness Month.

Mayor Samora moved on to Item VII.C.

- C. Report by Ms. Melinda Conlon, Communication and Event Coordinator, Concerning 2022 Events in the City

Ms. Conlon presented a PowerPoint recapping the events from 2022 as well as the upcoming events for this year. She thanked the Public Works and Police Departments and said that the City could not do these events without them. She advised that the City gave away over four hundred and fifty trees for Arbor Day 2022, and she thanked SEPAC for providing the trees and for volunteering at the event. She went on to discuss the Art & Bark in the Park event, which she said had a great band and was sponsored by the St. Johns Cultural Council. She said that the City partnered with the Matanzas Riverkeeper in May for a successful Beach Boulevard cleanup. She advised that she partnered with the Wednesday Market for the Full Moon Harvest Luau in September and that the St. Johns Cultural Council sponsored the performance. She moved on to the Northeast Florida League of Cities dinner in October, which was not a public event but was held for the first time in two years due to Covid and she wanted to mention it. She moved on to the holiday season events, which kicked off with the Beach Art Walk in November and was partnered with the Art Studio and Paul Slava has been a great partner to the City with this and other events. She said that there are a lot of businesses that host the artists up and down the Boulevard as noted in her PowerPoint presentation. She moved on to the Surf Illumination event in December partnering with the Civic Association, as well as the Holiday Market partnering with the Wednesday Market, and finally the New Year's Eve Fireworks show. She advised that certain people/entities have helped the City each year such as Bill Brothers of the Anastasia Square Shopping Center, Anastasia Baptist Church, and a very special thanks to Old Town Trolley for providing the shuttle which totaled thousands of dollars in donations. She also thanked the sponsors such as Burkhardt Distributing, Embassy Suites, Florida Power & Light, Kookaburra, St. Johns County Parks and Recreation, etc. She also thanked WSOS 103.9 for being the radio host, the Tourist Development Council (TDC) for sponsoring the fireworks, and Santore for providing the fireworks show.

Ms. Conlon advised that 2023 would have a repeat of the 2022 events with possibly an additional art fair. She advised that the first event this year would be Arbor Day on April 26<sup>th</sup> at the Wednesday Market with the tree give-a-way.

Mayor Samora asked if there were any format changes or significant changes to any of the events. Ms. Conlon said no. She advised that every year we get a little better and learn how to make each event more successful.

Commissioner Morgan asked if Prince Pele was retiring. Ms. Conlon said yes. After fifty years they are retiring and have chosen the City's 2023 event as one of their last because they have enjoyed it so much.

Mayor Samora moved on to Item VII.E

- D. Update Report of City's Master Stormwater Plan by Civil Engineering Consulting Firm, Crawford, Murphy and Tilly

This Item was not discussed.

- E. Audit Report for Fiscal Year 2022 by Representatives of James Moore and Associates

James Halleran, CPA, James Moore and Associates, presented a PowerPoint [Exhibit A] for the audit year ending September 30, 2022, and said that they as auditors are responsible for providing an opinion of the financial statements. He advised that there are a few more reports than usual due to being subject to a Federal single audit as well this year. He advised that there are almost \$5 million in Federal awards this year, such as the American Rescue Plan Act (ARPA) and the weir

grant. He moved on to the next slide [Exhibit A-2] and discussed the Independent Auditor's Reports and noted that the auditing standards changed the formatting of the report, such as moving the opinion up to the top. He said that the City implemented a new accounting standard this year related to leases, which operating leases were previously just expenses on the books and are now required to be recorded as "right-to-use" assets and a liability. He advised that there were two prior year comments that were corrected this year and there is one comment that was listed as a recommendation before that has been upgraded to a material weakness. He read the definition of each and said that they are also in the Auditor General letter. He said that there was one significant deficiency which came about while they were doing the ARPA testing, which the City took the standard allowance on, and when the City implemented a new payroll system that the old policy was still in place that stated that salary employees were still supposed to be approving the time sheets, which was not occurring. He said that either the policy needs to be changed or make sure that there are still enough controls in place to document the time for salary and hourly employees. He said that the comments at the end of all the financial statements require a management response to correct them going forward.

Mr. Halleran moved on to the Auditor General requirements [Exhibit A-3]. He said that he had been doing this for twenty-eight years when it was allowable to give verbal comments to clients, but now, unless it is clearly inconsequential, it has to be a written recommendation to our governmental clients. He pointed out that there was one repeat comment from the prior year on the building permit side and that there is a state statute that limits the amount of funds that can be accumulated in the building permits, which is difficult because it is based off of a four year average and the building cycle is not a four year trend. The City would need to either work down that balance, rebate the funds back, or reduce the dollar amount of the permit fees. He advised that there are two new recommendations for this year: budgetary compliance in the General Fund, Parks and Recreation and Debt Service were over budget from what was approved. He said that the City had sixty days (until November 30<sup>th</sup>) to make any budget amendments, but that did not happen, and that is why the comment is there. The last one was the calculation of compensated absences, which is the accrual of sick time and vacation time, and they found some differences there and made recommendations to improve that tracking.

Mr. Halleran moved on to the next slide which showed the General Fund's three-year trend, and he described the different fund balances [Exhibit A-4]. He said that the Unassigned Fund Balance would ultimately be responsible for covering the deficit fund balance of the weir project. Every city in Florida needs to have some money set aside for emergencies, such as storms, working capital, and cash flow. When you look at the 2022 expenditures of roughly \$8,000,000, you will see that the City is sitting at about five and half months in the Unassigned Fund Balance and that the Government Finance Officers Association (GFOA) minimum requirement is two months [Exhibit A-5]. He said that there would be some FEMA expenditures this year, but you do not know when you will get your money. Commissioner Sweeny asked if there is a State requirement. Mr. Halleran said no. He moved on to the next slide [Exhibit A-6], which depicted the City Fund Balance Policy at a minimum of twenty percent. He moved on to [Exhibit A-7], Financial Highlights, which looks at the big picture of what happened for the year, such as the planned increases in charges for services (i.e., trash services), operating grants (i.e., ARPA funds), capital grants (i.e., weir project), and increases in property taxes. He advised that the ARPA funds are sitting there for the Commission to decide how to spend and that the restriction has been released and the City now has options such as using it for matching funds. He said that the overall expenses decreased primarily due to Other Post-Employment Benefits (OPEB), which is basically health insurance in the future for retirees. He moved on to [Exhibit A-8] and said that a new ARPA Fund was created in FY 2022 to easily track what is going on with the funds. The City has \$6.6 million in note/bond debt at a normal pay down debt, such as financing the purchase of tasers for the Police

Department at \$61,000. The City also has leases, such as garbage trucks and police vehicles at \$449,000.

Mr. Halleran moved on to [Exhibit A-9] and said that the City employees are part of the Florida Retirement System (FRS), which has pluses and minuses. The plus is that the City does not have to manage it, the minus is that you do not have any control over the contribution rate and that the overall plan increased this year.

Mayor Samora asked what were the two prior year comments that were corrected. Mr. Halleran advised that the Impact Fee Fund, which was to ensure that we had separate funds in the accounting system to track the impact fees, to review pay changes because we noted an error, and interfund activity was another error in the prior year that was corrected as well. Mayor Samora asked if there was a limit for what could be held in the City's General Fund reserves. Mr. Halleran said no.

Commissioner Sweeny asked if the net pension liability was a number on paper or was it a number that the City has to pay that went up \$3 million. Mr. Halleran advised that the City is picking up its proportionate share of the State's retirement system (FRS).

Commissioner George asked if Mr. Halleran had any recommendations for the Commission with regards to the comments from this report. Mr. Halleran suggested that the Commission should ask for a mid-year update from the Finance Department regarding the corrective actions to the comments. Commissioner George said that it sounds like it may be a software transition issue. Mr. Halleran said yes, the time sheet issue and the others were year-end adjustments for quarterly revenue and receivables, which he believed that the Finance Director and the outside consultant could accomplish going forward. He said that it is hard to cut off accounts payable when dealing with contractors who may be late providing information. Commissioner George asked if he would be confident with the staff responses. Mr. Halleran said yes.

Commissioner Sweeny asked where to find the staff responses in the packet. Mr. Halleran said on the last page.

Mayor Samora thanked Mr. Halleran.

Mayor Samora moved on to Item VIII and said that everyone is welcome to address the Commission on non-agenda items and would have three minutes to speak and to please fill out a speaker card.

## VIII. PUBLIC COMMENTS

Mike O'Steen, 202 Azalea Avenue, St. Augustine Beach, FL, showed an email that he received regarding a shed that he was building without a permit [Exhibit B]; found a Stop Work Order blowing around in his yard; the notice stated that he did not contact the City but said that he went to the City that day; he did not apologize for his wife being rude because she was upset; he did not continue to build the shed he only put a primer coat on because it was molding; he went and spoke to Code Enforcement Officer Timmons who said to call him if he needed anything and that he has called twice and has not received a call back; he feels that the office gets annoyed with him coming there and all he wants to do is get it done right; they want fourteen copies and he does not know what to do except go there and ask questions; he received a notice to appear before the Code Enforcement Board in April and he asked what it was about and a young lady told it that he needed to call Mr. Timmons and he told her that he does not call him back so she said that she would have him call him and that was a week ago; he said that he has a problem with the email because they put in what they want to say and nothing about the problems he has had with them not doing what they say they are going to do; wants this to be over and does not like people saying that he is being rude.



Mayor Samora advised that it is now on the public record, and he asked the City Manager to follow up with the Building Official, staff, and Mr. O'Steen to get it resolved.

John Lawler, 4 Ocean Trace Rd, Unit 318, St. Augustine Beach, FL, spoke a month ago regarding the St. Augustine Beach and Tennis Condos and they are very interested in the Stormwater Master Plan, but it seems to have been scrubbed tonight; we want to work with the City as soon as the Plan is finalized.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, asked to get back on track for the Hammock Dunes Park; there should be some effort put in to some sort of access to the beach for people that live on A1A South and that the bank has been sold recently and maybe the City could negotiate to get access through there and maybe have a workshop; to possibly put together a group to clean up both parks; thanked everyone for the work that has been done and that we are coming together as a community.

Carter Edwards, 4 Ocean Trace Road, Unit 217, St. Augustine Beach, FL, asked if there were any updates for the drainage issues in Ocean Trace area. Mayor Samora advised that after Public Comments he would follow up with the Public Works Director.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, asked several months ago about rubberizing Splash Park and to keep it in mind for the upcoming budget or if there are ARPA funds left over; Splash Park's slide should be looked into for safety concerns; suggested that a "No Parking" sign be put at A1A South and Madrid Street where there has been discussions regarding a new traffic signal; questioned whether Sea Colony has the proper permits for extending their walkway to the beach and whether it would cause a safety hazard; behind the Campbell House there was dead vegetation which has been replanted and may have been caused by chemicals which may have needed permits; showed Folio article [Exhibit C].

Ellen Avery-Smith, 61 Magnolia Dunes Circle, St. Augustine Beach, FL, thanked the Police Department for their presence on A1A Beach Boulevard for bicyclist safety.

Cathy Stone, 826 A1A Beach Blvd, St. Augustine Beach, FL, sent an email on March 10<sup>th</sup> regarding the Stormwater Utility Fee and nothing is on the agenda about it, so she read it aloud; asked to increase the millage rate by 0.5% and add it to the agenda for May; knows that there is a need for the Stormwater Utility fees and does not know why her email fell on deaf ears and asked it to be added to the record.

Wellesley Sweeny, 652 Sun Down Circle, St. Augustine Beach, FL, sang "Happy Birthday" to Commissioner Sweeny, her mother.

Mayor Samora closed Public Comments and asked the City Manager to get with staff to resolve Mr. O'Steen's issue. Mayor Samora asked Director Tredik if there were any updates for St. Augustine Beach and Tennis. Director Tredik advised that he expected it to be part of the discussion on May 1<sup>st</sup> when the Stormwater Update is presented.

Mayor Samora asked if the City does any vine maintenance of the parks. Director Tredik said they do invasive species removal in Ocean Hammock Park but have not done anything at Hammock Dunes Park. Commissioner Sweeny asked if that could be an initiative that SEPAC could take on. Mayor Samora suggested that SEPAC could discuss it. Commissioner Sweeny suggested to educate the public or have volunteer days to clean it up.

Mayor Samora asked if the drainage issues for Ocean Trace would also be done on the May 1<sup>st</sup> presentation. Director Tredik said yes. Mayor Samora asked if Public Works was still doing maintenance at Splash Park. Director Tredik said yes but that they have not explored a new surface and that it is something they could look at and evaluate the pros and cons prior to the budget. Mayor Samora asked if Sea Colony had permits for the boardwalk extension to the beach.

Building Official Law advised that this is the first that he has heard of it. Mayor Samora said that it might be something to look in to. Building Official Law said that DEP should have been contacted and that he would send a Code Enforcement Officer tomorrow but that they are down one Officer right now.

City Manager Royle said that Item XIII.5 is a proposal from Building Official Law for the renovation of a meeting room in City Hall using Building Department funds and that he would pass the information out later to be added to that agenda item tonight.

Mayor Samora said that he received a memo and asked how it should be addressed. City Manager Royle advised that the Vice Mayor was going to bring it up under Commissioner Comments. Mayor Samora suggested doing it now.

#### IX. COMMISSIONER COMMENTS

Vice Mayor Rumrell said that he received a lot of calls from people on the Boulevard near Blackfly about pedestrians being hit and killed. He said that the weekend of the Widespread Panic concert there were two fatalities in front of the Amphitheatre, another in front of Blackfly, and two days ago another pedestrian avoided a scooter driver who broke their clavicle and has major road rash. He said that the City of St. Augustine's Public Works Director Reuben Franklin and Mayor Tracy Upchurch reached out and asked if the City would be interested in signing a letter addressed to Florida Department of Transportation (FDOT) asking them to start studying this. He said that he shared this with City Attorney Blocker today and he believed that everything seemed to be okay and that he would let the City Attorney explain it. He said that it is really to get their attention with the Sheriff, the County, and the two cities together to get FDOT to look at lighting and taking care of the Boulevard which comes into our jurisdiction. He provided copies of a draft letter to FDOT [Exhibit D].

Mayor Samora thanked him for bringing it to the Commission's attention and said that it is great. He said that he has no issues signing it and asked if a consensus would be needed. City Manager Royle said that a consensus would be helpful.

Commissioner George asked if they were open to including the language to lengthen it down into the Boulevard. She said that there have been a few cyclists and pedestrians hit on the Boulevard over the past couple of months. Chief Carswell advised that there have been two since the beginning of the year. Vice Mayor Rumrell said that he would bring that point up to them as well as down to the four-lane road area because there are not that many lights from the Bridge of Lions heading south. Commissioner George said that we typically get the response that the funding for this is all on us even though it is County owned.

Commissioner Morgan said that she is glad to see this in the light of the unfortunate things that have happened lately.

Commissioner Sweeny thanked the Vice Mayor for taking this on and that she saw that it was talked out at the City of St. Augustine's meeting last week and that it is good to see everyone working together on this.

Vice Mayor Rumrell advised that he would report back to the City of St. Augustine, sign a copy, and get it back to them.

Commissioner George thanked the Commission for approving her excused absence last month. She said that she had an update on the traffic light issue that Mr. Binder brought up at A1A South and Madrid Street. She advised that she made contact with each of the different entities within Marsh Creek and that she heard back from the County and FDOT and they answered all her questions and that is the progress so far. She is waiting to see if there is a consensus with all the

entities on the west side of the highway because it looks like the cost will be around \$1 million. She said that there does not seem to be any interest in cost participation by the State or the County necessarily and that there is no indication of enough accidents there at this time. She said that it is a matter of feasibility. Mayor Samora asked where the \$1 million estimate came from. Commissioner George advised FDOT and the County. She said that there are different phases, and the net sum ended up being around \$1 million.

Commissioner Sweeny asked if the Commission ever sends staff to participate in Leadership St. Johns. Commissioner George said that she has gone as a Commissioner and that it was amazing. Commissioner Sweeny said that they just had an education day and hosted the group at the college. She said that she would love to see the City budget for it next year to be able to send a staff member as a leadership growth opportunity and also as a great network to continue to build relationships between the City staff and other entities because there is a lot of value in the program.

Mayor Samora moved on to Item XII.

X. PUBLIC HEARINGS

There were none.

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)

There were none.

XII. OLD BUSINESS

1. Non-Conforming Business Signs: Proposed Changes to Section 8.00.10 of the Land Development Code (Presenter: Brian Law, Building Official)

Building Official Law said that after last month's meeting the Planning and Zoning Division and the City Attorney listened to what was said about the existing sign ordinance and that we are not proposing an ordinance, but more of a consensus. The Commission has a proposal drafted by the City Attorney and Ms. Thompson, City Planner, and that there are some items that he would like to discuss with the Commission first before we propose any changes and that we could possibly begin the ordinance process next month.

Building Official Law pointed out in Section 3.b the proposed change from sixty days to twelve months and he said that an appropriate time frame is something that the Commission would have to decide for the City and that the "sixty days" reference in Section 4.c would mimic whatever is decided today. He moved on to Section 5.a and said that they are trying to not link certain responsibilities to a job title, and he recommended to change it to read "If the City determines any sign..." because it may not be the Building Official, it may be the Code Enforcement Officer. He also said that it states to correct the condition "within forty-eight hours", which is not reasonable. He advised that some of these commercial buildings are owned by corporations located elsewhere in the country and he would not be able to notify them within forty-eight hours. He asked that the Commission look at those specific items as Section 8.00.10 is being discussed as well as the definition on Page 3, which also indicates twelve months, and it should be reflected in all three spots.

Mayor Samora asked if there were any other specific concerns. Building Official Law said that he would like to have a consensus so that he could draft an ordinance with the City Attorney for the

Planning and Zoning Board meeting in May and then back to the Commission in June and July. He advised that he also had Code Enforcement send out another letter alerting the previous sign notice recipients about the Commission meeting today. He said that they currently have one permit application from Hampton Inn and that they were made aware that there would be potential legislative going on today and that they are going to proceed with the sign permit anyway.

Mayor Samora said that the Commission asked them to revisit this, and it looks like they captured the intent that the Commission was looking for.

Commissioner George suggested to keep the first part of the language in the last sentence of the strikethrough in Paragraph 1.b to read that, *"The City Building Official shall maintain a list of all legal non-conforming signs in the City."* She said that we still need to know how many there are and where they are, etc. She suggested that Paragraph 2.a should end with the same reference to the fifty percent threshold. She said that this is not related to any change but simply an opportunity to review what we have and that it seemed to be a potential inconsistency. She pointed out that other sections such as 2.c reference additional language and she suggested adding the language, *"to the extent that the cost of repair or restorations is fifty (50) percent or less of the cost of replacement of such sign."* She said that we are not trying to create a loophole or inconsistency within the ordinance and that it was odd that the last sentence in Section 2.a was not as detailed. Building Official Law said that he believed that the Code was written exactly the way it should be. He advised that Section 2.a is saying that we know that we have twenty-five legal non-conforming signs right now but that the City has no interest in pursuing legal non-conforming signs because as the code changes, so could the setbacks. He said that Section 2.c specifies fifty percent which is the trigger in every building code, and we would not allow them to rebuild it because of the substantial damage. Section 2.a tells us that we acknowledge that the sign is there and was built at a different time, but Section 2.c says that it is a non-conforming sign. He gave the example of the Guy Harvey sign that became tilted at a thirty-five degree angle after Hurricane Matthew, and it was right over a County lift station.

Commissioner George said that she is not wedded to the idea that it needs more detail, it was just something that she noted and if the Building Official and the Commission are comfortable with it, that she is fine with it as well. She said that she agreed with Section 3.b and that the twelve months kind of struck her that it might be too long because we do not want deteriorating properties. She suggested a possible time frame of ninety days but definitely not more than six months. She moved on to Page 3 and said that it seemed like the definition of "destroyed" is a different standard than the definition implied by the fifty percent rule, which reminded her of some that she had seen in the County. She said that she understands why you would specify the supports, but she wanted to have some discussion and feedback as to whether it should be different or needs to be modified. Building Official Law said that he believed that the City Attorney may have added that and that he thinks that it is there because they are specifically honing in on the upright supports. He said that because of the engineering it would take to repair it that it could easily exceed fifty percent. Commissioner George suggested to add, *"or fifty percent of fair market value of the sign."* She said that obviously those are two different standards. Building Official Law advised that the fifty percent triggers refer to substantial damage, which is a definition used in many governments such as FEMA and the International Building Code. He said that he would be reluctant to even mention substantial damage because it is so honed in to one thing. Commissioner George said that it seems odd that we have a standard in the other sections and that it must be removed or rebuilt to the extent of the cost of repairing it or restoration is fifty percent or more and that when we define "destroyed" it does not include that definition. She said that she does not know if it is a problem but that any attorney could make it a problem and that a simple fix might be to add "or" to "destroyed" to include that fifty percent rule. She went

back to the Building Official's opening comments when he referenced Section 5.a to change the language from *"If the Building Official..."* to *"If the City..."* and asked if we have a definition of "City" in the Code already, otherwise we could say the Building Official or his delegate. Building Official Law said that some of the City Manager references were changed to City Manager/designee before he was here and that he could do similar language using Building Official/designee. Commissioner George referenced the term of *"forty-eight hours"* in Sections 5.a and 5.b and said that she would defer to a longer term with her initial thought being to send notice within a reasonable number of business days. Building Official Law advised that he would like to have at least five business days, but that it could not be used for Section 5.b because it is talking about the correction of the sign and sign contractors are several months out right now. He said if the sign presents a life, health, or safety issue, then the City reserves the right to remove the sign if the owners are unwilling, which would trigger an emergency convening of the Code Enforcement Board in a worst case scenario.

Mayor Samora asked how long an unsafe sign would be allowed. Building Official Law said that is why he brought this to the Commissioner's attention.

Commissioner Sweeny asked if there needed to be clarification of language to specify *"upon receipt of the notification within forty-eight hours"*. Commissioner Morgan said that as the Building Official mentioned that notification could be posted at the business not knowing whether the business owner is local and if that would suffice. Building Official Law referenced a situation he had in Jacksonville where an abandoned hurricane damaged sign had to be removed and that they had a welder and a crane cut the sign down at the owners' request and expense. He said that he wants to make sure that the Code is being fair in the event that a sign suffers unfortunate damage and to give them plenty of time.

Commissioner George referred to the City Attorney for due process issues of notice, etc. to find a solution for those timelines. City Attorney Blocker advised that you want to make sure to notify a registered agent/designated owner and that he believed that the Code defines the notification process and that non-local owners would need to be notified properly. He said that the City does have the right to take down the sign if they feel that it is an emergency situation. He suggested to build in more time and that defining notifying agents/delegates is important and that he would work together to make sure it is addressed.

Mayor Samora asked if we need to define what an *"unsafe"* sign is. City Attorney Blocker advised that there are other cities of similar size that define things a little more clearly and that we could tailor it to the needs of the City and maybe even leave it somewhat open-ended to allow for some discretion of staff. He said that he would defer to the Building Official whether having more definition would or would not be helpful. Building Official Law said it would not be because he is the City's licensed Building Code Administrator for life, health, and safety and that when something like this happens, he answers to the Florida Building Code and that no Commissioner has overriding power. He said that if he deems it to be a threat, that three letters would be sent by different methods (i.e., certified, hand delivery, and regular postage). He advised that he would act very quickly if he felt there was a threat.

Commissioner Morgan referenced Section 3.b regarding the timeline change from sixty days to twelve months and she suggested anywhere between ninety days to six months would be more appropriate. She said that she would also like to see that language consistent throughout. She moved on to Section 5.a which references a *"forty-eight hours"* timeframe and the question of whether that is enough time for the owner to make a correction. She asked if a situation made the sign unsafe or if there were a state of emergency, would that affect the timeline. City Attorney Blocker said that if there were a state of emergency, then local government would have broad discretion within that, and if it is defined in the Code as being a safety issue, then the Building

Official would be able to remove it. He said that this is to give a business owner an opportunity to take action and the City would not incur any cost. He advised that if there is a hurricane, the City could take action if it poses any risk, which is already something in place today. He said that you would hope that a business owner would take immediate action and remove the sign within a five-day period.

Building Official Law advised that if there is a damaged sign without any substantial threat to life or property, that he would still move fast and ask that the business owner contact an engineer to evaluate it, such as the recent incident at Circle K. He said that there are many methods to protect citizens but that natural disasters are treated differently. Commissioner Morgan gave a scenario of a sign that already has damage, there is a hurricane on the way, and asked whether we would have to follow Sections 5.a and 5.b or could we remove it before the storm. Building Official Law said that any decisions made would teeter on the line of the Code and that we would get a ruling from the City Attorney and if we are not able to do it, then he would contact an engineer.

Commissioner Sweeny said that Section 4.a does not specify the period of time it has to remain vacant in order to be discontinued. Building Official Law read Section 3.b which states the time frame that continues on to the next Section and if a sign has been abandoned without a face for sixty days that it would lose its status. Commissioner Sweeny questioned whether anything should be added to address a change in ownership. Building Official Law advised that there had been significant discussion on it and that he had said that it would be very challenging to enforce it because a business may sell while the building/landowner stays the same. Commissioner Sweeny suggested linking it to a change in property ownership rather than the business. Building Official Law advised that the Commission could change it to the property owner and that he would support it, but that he would have concerns. He said for instance if Wendy's sells to a different corporation, it is still Wendy's but with different owners, and it is difficult to determine who the owners are when there are corporations involved. He said that if the sign were in good standing that he would hate to burden a new property owner with a \$30,000 sign.

Mayor Samora said that business owner changes would be really hard to track and that it would be worth considering it for property owner changes, which would be an opportunity to get some of these signs into conformance because part of the transaction could be to bring the sign into conformance. Building Official Law reminded the Commission that this would have been an irrelevant point until we started discussing this Code and doing away with the non-conforming signs.

Commissioner Sweeny said that she does not want to penalize the current property owners and that she is very sensitive to that which is the whole point to try to ease everyone into this. She said that if we are going to stick with the original intent of enforcing the twelve-foot height that we need to take some steps to get there and that she would defer to the Building Official and the City Attorney to determine the best way to do it. Commissioner George suggested the language *"change of use"*. Building Official Law said that he liked that language because a change of use is a permitted event and the sign conformance could be encapsulated with the permit, otherwise he would have to search every business in the City to determine any change of ownership. Commissioner George said that it would be a silent penalty to the occupant and that applying it to a change of ownership seems a little dicey. City Attorney Blocker said that that language could be added to capture some of it if the goal is to phase the non-conforming signs out and that they could work on it and bring it back to the Commission. He said that the purpose today was to address some unanswered questions, to get feedback, and that they could put some triggers in it based on use, sale, etc. and also look at what other cities of similar size have done. Commissioner George advised that it was implemented in 2016.

Commissioner Morgan asked if the Building Official thought that a change of use would be easier to implement/enforce from his standpoint. Building Official Law said that in accordance with the Building Code, a change of use is changing the occupancy. He said for example 301 A1A Beach Boulevard was previously a residence and is being converted into a real estate office, which is required to be permitted and also requires that the building be brought up to current Codes and using the “change of use” language is right in line. City Attorney Blocker advised that we would want to make sure to define what a “change of use” is so that it is understandable and clear. Commissioner George asked if a retail tenant moves out and another retail tenant moves in would it be considered a change of use. Building Official Law advised that the Building Code does not consider that a change of use because it is the same use and occupancy. He said that with the selling of the building/property that the City could be behind as much as six months.

Commissioner George asked if it could include a list of the current non-conforming signs when it comes back to the Commission next month because the change of use could have some unintended consequences and that she would not want to create a stigma on a property that would have remained the same use if it would create a huge financial burden. Building Official Law said yes. Commissioner George said that it would also help address the question of the intent and she would not want to burden a business that has a perfectly good sign with plenty of years left.

Vice Mayor Rumrell questioned Section 3.b regarding the language “*ceases to be used*”. He said that as a realtor he may market a commercial piece of property, such as Wendy’s, which could take sixty to ninety days to market properly. If he gets an offer, a commercial property has a due diligence period of one hundred to one hundred and eighty days. He said that during the due diligence period they are trying to find a tenant and so he thinks that the proposed change to twelve months is fair as long as the maintenance side of it is fifty percent or better whether the owner still has to maintain the sign. He said that he would not want to punish a corporation from buying it and having to use a sign that is probably sixteen foot tall and drop it down to twelve foot on a major highway and that he has an issue with that because it could take up ten months to market and sell a property and he would not want the sign to be the reason that they backed out. He suggested that it could be an exception that would apply only to the four-lane highway because we do not have any really high signs left. He said that it may take six months for a hotel to get a flag and that there are others things that have to happen and that he wants to be mindful of the businesses and that we look at the twelve months not as a free pass. He said that he did not think that the City has enough signs to junk up the community and that we have to look at our property owners and businesses and make sure that they are protected to some degree as well.

Commissioner George said that she understands the Vice Mayor’s point about maintenance being a differentiating factor but it comes down to the question of the Commission’s intent to implement the aesthetic goal. She said even in that context it becomes part of the start-up cost as opposed to an unexpected cost mid-stream. Mayor Samora said that it would depend on the intent and that another qualifier is that it is not in use, so not every business would be shut down.

Vice Mayor Rumrell said that he is fine with everything else as well as adding to keep the list. He said that he personally gets the non-conforming to conforming but had he been on that prior Commission, he probably would have voted to grandfather in all the signs and leave the fifty percent rule as the triggering mechanism for them to come into conformance because every new sign has to be conforming. So, it is really the grandfatherization of these twenty-five signs. Building Official Law said yes and that it has been dwindling over the past five-plus years since he has been with the City. He named several of the signs that have conformed and said that the Anastasia Plaza/Publix is on their list right now. He said that it is interesting because of the number of

tenants in the plaza and that sometimes a variance may be the right course. Vice Mayor Rumrell said that Publix is a tenant that may lose revenue with a smaller sign.

Mayor Samora opened Public Comment.

Charles Lassiter, 320 Redwing Lane, St. Augustine Beach, FL, has the plaza at the south end of A1A South; after listening today, he has a much more palatable view of what the City is trying to do vs. the letter he received stating that he has until August or they are going to tear his sign down and he has to spend \$40,000 for a new one; the City is on track if it wants the twelve foot height for the aesthetics of the City because we are not a Palm Beach, Boca Raton, etc.; his plaza is small with eight units and there is a problem with change of use for the individuals inside, which should be looked at as well; he said that he has been educated tonight.

Ellen Avery-Smith, Rogers Towers Attorneys, 100 Whetstone Place, Suite 200, St. Augustine, FL, last month she spoke about her Dunkin' Donuts client at Circle K; thanked the City for doing this and said that it has come a long way; she sometimes advises clients in their real estate business, even if they are a franchise, to have a different Limited Liability Corporation (LLC) for ownership of each property; sometimes they consolidate and put the LLCs back into one company; sometimes under the franchise agreements, if they fail the Dunkin' Donuts standards, then corporate can come in and take over; the change of use is probably a great idea to trigger it; the estimate for Dunkin' Donuts' sign is over \$30,000 and may take up to a year due to labor and supply issues; it would probably take six months to a year from ordering the sign to get it in and install it.

Troy Blevins, Jalaram Hotels, 14 Riberia Street, St. Augustine, FL, has a legal non-conforming sign [Exhibit E]; partnered with the City and the parkettes and they maintain it; the sign is set back a little bit and is probably about sixteen-feet high; this is one company that has fourteen different LLCs and the owner has been pushing those to his sons and would be more in favor of the change of use; we have brand standards when it comes to our signs and it has to get corporate approval so anything less than six months would be hard to do; gave an example of a crosswalk that was ordered last month and would not be in until August, which is on the government side; there are a lot of delays in construction and he would prefer the full twelve months; if his sign gets destroyed it would be a challenge to stay under the twelve foot height limit and still have visibility.

Mayor Samora closed Public Comment.

Commissioner George asked for clarification on the last Public Comment regarding a six month timeline for getting corporate approval because in that case it would be for a new sign. Mr. Blevins said only if it breaks that threshold of fifty percent and said that the monument is worth more than the physical sign, but it is still part of his sign. Commissioner George said that the business is still operating and the sign is still there, and she asked under what circumstances would Best Western be seeking approval for a new sign that could result in that current sign being vacant for more than six months. Mr. Blevins said that we have franchise agreements with Best Western and we own the hotel and Best Western is their franchise for their flag. He said that Hampton Inn is a better performing hotel than Best Western so if he gets a Hampton flag it would change the skin on it and it would be less than fifty percent and does not change the use but it still creates the space that is our asset. He said that Best Western gives the owners a lot more leeway than Hilton or Marriott. He said that he could live with the six months, but does not want to be pressured into something that is out of his hands. Commissioner George thanked Mr. Blevins for his clarification. Building Official Law said for the record, permits are not required for a face change as long as the structural elements are there. Commissioner George said that she did not think that Mr. Blevins' example impacted the question of the six months vs. twelve months. Building Official Law said that once a building permit is applied for, then the Florida Building Code takes precedence, and



the permit is good for one hundred and eighty days unless there is an approved inspection and that he would consider that the same method to use for signs. He said that once the sign was applied for that they would have one hundred and eighty days to get an approved inspection or request in writing for an extension so there is a mechanism for material shortages, etc.

Vice Mayor Rumrell said that he believed that Wendy's is listed by a realtor now and if they were to put their realty sign in there then it would no longer be considered inactive. But on the flip side he does not know if he would want to see a bunch of realtor signs on them to keep them active. Building Official Law said that he would not consider that as being the spirit of the Code. He said that we may make a strict interpretation of the Code, which is our job, but that there is always the avenue of appeals of the Planning and Zoning Board. Vice Mayor Rumrell asked if it could say "coming soon". Building Official Law advised that if that happened that he would consult with the City Attorney, ask for a ruling, and enforce that ruling. He said that the reason that they have not done anything with Wendy's is because we are engaging in this dialog today, the sign is not in structural disrepair, and they held off on Code Enforcement action until the Commission gives him leeway.

Mayor Samora asked for a consensus of guidance and he recapped the discussion starting with Section 1.b and said that the consensus is to keep the list active. He moved on to Section 2.a, which is regarding the fifty percent language. Commissioner George advised that Building Official Law said that the language in Section 2.a is better the way it is. City Attorney Blocker agreed. Mayor Samora said that Section 3.b was the timeline of twelve months. Commissioner George said that as a value overall to the initial intent of trying to transition without creating a hardship on existing businesses and that she is comfortable to continue discussion for a six month timeline and that she thinks that twelve months is too long. Commissioner Morgan, Vice Mayor Rumrell, and Mayor Samora all agreed with six months and Vice Mayor Rumrell said that he is still at twelve months.

Mayor Samora moved on to Section 4.a. Commissioner George said there needs to be further attention for Section 4.a to ensure consistency and to leave that for staff to determine. Building Official Law asked if the six month window would be moved to that section as well. Vice Mayor Rumrell said that in Section 4.c that the sixty days should change. Commissioner Sweeny said that Section 4.a is meant to be read in conjunction with Section 3.b, so we need to either change Section 4.a or just clarify and keep it consistent. And Section 4.c was meant to be more consistent with the six months.

Mayor Samora recapped Section 5.a to be changed to *"If the City Manager/designee..."*. Building Official Law advised that he would prefer that it state the *"If the Building Official/designee"* and that he would also change it for any other Section that specified the Building Official and he reminded the Commission that this Code is designed to last for fifteen years. Mayor Samora moved on to Section 5.b. Commissioner George said that she is comfortable getting further advice from staff for Sections 5.a and 5.b unless there is further direction needed from the Commission. Building Official Law said that there was prior discussion for proposing five business days. Mayor Samora said that the Commission supports the five business days for notification. Building Official Law advised that the correction of the sign would be another five business days once we have the returned receipt from the certified letter. Commissioner George suggested adding language at the end of Section 5.b for the City to act if there is immediate danger vs. waiting a total of ten days. Building Official Law read Section 5.b and said that he believed that it already gave him authority to act. Commissioner George suggested adding a Section 5.c that states *"notwithstanding of the foregoing if the City Building Official deems it to be substantial imminent danger"*. City Attorney Blocker advised that they could add language to define it and then let the Commission decide.

Commissioner Sweeny asked if the City Attorney would clean up the notification language in it. City Attorney Blocker said yes.

Vice Mayor Rumrell asked for clarification of the correction within five days such as if there is a storm. He said that it may take fifteen days whether the City removes it, or the owner does it. Building Official Law advised that part of his job is to read the Code and its intent and make the best decisions with the tools that he has. He said that when disasters happen, we operate in the same manner just a lot faster.

Mayor Samora said that the Commission has decided against defining “unsafe signs”. He said that we also discussed “change of ownership” vs. “change of use”. Commissioner George said that it would be worth looking at the language that staff presents. Commissioner Sweeny said that she would like to see a more legal definition with the “change of use” included which would help her to decide. Building Official Law advised that Ms. Thompson would be presenting this next month and that they would take the exact definition out of the Florida Building Codes.

Commissioner Morgan read Section 6.b and said that it reflects twelve months and that it should also be made consistent. Commissioner George referenced Section 6.a and said that the Commission discussed adding the language “*or fifty percent fair market value threshold*” as a part of the definition of “destroyed”. Mayor Samora said that it makes sense, and it is consistent.

Building Official Law advised that he has enough information to bring it back to the Commission and that it would most likely be in a non-ordinance form.

Mayor Samora moved on to Item XIII.2.

### XIII. NEW BUSINESS

2. Solid Waste Collection for Vacation Rentals: Ordinance 23-02, First Reading, to Change Language in Chapter 10 of the City Code (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik advised that this is the first reading of Ordinance 23-02 to provide for a commercial non-ad valorem assessment for solid waste and recyclables for transient rental properties and that this has been discussed at several meetings in the past. He recapped and said that in 2020 the Commission modified Chapter 10 of the Code in an attempt to eliminate “can counting”. He said that commercial properties, with the exception of condominiums, were required to purchase City waste carts to match their consumption based on the “can count” method. He said that commercial customers include businesses, transient rentals, and condominiums. In 2022, to simplify the billing, we brought the condominium units into the residential non-ad valorem assessment, which simplified the billing for both the City and the Condominiums. In October of 2022, the Commission voted to begin the process of creating this commercial solid waste assessment off the transient rentals and in November of 2022 you passed Resolution 22-16 expressing the intent to implement this non-ad valorem assessment, which was submitted to the Tax Collector. He said that Ordinance 23-02 modifies Section 10-13 of the City Code to exempt commercial service premises from the requirement to purchase City waste carts if they pay for solid waste collection/disposal and recycling services via a non-ad valorem assessment. He said that we took a hard look at the existing Code, which was fairly well written and just needed a little tweak to give commercial businesses that are paying a non-ad valorem assessment a way to not have to purchase a waste cart. He said that the only change is the addition of the last sentence in Section 10-13 (i) (1).

Commissioner George asked for clarification whether this is payment to the City for solid waste collection. Director Tredik said yes because the City would be the entity implementing a non-ad valorem assessment and they would no longer be required to purchase a waste cart, which also means that they would not be required to pay the weekly fees per cart that get passed by a

resolution each year. It would be included in their tax bill, and they could use any trash can they want. Commissioner George asked if there would be any non-conforming can charges. Director Tredik said no. He explained that it would all go away, it would reduce the paperwork on the Finance Department/Purchasing side, and it would also reduce the time it takes Public Works to log the non-conforming cans/overages.

Commissioner George questioned what would happen if a business used a lot more than whatever we have calculated the non-ad valorem assessment fee to be. Director Tredik advised that it is the same for residential units that put out more trash than others and that it would never be completely balanced. He said that the intent is to have one fee for transient rentals. Commissioner George asked if it would be an opt-in or out situation for the property owner. Director Tredik said no, that is not the current plan and that they would be notified of the non-ad valorem assessment. He said that he believed that the City Code does provide language for opting out but that he would have to research it. Commissioner George read the change as being that they could opt-out. Director Tredik said no that it means that they would not be billed a monthly fee and would not have to purchase City waste carts. Commissioner George asked if the City would be getting rid of all the carts. Director Tredik said that the carts would be phased out for all but the traditional commercial businesses such as restaurants, etc.

Commissioner George said that she really does not understand, and she asked why we would even keep that language. She said being an owner of a duplex that has a law office and a transient rental, that she does not understand how we are doing what we are doing with the ordinance that we have or where we are going with this. She said that maybe she needs to sit down with Director Tredik after the meeting. Director Tredik said he would be happy to do that. He said that is simply to provide language that if you are paying it through a non-ad valorem assessment, then you no longer are required to purchase the City waste carts or pay the monthly cart fees. He said that if we need to tweak the language, that he would get with the City Attorney and do so. Commissioner George said that it is not one or the other, so it is not optional. Director Tredik said it is not optional, it is just providing an alternate payment method rather than monthly billing. Commissioner George said it is either pay by can or non-ad valorem assessment. Director Tredik said no, there will be no more pay by can. Commissioner George asked what are the two options that we are providing. Commissioner Morgan said that Section (s) states that the other option is to have a private hauler so if they are exempt for this reason why wouldn't the other be exempt for their reason.

City Clerk Fitzgerald advised that currently all commercial businesses in the City have two options for garbage. Option one, they can contract with a private hauler, which is not always an option for transient rentals because most private haulers will not do single-can collection in a residential neighborhood. Option two is to have collection through the City, which is what the current Code in Chapter 10 allows, and they are billed every month based on a flat rate established by how many City cans they have purchased. She said that the Commission passed a resolution last October to explore a non-ad valorem exclusively for transient rentals so that they would be billed one flat rate in their taxes like residences and all we are attempting to do with this modification of Chapter 10 is to allow for that to be done and it does not lock us in to anything or change our current operation until such time the non-ad valorem is passed. If it is not passed, this is simply a framework that allows for a future change.

Mayor Samora asked specifically about multi-use properties that have a business below and transient rental above. Finance Director Douylliez said that by holding a Business Tax Receipt (BTR), you are a commercial customer and not a residence. Therefore, they would both be considered commercial and would both have to pay for the service. If it is a one-owner building and the owner has contracted with the City to provide waste carts for that business, then they

can tell us how many carts they want and provide them for both spaces because it is a commercial building. She said that transient rentals are not considered residences.

Commissioner Sweeny asked if there was a reason that we are passing this now. Director Tredik said that the reason is because it takes two readings to pass the ordinance and we are looking at bringing in the recommended transient rental non-ad valorem assessment rate in May. We need to pass that in order to have a Public Hearing in June which would need to be noticed twenty days in advance. He advised that a resolution has to be passed by August to have an agreement with the Tax Collector, so there is a set schedule of events, which is why we wanted to bring this to the Commission first to talk about the ordinance and have the second reading and determine the appropriate rate at the next meeting.

Mayor Samora suggested for Commissioner George to follow up with the Finance Director because of her situation with a business downstairs that has waste carts with the City, and if we make this change, there is no opt-out for the transient rental upstairs and they would get billed a non-ad valorem. Finance Director Douylliez said yes, unless the building owner decides to provide trash services for the whole building just as if they contracted for a dumpster. Mayor Samora said there is an opt-out option there.

Commissioner George asked if her building would be receiving non-ad valorem assessments for both transient rental and commercial even though she only puts out one can every week. Finance Director Douylliez said no. She said that the owner would need to provide the exemption form stating that they are providing trash services for their building and have estimated their trash services to be one cart, two carts, etc. and that is what they are providing for that building as a whole which would allow that transient rental not to be billed for the non-ad valorem assessment. She said that if the building is sold and the new owner says, "no transient rental", that it would trigger the non-ad valorem for the owner and the business below would pay the City on its own for the waste cart service.

Commissioner George said that the current situation is very weird and that she has paid for two carts but can only have possession of one cart. If she takes possession of both carts, then she would be billed every week for two carts. She said that maybe one week a year she needs both carts but if she puts out a non-conforming can, then she would get billed for that can plus an extra \$23 for a non-conforming can. She said that this ordinance states that the fees will be set by a fee schedule that the Commission will review and that she has never once as a Commissioner reviewed any such fee schedule. She said that it is a small issue and that she is probably the only person in the City that is impacted by it and that she does not want to waste her time or the City's time on it but that it needs cleaning up. She said that this definitely sounds like it is a better method. Director Tredik said that we did pass resolutions with the fees. Commissioner George said that she did not remember seeing that. City Clerk Fitzgerald advised that it was passed and went into effect October 1. Commissioner George apologized for misstating.

Mayor Samora agreed that it needs to be cleaned up and that we are working to do that. He said that it is not just affecting Commissioner George because we are seeing more and more businesses downstairs with transient rentals upstairs and that we are going to continue to see it so we want to make sure to get it right.

Director Tredik said that Commissioner Morgan was correct that Section (s) allows for the option to contract with a licensed, franchised, private hauler but that we have not seem many that are willing to do single-can pick up for just a few properties in the City.

Commissioner Sweeny asked what subparagraph (h) referenced since it was not in the agenda books but is part of the proposed change. Commissioner George read from subparagraph (h) as saying, *"commercial service premises which generate or have historically generated more than an*

*average of ten (10), thirty-two (32) gallon waste receptacles or equivalent volume of solid waste per week will not be eligible for City solid waste collection services and must secure private hauler for solid waste collection and disposal services.”* She said that if you are creating so much of a volume that exceeds ten cans, then you would have to hire a service and the City would not manage it anymore.

Commissioner Sweeny asked why we are exempting them from complying with this. City Clerk Fitzgerald said that the intention is to exempt them from being double billed. She said they are either going to pay in non-ad valorem taxes or be billed through the City’s monthly services.

Mayor Samora opened Public Comments. Being none, he closed Public Comments.

Mayor Samora asked the City Attorney to read the preamble. City Attorney Blocker read the preamble.

**Motion:** To approve Ordinance 23-02. **Moved by** Commissioner George, **Seconded by** Mayor Samora. Motion passed unanimously.

Mayor Samora moved on to Item XIII.3.

3. Replacement of Roof for Police Station and Building C: Award of Bid and Approval of Budget Resolution 23-07 (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik handed out an updated PowerPoint presentation [Exhibit F]. He advised that there have been concerns for roof leaks in the Police Department; inspections were conducted, and damage and leaks were found, which were evident from above and below as well as structural damage to the wall dormers on either side of the building. He said that the roof is pretty old, reaching the end of its life, and repairing it would be expensive. He said that it makes a lot more sense to replace it and that it was originally in this year’s budget but was eliminated for budgetary reasons and that we thought we could get one more year out of it. He said that it needs to be addressed now so that the damage does not get worse or into the truss system. He said that the recommendation was to replace the roof and go out to bid, which we did on March 4, 2023. He advised that we planned to open the bids earlier but extended the opening to March 28<sup>th</sup> and that is why everything is not in the package together.

Director Tredik said that we looked at three different options for roofing material. One was architectural asphalt shingles which is what is on City Hall, and the other two were painted metal with exposed fasteners or with hidden fasteners. He said that we also added the cost of the wall dormer repairs because we did not know how much the cost would be structurally. He provided a slide [Exhibit F-2] showing the different roofing materials and the pros and cons of each. He said that the architectural shingles come in a variety of colors, textures, and tab configuration choices and they are relatively easy to repair. He said that the cons are that they do not have a very long product life at only fifteen to twenty years, are more vulnerable to wind damage, require more maintenance, and are less energy efficient. He moved on to describe the two metal roofing options and said that the difference is that with an exposed fastener you are attaching the roof panels by screwing through the metal decking. He said that they have a high durability, but maybe not as much as the hidden fastener, and are more energy efficient than asphalt shingles. They have a shorter life than the hidden fasteners because of those penetrations and are a little more likely to leak. He said that for a commercial building you often see a standing seam and have a sleeker look than the exposed fasteners, which is a matter of preference. He said that he is concerned about the maintenance aspect because the City would need to maintain the roof as well as concerns for the life span not being as long as the hidden fasteners. The hidden fasteners are probably considered the Cadillac of roofs with minimal maintenance, high durability, and energy efficient. The cons are the cost, but when you look at cost, it is important to look at short-

term vs. long-term expenses and spreading over the years, it is more cost effective for a seventy-year roof.

Director Tredik moved on to the next slide and said that the City received five bids [Exhibit F-3]. He advised that the reason two of the bidders are in bold is because they addressed all the bid items. He moved on to the next slide which broke down the bid considerations and total costs [Exhibit F-4]. He discussed bidders 1, 2, and 4 and why they were not recommended for award of the bid, which left two bidders: A to Z Custom Homes and Thomas May Construction Company. He said that A to Z Custom Homes was the low bidder on the asphalt shingles, the hidden fastener painted metal roof, and the wall dormer repair. Thomas May Construction was the low bidder on the painted metal roof with exposed fasteners. He said that from his perspective and a maintenance perspective that he does not feel comfortable recommending the exposed fasteners because of the pros and cons that he discussed. Hidden fasteners cost more, but have a longer life, and he recommended to go with either the asphalt shingles or the hidden fastener metal roofing.

Director Tredik moved on to the next slide [Exhibit F-5] and said that the Police Department roof replacement was not in the current FY 2023 budget and would require a budget resolution, but that Building C is in the current budget and would not require a budget resolution. He asked that the Commission consider these alternatives and choose one to go with and that there are different dollar amounts for Budget Resolution 23-07 depending on which roof the Commission chooses.

Mayor Samora asked if Building C was included in each bid and how much was budgeted this year for the roof. Finance Director Douylliez said that \$40,000 was inclusive of all the repairs needed to Building C. Mayor Samora confirmed that the \$40,000 was not exclusively for roofing. Finance Director Douylliez concurred. Commissioner Sweeny asked how much the other repairs for Building C would cost. Finance Director Douylliez said that she does not believe that we have gotten any quotes yet, but that the Building Official may be able to provide further information. Building Official Law said that he has been on the Police Department's roof and that it is past its end of life and that the dormers, which are architectural features, are rotted and have leaked around improper flashing and have bull ants. He strongly recommended not using exposed fasteners because the neoprene washers will rot. He said that this is our Police Department, we need something fitting of the City, and that asphalt shingles would need to be replaced three times before that metal roof would fail. He said that these buildings are over twenty years old and are in need of repair. He advised that a metal roof with hidden fasteners is the right answer if the City can afford it. He said that Building C has water seeping up from the ground on the south side where the ground level is higher than the floor level of the concrete even though it is a concrete block wall, which has one disadvantage of soaking up water. He advised that the water is permeating through to the sheetrock and the baseboard and there is mildew evident on the bottom of the baseboard, which could be cut away and is not a huge expense. The PTAC (Packaged Terminal Air Conditioner) unit by the generator has been abandoned and they have a piece of plywood in there. He said those are split face blocks and would be a little more challenging to get and install but it can be done. He said the unit on the west side is the one that has been abandoned with the installation of central air last year. He advised that he could assist Public Works and do an infill of blocks, stucco it, and to make a band for a City seal, etc. so that we do not have to recoat the entire building. The building is in need of elastomeric paint and the stucco is cracking. He said that the majority of the \$40,000 will be made available for roofing.

Mayor Samora questioned how much those repairs would cost. Building Official Law said that his estimate would be \$10,000 but it would depend on whether City staff has time to do it such as cutting the concrete out for the bollards, etc.

Mayor Samora said that he has questions about the resolutions. Finance Director Douylliez advised that there are three options for pricing. She said that in the top right-hand corner of each resolution there is an A, B, and C which follow the options that Director Tredik has on his last PowerPoint page [Exhibit F-5]. Option A would be going with the asphalt shingles which is the lowest cost option, and we would need to pull \$30,000 into our budget this year but it would not come from reserves because we currently have approximately \$81,000 in our emergency contingency line for excess revenues over expenditures for this year's budget. She recommended that the other options come out of the reserves. She said that the main reason that she would not want to use all of the \$81,000 that is allocated for emergencies is because we found out last week that one of the air conditioning units at City Hall has issues and that they have done an emergency repair and if it fails, we could be looking at another \$20,000 hit.

Mayor Samora said that he is a little confused with the numbers looking at Option B vs. Option C because there is roughly a \$25,000 difference in cost but only a \$10,000 difference in the budget resolution. Director Tredik advised that there were different prices in the Building C work between A to Z Custom Homes and Thomas May who was actually cheaper on the Building C price which is why it is not exactly apples to apples. He said that he totaled it and then removed the Building C cost because it would not require a budget resolution. Commissioner Sweeny asked how much he pulled for the Building C costs. Director Tredik said that he believed it was \$10,000 for A to Z, but that he would have to go back and look at it. Commissioner Sweeny asked if it was pulled from the Building C cost that was budgeted. Director Tredik advised that he reduced the budget resolution by the amount that was already in the budget for Building C which was done in different amounts for different vendors for the hidden vs. the exposed fasteners and that is why the numbers do not match. He said that if you went with the painted metal hidden fasteners that the contract would be for \$102,785 which would include all the work for the Police Department and Building C and the dormer/architectural feature repair and the same thing for Option 2 because we have different vendors and different prices for the various items. Vice Mayor Rumrell asked if the \$128,460 for Thomas May included everything as well. Director Tredik said yes. Commissioner Morgan said that Director Tredik did not recommend the Thomas May bid so there is no budget resolution for it. Director Tredik said correct.

Vice Mayor Rumrell asked if there was a reason why there was only a \$3,000 difference in the A to Z Custom Homes price for the exposed fastener roof and the hidden fastener roof which would last seventy years. Director Tredik said that that is a really good question and he believed that the answer is that they really want to do this job. He said that he was concerned about it and called him to make sure that it was not an error and that he was assured that it was not an error.

Commissioner George asked if the Police Department building structure could hold a second story if we ever needed to expand. Building Official Law said that it is a block building, which is a great base for a second floor, but we would have to reevaluate the footers because they may need to be widened, which is achievable. He said that all the City's buildings have good bones and that is why he is so adamant about having a good roof. He said that if the City ever decided to add a second story to any building that it would require a complete rewire, new mechanical, new plumbing, etc., and given the City's lack of real estate, it may become an option, but it would be expensive. Commissioner George asked if it would be preferable vs. expanding the footprint as far as cost. Building Official Law advised that the Police Department sits in a unique area and cannot go west but could expand to the backside, which would take a redesign. He said that if you attach to the existing building, unless you keep the Police Department in their home, and continue to build and then collapse down into the separate buildings out back and it could be encapsulated into a new design which would keep them operational. He said that electrical would need to be upgraded which is not a big deal, they have a self-contained air conditioning system, and they could have a sub-panel in the new addition to feed all the wiring which would be very minimal

interference with police operations. He said that the building would have to be abandoned to go vertical.

Commissioner George asked Chief Carswell if he sees the Police Department running out of space in the next twenty years. Chief Carswell advised that if they ran out of space it would mean that they have added a significant number of administrative staff, not police officers, and he believed that they are pretty far off from that. Mayor Samora asked the Chief if he wanted to comment about the roof. Chief Carswell said that obviously he would pull for the strongest, longest lasting roof because during storms that building is where all the police officers stay.

Commissioner George asked if the City's insurance policies would replace the metal roof if it were destroyed in a hurricane. City Clerk Fitzgerald advised that the City's policies would cover the buildings whatever materials they are made of.

Commissioner Sweeny asked if this would increase or decrease our insurance premiums. Building Official Law said that there have been insurance rate hikes for roofs that are eleven to fifteen years old or older, which is non-negotiable whether you buy a lifetime shingle or not because the insurance companies do not care. He said that insurance companies love metal roofs because they perform better. He gave the example of the Embassy Suites Hotel which installed a lifetime shingle roof, and some blew off during the last storm. He said that hidden fasteners cannot really be inspected and that he would do during the process and that the roofer would be issued a permit, which would come up in the event of a disaster or roof failure and that we would have every document that the insurance company would need. He said that residential qualifies for discounts for metal roofs, but he did not know if government buildings would qualify for any discounts.

Commissioner Sweeny said that looking at Resolution C, which is for the painted metal roof with the hidden fasteners, that she does not understand how they are both increases. Finance Director Douylliez advised that one is the revenue account, and one is the expenditure account and that she has to increase the revenue in order to increase the expenses. Commissioner Sweeny asked if we show where the revenue is coming from on the resolutions. Finance Director Douylliez said no, it closes out during our audit and will funnel into the net of the reserves. She said that on Option A there is an increase and a decrease because she decreased the emergencies and contingencies. Commissioner Sweeny said that is where she got confused because there was an increase and decrease on one and not the other. She asked if Finance would be comfortable if the Commission decides on the more expensive option coming from the reserves. Finance Director Douylliez said yes, that the auditor explained that we have a lot of reserves right now. She said that we had a lot of projects budgeted last year with revenues and there were a lot of expenses that were not realized in our projects and that money funneled back into reserves. The City has a lot of projects that it is going to have to fund but right now she feels comfortable taking out the additional money.

Commissioner Morgan asked if Building Department money would be able to cover any of this. City Manager Royle said no. Someone spoke away from the microphones and asked what about when City Hall is reroofed. Building Official Law said that we could do a linear translation of the square footage of what the Building Department actually occupies and that the Building Department does not occupy the Commission Room, but it would be more than happy to pay a share. He said that you should start budgeting for City Hall's roof in ten years and that he believed that it was replaced in 2018.

Mayor Samora opened Public Comments. Being none, he closed Public Comments.



**Motion:** To approve Budget Resolution 23-07.C for painted metal roof with hidden fasteners in \$102,785. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor Samora moved on to Item XIII.5.

4. City Attorney Services: Request for Approval of Addendum to Contact with the Douglas Law Firm (Presenter: Jeremiah Blocker, City Attorney)

This item was not discussed.

5. Meeting Room Renovation and Budget Resolution 23-08 (Presenter: Brian Law, Building Official)

Building Official Law said that as you heard from the auditor, the Building Department is still in surplus of its five-year average, which he recalled to be about \$230,000. He said that last month he asked for \$60,000 to renovate the Building Department restrooms, which takes it down to about \$170,000. He said that in this budget resolution we are asking for \$85,000, which takes us down to \$95,000. He said that if he took \$135,000 from his reserve and divided that by five, that he could add that much more to what he can hold in reserves because he is allowed to hold a five-year average, and this would amend his operating budget for this year. This would leave \$60,000 in reserves and after these projects are underway, he wants to earmark that money to replace the windows with impact, low-emissivity (low-e) glass. He explained that the meeting room space used to be larger, but a portion of it was needed to house the engineers, so it was divided and finished for office space. He said that the City has not shown any interest in renting the remaining meeting room space and that City staff as well as the Commission have nowhere to have a meeting. He said right now they are meeting on fold-out picnic tables, which is problematic for him because he meets with developers and designers, and he uses interactive monitors in his department which have been a huge success. He described some of the proposed renovations such as flooring, paint, installing occupancy sensors to comply with the energy code, modifying the air conditioning, a twelve top conference table, etc. He said that he is asking to piggyback contracts with Thomas May Construction Company. He said that even though he is calling this a Building Department meeting room, it is a City facility, and all departments could use it and it could also be used for overflow seating for Commission meetings if needed. He said that this is completely out of the Building Department reserve money, it supports the auditor's recommendation, and he would like to proceed as quickly as possible.

Mayor Samora asked the Finance Director for her comments. Finance Director Douylliez said that her only comment is that she would like to see that repeat comment come off of the audit report.

Mayor Samora opened Public Comments. Being none, he closed Public Comments.

**Motion:** To approve Budget Resolution 23-08. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor Samora moved on to Item XIV.

#### XIV. STAFF COMMENTS

City Attorney Blocker wished Commissioner Sweeny a happy birthday.

Finance Director Douylliez said that she is thankful that the audit is completed and that they are working hard to correct the other deficiencies to make sure that they are not recurring on the audit report. She said that she just sent the first six months of data to ClearGov to begin the budgeting process for the upcoming budget cycle, which should be uploaded by April 6<sup>th</sup>, and she can start scrubbing the data and send it to the Department Heads for their input.

Public Works Director Tredik advised we submitted a St. Johns River Water Management District cost-share for Ocean Walk subdivision. He went to the website today and we ranked sixth out of thirty-four and if the governing board approves the current list, we would get funded \$354,000 for Ocean Walk.

Building Official Law advised that City Planner, Jennifer Thompson, has taken over the CRS (Community Rating System) Coordinator position and that she has navigated her first five-year community assisted visit. He said that we are retaining our current rating with the hopes of moving forward with some of Public Work's things, which would be big points for them. He said that they also completed their annual certification with no deficiencies.

City Manager Royle read a letter of appreciation that he received from a citizen on Ocean Pines Drive regarding the professionalism of the Building Department [Exhibit G]. The Commission congratulated him and his staff. Building Official Law said that the Commission would be seeing him next month because that resident applied to sit on the Planning and Zoning Board.

City Manager Royle presented the Commission with the new City coins and said that if they needed more to let him know. He said that they were due to the City's Events and Communication Coordinator and the Commission's guidance.

Commissioner Sweeny asked for an updated list of where we are with ARPA funds. City Manager Royle advised that it is part of the Finance Department's monthly reports in the agenda books as pages 46-47.

Mayor Samora said as a reminder that City offices are closed on Friday, April 7<sup>th</sup> for Good Friday, SEPAC meets on April 11<sup>th</sup> hopefully with their new member, Planning and Zoning Board is April 18<sup>th</sup>, and the Arbor Day event at Pier Park, Wednesday, April 26<sup>th</sup>, at 11:00 a.m. with the tree give-a-way.

Mayor Samora moved on to Item XV.

XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

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

Mayor Samora adjourned the meeting at 9:00 p.m.

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Donald Samora, Mayor

ATTEST:

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Dariana Fitzgerald, City Clerk

## MEMORANDUM

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager 

**DATE:** April 21, 2023

**SUBJECT:** Presentations

- A. Sons of the American Revolution Law Enforcement Commendation Award to Sergeant Brandon Hand of the City's Police Department
- B. Interview of Mr. Rhys Slaughter, Candidate for Position of Junior Alternate, Comprehensive Planning and Zoning Board
- C. Update Report of City's Master Stormwater Plan by Civil Engineering Consulting Firm, Crawford, Murphy and Tilly

### ITEM A. AWARD

Attached as pages one is a letter from Police Chief Dan Carswell, in which he describes the award that's to be presented to Sergeant Hand.

### ITEM B. ALTERNATE

Attached as pages 2-4 is the application from Mr. Slaughter to serve as the Planning Board's junior alternate.

### ITEM C. UPDATE REPORT

Attached as pages 5-7 is an outline from the consulting firm of the topics its representatives will present to you.



# St. Augustine Beach Police Department

*Daniel Carswell, Chief of Police*



## Memorandum

TO: Max Royle, City Manager  
FROM: Daniel Carswell, Chief of Police  
REF: Sons of American Revolution Award- Sergeant Brandon Hand  
DATE: 4/17/2023

---

Mr. Royle-

For the May Commission meeting, will you please add the presentation from the Sons of American Revolution (SAR) for the Law Enforcement Commendation Award to Sergeant Brandon Hand. This award is given annually to officers who have been nominated due to their dedication and outstanding work in law enforcement for the year. Mr. Paul Sapp from the SAR will be making the presentation.

Thank you,

A handwritten signature in blue ink, which appears to read "Daniel Carswell".

Daniel Carswell, Chief of Police



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

FOR APPOINTMENTS TO COMMITTEES INVOLVED IN LAND USE

Date received by City \_\_\_\_\_

Thank you for your expressed interest in being considered for appointment to committees, boards, commissions, or advisory groups appointed by the City Commission. The Commission appreciates your willingness to serve your fellow citizens in a volunteer capacity. Please complete this application to the best of your ability. (You may attach a resume and/or additional data. Please reference attachments in the appropriate section(s).)

Name: Rhys Slaughter

Address: 23 Ocean View Drive 32080

Phone #: 904 466 5453 E-Mail Address: Rhys.slaughter@gmail.com

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

I am a full-time ☒ part-time ☐ resident.

I am ☒ am not ☐ a registered voter in St. Johns County.

List all active professional licenses and certifications: Licensed Independent Automobile Dealer

Educational background: Flagler College Bach degree

Past work experience: Business owner 10 years

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

1. \_\_\_\_\_ 2. \_\_\_\_\_

3. \_\_\_\_\_ 4. \_\_\_\_\_

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership: 23 Ocean Pines Drive - 1.5 acres

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

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

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

I am available for meetings

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

List three (3) personal or professional references:

1. Undine George
2. Rich O'Brien
3. Dean Thompson

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

I have experience with Blueprints on my own projects  
and custom homes

NOTE: All information provided will become a matter of public record and will be open to the public. If you require special accommodations because of a disability to participate in the application/selection process, you must notify the City Commission in advance. This application will be kept for one (1) year, at which time you must notify the

## MEMORANDUM

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Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

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Thank you,

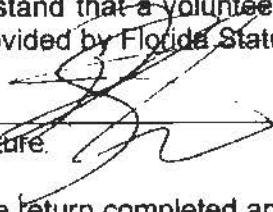
A handwritten signature in cursive script that reads "Daniel Carswell".

Daniel Carswell, Chief of Police



City Commission of your intent to remain an active applicant and update your application accordingly or it will be removed from the active file.

I hereby authorize the City of St. Augustine Beach or its representatives to verify all information provided, and I further authorize the release of any information by those in possession of such information which may be requested by the City. I certify that all information provided herein is true and accurate to the best of my knowledge. I understand that a volunteer position provides for no compensation except that as may be provided by Florida Statutes or other enabling legislation.

Signature 

Date 3/28/23

Please return completed application to:

The City of St. Augustine Beach  
2200 A1A South  
St. Augustine Beach, FL 32080  
Phone (904) 471-2122  
FAX (904) 471-4108

*Thank you for your interest!*



# City of St. Augustine Beach Stormwater Master Plan Update

## Outline of Presentation to City Commission

Monday, May 1, 2023

CMT Presenters: Scooter Sheldon, PE; Gary Sneddon, PE.

## Project Overview

- Show and discuss map of model area (basins) with general directions of flow.
- Explain that the model only shows what collects and drains to pumped pond.
- Modeling updates show where improvements have been made over the years and what impact that has on drainage throughout the City. Additionally, the updated modeling shows where drainage concerns are present and allows the City to plan projects to improve drainage in these areas.

## Purpose

- The 2004 Model was updated to account for 19 years of development and infrastructure improvements:
  - Show map of projects evaluated: 116 projects total
  - Each project evaluation consisted of:
    - Review of plans;
    - Reviewed potential for impact to model results;
    - For projects that have a significant impact on the model, drainage features were added based on plan data. (Show example of updates at 11<sup>th</sup>-10<sup>th</sup> St. area, before and after update)
- St. Johns County Lidar topography was added to the model to verify basins. (Show map/example)
- Model elements were spatially referenced. (Show old model example versus new model example.)
- For the entire stormwater model and master plan, the vertical datum was converted from NGVD29 to NAVD88.



The goal of the model is to identify conceptual projects to improve the drainage system and develop project costs for planning and budgeting purposes. In addition to identifying projects, CMT evaluated maintenance and operations costs for the City to maintain stormwater infrastructure.

## Conceptual Projects

- Project List (Still being finalized. Additional projects will be presented.)
  - 11<sup>th</sup> Street Improvements
  - Ocean Walk/Lee Drive Flood Relief (project already identified by City and currently under design)
  - Ocean Trace
    - Explain why this is not in the model and what improvement options are available for a closed basin.
  - A1A Beach Blvd/Embassy Suites
  - Mickler Ditch Improvements
  - 16<sup>th</sup> St. Pipe Improvements
  - Additional Small Improvement Projects
- Each project slide will show a schematic of proposed improvements, impact on flooding, and budgetary/rough order of magnitude cost to design and construct.

## Operations & Maintenance

- Present findings from discussions with stormwater maintenance vendor Aqualis. Prospective maintenance contract to cover the following should be implemented:
  - Pump Stations
  - Pipe Systems
    - Conceptual Schedule by breaking city into 4-5 sectors to be inspected/videoed/evaluated each year.
  - Ditch Maintenance
  - Pond Maintenance

A slide showing the recommended schedule and annual cost for maintenance will be presented.



### **Projected Final Delivery**


Delivery date: June 5, 2023

- Discuss what will be in the final deliverable.

### **Open for Questions from Council**

**MEMORANDUM**

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager 

**DATE:** April 24, 2023

**SUBJECT:** Non-Ad Valorem Assessment for Solid Waste Collection for Vacation Rentals:  
Agenda Items 1 and 6

Mr. Tredik asks that before you hold the public hearing concerning Ordinance 23-02, you allow him to do a presentation concerning Agenda Item #6, which concerns setting ranges for the fees for solid waste collection, disposal, and recycling.

After Mr. Tredik's presentation, you can then decide whether to pass Ordinance 23-02 on its second and final reading.

**MEMORANDUM**Meeting Date 5-1-23

Date: April 20, 2023

To: Max Royle, City Manager

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

Subject: Public Hearing and 2<sup>nd</sup> Reading – Ordinance 23-02  
Modification to Chapter 10 of City Code to provide for a commercial non ad valorem solid waste and recycling assessment for transient rental properties

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**BACKGROUND**

On August 6, 2020, the City Commission modified Chapter 10 – Garbage and Trash of the City Code. The changes expanded the residential solid waste non ad valorem assessment and improved commercial collection efficiency by eliminating the “can counts” method of billing. The modified Code required commercial customers to purchase “City” waste carts to match their historical usage as established by the old “can count” method.

Commercial customers include businesses, transient rentals, as well as condominiums and apartment complexes. Dwelling units in condominium and apartment complexes were exempted from the cart purchase requirement. In 2022 – to simplify billing – the existing residential non ad valorem assessment was expanded to include dwelling units within condominium and apartment complexes. Transient rentals, as commercial businesses, were not eligible under the residential non ad valorem assessment and continued to be billed monthly for solid waste and recycling services.

While the elimination of the “can count” method resulted in time savings for traditional commercial solid waste and recycling services, this benefit was not realized for the existing 164 transient rental properties. For these transient rental properties, staff currently logs solid waste overages and bills for services on a monthly basis.

On October 3, 2022, the City Commission voted to begin the process of creating a commercial solid waste non ad valorem assessment for transient rental properties. The proposed assessment is not intended to be a new fee, but to replace the existing overage logging and monthly billing system for transient rental properties.

On November 14, 2022 the City Commission passed Resolution 22-16 Expressing intent to implement a solid waste and recycling non ad valorem assessment for transient rental properties. Resolution 22-16 was submitted to the Tax Collector prior to January 1, 2023.

## **DISCUSSION**

Ordinance 23-02 modifies Section 10-13 of the City Code to exempt commercial service premises from the requirement to purchase a city waste cart if they pay for solid waste collection, disposal and recycling services via a non ad valorem assessment.

If the City Commission opts to impose a solid waste and recycling commercial non ad valorem assessment for transient rental properties, such properties would no longer be billed a monthly charge for solid waste and recycling services and would instead pay for said services annually with their property taxes.

If the City Commission opts to not impose a commercial non ad valorem assessment for transient rentals in advance of the upcoming tax cycle, the proposed changes to Chapter 10-13 would have no impact on current transient rental solid waste and recycling billing, and would be part of the City code in the event Commission chooses to impose a solid waste and recycling non ad valorem assessment in a future year.

## **ACTION REQUESTED**

Adopt Ordinance 23-02 on 2<sup>nd</sup> reading.

**ORDINANCE NO: 23-02**

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, RELATING TO GARBAGE AND TRASH; AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE BEACH, CHAPTER 10, GARBAGE AND TRASH, TO AMEND SECTION 10-13 OF THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WITNESSETH:**

**WHEREAS**, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

**WHEREAS**, the City Commission for the City of St. Augustine Beach finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021 (4), Florida Statutes.

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

**SECTION 1.** The foregoing recitals are incorporated as legislative findings of fact.

**SECTION 2.** Amend Article 1 – Section 10-13 of the Code of the City of St. Augustine Beach be and the same is, hereby amended to read:

**Chapter 10- GARBAGE AND TRASH ARTICLE I. – IN GENERAL**

**Sec. 10-13. - Commercial waste.**

- (a) Every commercial service premises, including, but not limited to, hotels and motels and transient rentals, shall pay to the city for the collection and disposal of waste collected by the city, or the availability of such service, the service charges provided in this section.
- (b) After September 30, 2020, commercial service premises having six (6) or more dwelling units are not eligible for City solid waste collection, disposal, and recycling services, except as provided in subsection (c) below, and must secure private collection and disposal services from a City licensed private solid waste management company.
- (c) Commercial service premises having six (6) or more dwelling units which receive solid waste collection, disposal, and recycling service from the City, as of the date of adoption of this ordinance, may petition the City to continue City service for all of its dwelling units beyond



September 30,2020 due to hardship associated with the infeasibility to convert to dumpster service or obtain private collection. Hardship petitions will be reviewed and processed by the City Manager. Denied petitions may be appealed to the City Commission.

- (d) Dwelling units within condominium or apartment complexes which continue to receive solid waste collection, disposal and recycling services from the City after September 30,2020 are not required to purchase waste carts from the city and shall be allowed to place for collection the maximum quantities per dwelling unit provided in Section 10-04 - Residential Waste.
- (e) Condominium or apartment complexes which continue to receive City provided solid waste collection, disposal, and recycling services for its dwelling units after September 30,2020 shall be billed the commercial rate for condominiums and apartment complexes as established by resolution.
- (f) The owner of a building containing a commercial dumpster or commercial trash area may allow up to four (4) commercial service premises within the building to utilize the building's commercial dumpster or commercial trash area associated with the building, upon filing of permission from the owner responsible for the building's dumpster or commercial trash area. When a commercial service premises within a building elects and is authorized to utilize the commercial dumpster or commercial trash area associated with the building, all collection and disposal fees for the electing commercial service premises will be paid by the owner or owners of the building. The owner of the building responsible for the dumpster or commercial trash area must provide a notarized affidavit indicating their authority and agreement to allow the commercial service premises within the building to utilize the building's commercial dumpster or commercial trash area.
- (g) The owner of a building containing up to two (2) commercial services, but not containing a commercial dumpster or commercial trash area may allow both commercial service premises within the building to utilize the same City authorized commercial waste carts. If there are multiple owners of the building, the owners must provide a notarized affidavit indicating their authority and agreement to allow both commercial service premises within the building to utilize the building's City authorized commercial waste carts, When both commercial service premises within a building elect and are authorized by the City to use the same commercial waste carts associated with the building, all collection and disposal fees for the two commercial service premises will be paid by the owner of the building. The Owner of the building will be responsible for purchasing City authorized waste carts of sufficient volume to meet the solid waste needs of the two commercial services premises within the building.
- (h) Commercial services premises which generate or have historically generated more than an average of ten (10) thirty-two-gallon waste receptacles (or equivalent volume) of solid waste per week will not be eligible for city solid waste collection services and must a secure private

hauler for solid waste collection and disposal services, provided the hauler is duly franchised and authorized to collect solid waste within the city.

(i) Authorized commercial containers; collection.

- (1) Commercial service premises shall purchase, from the city, waste carts with a volume between sixty-four (64) and ninety-six (96) gallons for use in city solid waste collection. The number / total volume of waste carts to be purchased shall be based upon historic can count information for each commercial services premises. In cases where historic can count information is unavailable, the business owner will coordinate with the public works director to determine the appropriate "starting solid waste volume" based upon similar businesses. Carts purchased from the city will be uniquely identified and will be picked up during normal solid waste collection schedules without the assessment of additional fees, provided the carts are placed appropriately per Sec. 10-3. - Placement, are in proper working order, and are not overfilled so that the lids do not completely close. Cart purchase prices will be adjusted annually by the City Manager, based upon actual material and labor costs. Commercial service premises which pay for solid waste collection, disposal and recycling services through non-ad valorem assessment are exempt from the requirements of 10-13 (h) and (i) (1) through (5).
- (2) For the disposal of garbage, rubbish, and trash contained in sixty-four (64) through ninety-six (96) gallon waste carts as designated pursuant to subsection (1) hereof, excluding garden trash, each commercial service premises shall pay a monthly charge for each authorized waste cart purchased from the city, Monthly charges for waste carts will be established by resolution.
- (3) Unauthorized receptacles. Solid waste in unauthorized cans, carts, bags or other containers will be logged and assessed additional pickup fees as established by resolution. The volume of any solid waste collected from unauthorized receptacles will be measured and logged. If a commercial service premises utilizes unauthorized receptacles more than six (6) times in a twelve (12) month period, the commercial service premise will be required to purchase additional waste carts of sufficient volume so as to avoid future solid waste overages. An authorized receptacle which is overstuffed so that the lid does not completely close, or not placed per Sec. 10-3. - Placement, will be deemed an unauthorized receptacle, and will be logged and assessed an additional pickup fee.
- (4) Uncontainerized solid waste. Uncontainerized solid waste will be charged additional pickup fees, depending upon the quantity, volume and type of material collected. A fee schedule for uncontainerized solid waste will be set by resolution.
- (5) Change in commercial solid waste volume. If a business undergoes changes resulting in the reduction of solid waste generation, they may request an adjustment of the mandated number / volume of solid waste carts. The business must submit, in writing, to the City

Manager's office, a request for a revaluation of solid waste fee. Upon receipt, the Public Works Department will conduct a random audit of the business's solid waste volume, to determine if a fee reduction is warranted. The random audit will be conducted within a six (6) month period to account for seasonal variation. If it is determined that a fee reduction is warranted, the business must return the appropriate number of waste carts to the city, and the monthly cart fee will be adjusted accordingly. A business may request a reduction of the mandated number / volume of solid waste carts a maximum of once per 12-month time period.

- (6) The owner of a commercial service premises may elect, as provided in subsection (m) hereof, on a form designated by the city manager to exempt the commercial service establishment from collection by the city provided that the commercial garbage dumpster, waste receptacle storage area, waste cart storage area or commercial trash area meets the requirements of Sec. 10-3. Placement (d).
- (j) The quantity of garbage and rubbish which a commercial services premises may place for collection is limited to that which will fit within the business's purchased authorized commercial receptacles. The quantity of trash, white goods, and recyclable material which a commercial service premises may place for collection by the city is subject to the same maximum limits provided for a single-family residence under subsection 10-4(a). Commercial service premises which pay for solid waste collection, disposal, and recycling services through non-ad valorem assessment are exempt from the requirements of 10-13(j) through (k).
- (k) This section does not prohibit an owner from placing for collection garbage, rubbish, trash, white goods, and recyclable material in excess of the maximum quantities provided under subsection (j) when the city has previously agreed with the owner to collect such excess quantities. Quantities in excess of the maximum quantities will be assessed an additional pickup fee as set by resolution.
- (l) The city will not collect commercial waste contained in a garbage dumpster from any service premises.
- (m) The service charges provided in this section shall be due and by the end of the calendar month in which the invoice for such services is rendered and shall be regarded as delinquent thereafter.
- (n) A commercial service premises may be exempted from payment of the service charges upon written notice delivered to the office of the city manager. stating that the owner elects not to receive any waste collection and disposal service from the city, provided the owner furnishes evidence of a contract for dumpster service. It shall be a violation of this Code punishable as provided in section 10-11 hereof to collect dumpster garbage and trash between the hours of 7:00 p.m. of any day and 7:00 a.m. of the ensuing day.

- (o) The city manager is hereby authorized, from time to time, to determine the cost to the city for the utilization of landfills and to promulgate waste disposal service charges for each equivalent container to be charged pursuant to this section hereof in accordance with such costs. Such charges shall become effective as of the beginning of the next ensuing fiscal quarter after a copy thereof has been furnished to the city commission, unless the city commission shall, by ordinance, provide some other fee or charge or direct that no charge be made.
- (p) Commercial garden trash collection shall be provided to each commercial service premises once per week and be subject to the same rules governing the collection of uncontainerized and containerized residential garden trash waste. The amount charged by the city for such collection shall be set by resolution.
- (q) Up to two (2) cubic yards of commercial construction debris per week, if generated by the business occupant with a valid building permit, if such a permit is required, is to be collected from each commercial service premises that receives solid waste collection and disposal services from the city. (Construction debris generated by a contractor shall not be collected by the city and the contractor shall be responsible for disposal regardless of whether the waste is residential or commercial)
- (r) Collection of garbage and refuse for commercial service premises may be permitted in excess of one (1) day per week on a subscription basis. Commercial service premises shall pay an additional fee for each additional collection day plus the standard disposal costs as required with basic collection services. Commercial service premises may have up to one (1) additional collection days per week, provided an application for such service is made to the city and the city manager or his designee determines the public works department has capacity to provide the additional service. No garbage or refuse will be collected on Wednesdays, weekends, or City holidays. Fees for the additional collection services shall be set from time to time by resolution of the city commission.
- (s) In lieu of receiving garbage collection service from the city, commercial service businesses may contract with a private hauler for garbage and refuse collection services provided the hauler is duly franchised and authorized to collect garbage within the city.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**SECTION 5.** This Ordinance shall take effect ten (10) days after passage, pursuant to Section

166.041(4), Florida Statutes

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_

Donald Samora, Mayor

ATTEST:

\_\_\_\_\_

Max Royle, City Manager

**Max Royle**

**From:** Janis Daudt <[janis@iimc.com](mailto:janis@iimc.com)>  
**Sent:** Thursday, April 20, 2023 5:08 PM  
**To:** Janis Daudt  
**Subject:** CELEBRATE THE 54th ANNUAL IIMC PROFESSIONAL MUNICIPAL CLERKS WEEK

**CAUTION:** This message originated from outside of your organization. Clicking on any link or opening any attachment may be harmful to your computer or the City. If you do not recognize the sender or expect the email, please verify the email address and any attachments before opening. If you have any questions or concerns about the content, please contact IT staff at [IT@cityofsab.org](mailto:IT@cityofsab.org).

## **54<sup>th</sup> ANNUAL IIMC PROFESSIONAL MUNICIPAL CLERKS WEEK**

### **April 30 – May 2, 3**

Honorable Mayor, President, City Manager and Council Members:

The International Institute of Municipal Clerks (IIMC), a professional, nonprofit association that promotes continuing education and certification of Municipal Clerks for the betterment of the Clerk's profession and the municipalities they serve, has designated April 30 through May 6, 2023 as [Professional Municipal Clerks Week](#). Initiated in 1969 and sponsored by IIMC, Professional Municipal Clerks Week recognizes the vital role of Municipal Clerks in local government and their tireless contributions in serving their communities and educating the public on the significance of their roles. Our Members come with various titles, depending on their municipality, including County Clerk, District Clerk, City Secretary, Clerk/Treasurer, Chief Administrative Officer, Finance Director, City Auditor, City Recorder, Town Clerk, Borough Clerk and Village Clerk.

Your Municipal Clerk and Deputy Clerk work hard every single day with the public. Your Municipal Clerk continues to provide unwavering service to your office and community. What better time than now for you to thank them by honoring their professionalism and devotion to their work and the constituents of your municipality!

Whether you are a Mayor, City Manager, Town Administrator, Council Member or the Human Resource Manager, it is important for you to recognize your Municipal Clerk and Deputy Clerk during the 53rd Annual Professional Municipal Clerks Week.

Professional Municipal Clerks Week is an excellent opportunity for you to showcase your Municipal Clerk and Deputy Clerk to your community. We have provided all the necessary paperwork on our [website](#), where you will find the following:

- [IIMC Proclamation](#) for you to complete and award to your Municipal Clerk
- Municipal [Print](#) and [Radio](#) Release templates
- Event Promotion [fact sheet](#) and [checklist](#)
- [2022 Professional Municipal Clerks Week Poster](#)
- [Lip Balm Wrapper](#) -- print, cut, attach
- [Chip Bag Wrapper](#) -- print, cut, attach
- [Selfie Frame](#)

Thank you for your time. We know you will have a great Municipal Clerks Week with your Municipal Clerk.

If you have any questions, please don't hesitate to contact me at [janis@iimc.com](mailto:janis@iimc.com) or (909) 944-4162.

With kindest regards,

# *Proclamation*

## **54<sup>th</sup> ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK**

April 30 - May 6, 2022

Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels, and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county, and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

NOW, THEREFORE, I, Donald Samora, Mayor of the City of St. Augustine Beach, Florida, do hereby recognize the week of April 30 through May 6, 2023, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Dariana Fitzgerald, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

PRESENTED this 1<sup>st</sup> day of May 2022.

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Mayor Donald Samora

ATTEST:

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City Manager Max Royle





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

**TO:** Max Royle  
**FROM:** Brian Law  
**SUBJECT:** Sign Ordinance  
**DATE:** 4-14-2023

As a result of the March 3, 2023 City Commission meeting the following changes were made to the draft sign code:

- The city building official/designee shall maintain a list of all legal non-conforming signs in the city.
- The time frame for non-conforming signs has been modified to 6 months in several sections.
- In the event of a change of occupancy as defined by the Florida Building Code an existing non-conforming sign shall be brought into compliance.
- The time frame for unsafe signs has been modified to reflect 5 business days.
- A section has been included to address a declared state of emergency.

The changes proposed are in color for ease of viewing.

City staff asks that the commission make any final changes to the proposed language in preparation for the drafting of an ordinance. The first reading of the ordinance would be at the Comprehensive Planning and Zoning Department in June followed by the 2<sup>nd</sup> and 3<sup>rd</sup> readings at the City Commission In July and August.

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



## Sec. 8.00.10. Nonconforming signs.

All signs that are lawfully in existence or are lawfully erected and that do not conform to the provisions of this article are declared nonconforming signs. It is the intent of this article to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as possible is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this article. It is also the intent of this article that any elimination of nonconforming signs shall be effected so as to avoid any unreasonable invasion of established property rights.

### (1) *Legal nonconforming signs:*

- a. A legal nonconforming sign is a sign that lawfully existed at the time of the enactment of this article that does not conform to the regulations as specified in this article.
- b. All legal nonconforming signs existing on August 1, 2016 may continue to be utilized only in the manner and to the extent that it existed at the time of the adoption of this article. ~~until August 1, 2023, at which time all remaining legal non-conforming signs shall be removed.~~ In addition to any other requirements of the code, repair of a legal nonconforming sign will be allowed only up to 50% of the fair market value of the structure, ~~and only if the sign owner acknowledges in writing, on a form approved by the city attorney, that the non-conforming sign will be removed by the owner or any assignee or successor in interest on or before August 1, 2023.~~ The city building official/~~designee~~ shall maintain a list of all legal non-conforming signs in the city, ~~and give notice to each sign owner of its duty to remove the nonconforming signs before the August 1, 2023 removal date and shall provide notice of this ordinance and its requirements to owners of non-conforming signs by hand-delivery within 30 days after the effective date of this ordinance.~~
- c. A legal nonconforming sign may not be altered in any manner not in conformance with this article. This does not apply to reasonable repair and maintenance of the sign of less than 50% of the fair market value of the sign structure or to a change of copy provided that by changing the copy structural alterations are not required.
- d. Any building permit for an addition, alteration, or improvement valued at more than fifty (50) percent of the fair market value of the structure or building for work at locations where any nonconforming sign exists shall specify and require that such nonconforming signs located within the boundaries of the development site, and within the limits of the applicant's control, shall be brought into conformance with the provisions of this article, provided that if the nonconforming sign is a type of sign that is prohibited under section 8.00.03, Prohibited Signs in All Zoning Districts, it shall be removed.
- e. Legal nonconforming signs that are located on a parcel of property that is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
  1. Is not increased in area or height to exceed the limits of the zoning district in which it is located;
  2. Remains structurally unchanged except for reasonable repairs or alterations;
  3. Is placed in the most similar position on the remaining property that it occupied prior to the relocation; and
  4. Is relocated in a manner so as to comply with all applicable safety requirements.

After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this section in its new location.

(2) *Signs rendered nonconforming:*

- a. Except as provided in this section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the adoption, amendment or annexation of the article that rendered the sign nonconforming. This section shall not prohibit reasonable repairs and alterations to nonconforming signs.
- b. A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this article. An existing ground sign that conforms to the size and height limitations set forth herein, but is otherwise nonconforming, may be relocated a single time to another location on the same parcel.
- c. Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this article if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty (50) percent or more of the cost of replacement of such sign.

(3) *Signs for a legal nonconforming use:*

- a. New or additional signs for a nonconforming use shall not be permitted.
- b. A nonconforming sign for a nonconforming use that ceases to be used for a period of ~~twelve (12) months~~ six (6) months ~~sixty (60) consecutive days~~ or is replaced by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

(4) *Signs discontinued:*

- a. Sign structures that remain vacant, unoccupied or devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be discontinued after six (6) months.
- b. An existing nonconforming sign shall be brought into full compliance with this code in the event of a change of occupancy as defined in the current edition of the Florida Building Code.
- ~~bc.~~ A nonconforming sign deemed discontinued shall immediately terminate the right to maintain such sign.
- ~~de.~~ Within ~~sixty (60) days~~ six (6) months after a sign structure has been discontinued, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the discontinued sign and to patch and conceal any and all damage to any other structure resulting from removal of the sign.
- ~~ed.~~ Removal of a discontinued nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign, that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

(5) *Unsafe signs:*

- a. If the building official/designee determines any sign or sign structure to be in an unsafe condition, he/she shall immediately notify, in writing, the owner of such sign who shall correct such condition within ~~forty-eight (48) hours~~ five (5) business days.
- b. If the correction has not been made within ~~forty-eight (48) hours~~ five (5) business days, the building official may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.



- c. In the event of a State declared emergency the Building Official/designee may order any unsafe sign to be removed, braced, etc. regardless of the time frames specified above. The City reserves the right to have the sign removed by a city approved contractor at the owners expense.

(Ord. No. 16-04, § 2(Exh. A), 7-11-16)

(6) A nonconforming sign may continue to exist so long as it is not destroyed, abandoned or discontinued. "Destroyed," "abandoned" and "discontinued" have the following meanings:

a.

"Destroyed" means more than fifty (50) percent of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least twenty-five (25) percent of the length above ground of each broken, bent or twisted support. A sign will not be considered "destroyed" within the meaning of this section where the destruction is caused by vandalism or other criminal or tortious act.

b.

A nonconforming sign is "abandoned" or "discontinued" when a sign structure no longer exists at the permitted location or the sign owner fails to operate and maintain the sign for a period of ~~twelve (12)~~ six (6) months or longer.

# MEMO

**To:** Max Royle, City Manager  
**From:** Bonnie Miller, Senior Planner  
**Subject:** Ordinance No. 23-03  
**Date:** Wednesday, April 19, 2023

Please be advised at its regular monthly meeting held Tuesday, April 18, 2023, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of draft Ordinance No. 23-03 on first reading.

Draft Ordinance No. 23-03 amends the following sections of the City of St. Augustine Beach Land Development Regulations: Section 6.01.03, pertaining to building setback requirements; Section 6.03.05, pertaining to design standards for off-street parking and loading areas; and Section 12.02.06, pertaining to concept review.

The motion to pass this draft ordinance on first reading and forward it as drafted to the City Commission was made by Chris Pranis, seconded by Hulsey Bray, and passed 5-0 by the Board unanimous voice-vote.



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

**To:** Comprehensive Planning and Zoning Board  
**From:** Jennifer Thompson, Planner  
**CC:** Brian Law, Director of Building and Zoning & Bonnie Miller, Sr. Planner  
**Date:** March 23, 2023  
**Re:** Ordinance No. 23-03 pertaining to Code Changes to the City's Land Development Regulations

Attached are the proposed code changes to the City of St. Augustine Beach's Land Development Regulations.

Currently, section 6.01.03 B states that decks under 30 inches are exempt from permitting. However, Chapter One of the 2020 Florida Building Code which was adopted by the city does not exempt decks less than 30 inches. The Building Official requests that this code be altered to reflect that decks less than twelve (12) inches may be exempt from permitting.

Section 6.01.03 C is being proposed to allow for a mechanism for the Building and Zoning Division to allow for an administrative waiver for errors in setback measurements. For new buildings, this would allow a 10% error to occur without forcing the contractor or homeowner to remove their mistake or force them to halt their work while they apply for a variance to alter the setbacks by 10%. Additionally, existing buildings would also be affected by this. As technology in surveying has become more accurate, it is apparent that many homes are currently nonconforming due to surveying mistakes.

Section 6.03.05 C. 10. currently mentions the locations of compact car spaces, however, as this code is currently written, there is no mention of size or how many compact car spaces will be allowed. Sections 6.03.05 B. 4. And sections 6.03.05 C.10 will clarify this.

Section 12.02.06 A. regarding concept reviews states that variances and conditional use permits must be submitted to concept review. However, this code is contradictory to others in the City's Land Development Regulations, such as section 10.02.00 and section 10.03.00.

Sincerely,

*Jennifer Thompson, CFM*

Planner  
Planning and Zoning Division

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### Sec. 6.01.03. Building setback requirements.

#### B. Minimum setbacks decks and for non-structural components of a structure.

1. Decks: Any deck ~~less than~~ twelve (12) inches ~~and less~~ above finished grade is not subject to setbacks requirements ~~and does not require a building permit~~. However, this type of deck is not allowed within two (2) feet of an adjacent property line.
  - a. Any deck exceeding thirty (30) inches in height is subject to the setback requirements as specified in the table, ~~and is required to be permitted by the Building Department~~. If the main structure is built to the twenty (20') foot setback line, a deck over twelve (12) inches and less than thirty (30) inches ~~is exempt from permitting and~~ may encroach into the rear yard setback a distance not to exceed eight (8) feet from the principal structure and may encroach into the front setback a distance of five (5) feet from the principal structure. If the main structure is built to the twenty-five (25') foot setback line, a deck may extend twelve (12') feet into the rear setback and for the front, the deck may extend ten (10') feet into the front setback. ~~Permitting shall be required as per the Florida Building Code~~.
  - b. For second and third level decks, the allowable extension from the main structure built at the twenty (20') foot setback is five (5) feet into the front or rear setback from the main structure. For a structure built at the twenty-five (25') foot setback, the allowable extension is ten (10') feet into the front or rear setback.

#### C. Administrative Waivers for Errors in Setback Measurements

If an error is discovered in the location of a Building or Structure relative to the minimum setback requirements, the property Owner, or their authorized representative, may file a request for an Administrative Waiver. The review of the request and the final decision shall be made by the Director of Building and Zoning, and shall be made in conformance with the following criteria:

1. Approval of the waiver shall not allow the Structure to exceed the required setback more than ten percent (10%).
2. The corresponding opposite setback must be larger than required by the same distance as the waiver request (to insure that the waiver is not just an attempt to place a larger Building on the Lot) or the waiver request concerns an intrusion of only a small corner of the Building (such as a house too close to the front of a cul-de-sac Lot such that it violates the side setback requirements at the front corner but nowhere else).
3. Any waiver request which does not meet paragraphs a. and b. above shall be denied an Administrative Waiver and must comply with the setback requirements or seek a Variance pursuant to the City of St. Augustine Beach Land Development Regulations Article X Section 10.02.00.
4. A fee of \$53 must be paid to the Building & Zoning Department to apply for the Administrative Waiver.

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(Ord. No. 18-08 , § 1(Exh. 1), 7-2-18; Ord. No. 20-02 , § 6(Exh. 1), 3-2-20; Ord. No. 21-04 , § 2, 6-7-21; Ord. No. 21-15 , § 3, 1-3-22)

**Sec. 6.03.05. Design standards for off-street parking and loading areas.**

**B. Size.**

1. Standard parking spaces shall be nine (9) feet by twenty (20) feet.
2. Parallel parking spaces shall be a minimum of eight (8) feet wide and twenty-two (22) feet long. If a parallel space abuts no more than one (1) other parallel space, and adequate access room is available, then the length may be reduced to twenty (20) feet.
3. Tandem parking spaces must be a minimum of nine (9) feet wide and twenty (20) feet long.
4. ~~Compact parking spaces must be a minimum of eight (8) feet wide and sixteen (16) feet long.~~
- 4-5. Spaces for handicapped parking shall be the size specified in section 316.1955, Florida Statutes.
- 5-6. The standard off-street loading space shall be ten (10) feet wide, twenty-five (25) feet long, provide vertical clearance of fifteen (15) feet, and provide adequate area for maneuvering, ingress and egress. The length of one (1) or more of the loading spaces may be increased up to fifty-five (55) feet if full-length tractor-trailers must be accommodated. Developers may install spaces that are larger than the standard, but the number of spaces shall not be reduced on that account.
- 6-7. The comprehensive planning and zoning board may modify these requirements where necessary to promote a substantial public interest relating to environmental protection, heritage conservation, aesthetics, tree protection, or drainage.

**C. Layout.**

1. Pedestrian circulation facilities, roadways, driveways, and off-street parking and loading areas shall be designed to be safe and convenient.
2. Parking and loading areas, aisles, pedestrian walks, landscaping, and open space shall be designed as integral parts of an overall development plan and shall be properly related to existing and proposed buildings.
3. Buildings, parking and loading areas, landscaping and open spaces shall be designed so that pedestrians moving from parking areas to buildings and between buildings are not unreasonably exposed to vehicular traffic.
4. Landscaped, paved, and gradually inclined or flat pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas, and adjacent buildings. Pedestrian walks should be designed to discourage incursions into landscaped areas except at designated crossings.
5. Each off-street parking space shall open directly onto an aisle or driveway that, except for single-family and two-family residences, is not a public street.
6. Aisles and driveways shall not be used for parking vehicles, except that the driveway of a single-family or two-family residence shall be counted as a parking space for the dwelling unit, or as a number of parking spaces as determined by the City Manager or designee based on the size and accessibility of the driveway.
7. The design shall be based on a definite and logical system of drive lanes to serve the parking and loading spaces. A physical separation or barrier, such as vertical curbs, may be required to separate parking spaces from travel lanes.

- 
8. Parking spaces for all uses, except single-family and two-family residences, shall be designed to permit entry and exit without moving any other motor vehicle.
  9. No parking space shall be located so as to block access by emergency vehicles.
  10. Compact car spaces should be located no more and no less conveniently than full size car spaces, and shall be grouped in identifiable clusters. Up to five (5) percent of the parking spaces required per section 6.03.02 may be designed as compact car parking spaces. The five (5) percent will not be rounded up.

(Ord. No. 18-08 , § 1(Exh. 1), 7-2-18)

#### **Sec. 12.02.06. Concept review.**

- A. All major developments, ~~and also any application for a variance or conditional use permit,~~ must be submitted to concept review.

(Ord. No. 91-7, § 2; Ord. No. 92-7, § 13)



**ORDINANCE NO: 23- 03**

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, RELATING TO LAND DEVELOPMENT REGULATIONS AND REVIEW; AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF ST. AUGUSTINE BEACH SECTION 6.01.03 FOR SETBACKS, ACCESSARY STRUCTURES, BUILDING HEIGHT, SECTION 6.03.05 DESIGN STANDARDS FOR OFF-STREET PARKING, AND SECTION 12.02.06 CONCEPT REVIEW OF THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WITNESSETH:**

**WHEREAS**, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

**WHEREAS**, the City Commission for the City of St. Augustine Beach finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021 (4), Florida Statutes.

**BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA;**

**SECTION 1.** The foregoing recitals are incorporated as legislative findings of fact.

**SECTION 2.** Amend Article VI - Section 6.01.03 Building Setback Requirements as used in this

Appendix of Appendix A – LAND DEVELOPMENT REGULATIONS, of the City of St.

Augustine Beach be, and the same is, hereby amended, revised, and restated to read:

**Sec. 6.01.03. Building setback requirements.**

**B.** Minimum setbacks decks and for non-structural components of a structure.

1. *Decks:* Any deck twelve (12) inches and less above finished grade is not subject to setbacks requirements and does not require a building permit. However, this type of deck is not allowed within two (2) feet of an adjacent property line.

- a. Any deck exceeding thirty (30) inches in height is subject to the setback requirements as specified in the table. If the main structure is built to the twenty (20') foot setback line, a deck over twelve (12) inches and less than thirty (30) inches may encroach into the rear yard setback a distance not to exceed eight (8) feet from the principal structure and may encroach into the front setback a distance of five (5) feet from the principal structure. If the main structure is built to the twenty-five (25') foot setback line, a deck may extend twelve (12') feet into the rear setback and for the front, the deck may extend ten (10') feet into the front setback. Permitting shall be required as per the Florida Building Code.
- b. For second and third level decks, the allowable extension from the main structure built at the twenty (20') foot setback is five (5) feet into the front or rear setback from the main structure. For a structure built at the twenty-five (25') foot setback, the allowable extension is ten (10') feet into the front or rear setback.

**C. Administrative Waivers for Errors in Setback Measurements**

If an error is discovered in the location of a Building or Structure relative to the minimum setback requirements, the property Owner, or their authorized representative, may file a request for an Administrative Waiver. The review of the request and the final decision shall be made by the Director of Building and Zoning, and shall be made in conformance with the following criteria:

1. Approval of the waiver shall not allow the Structure to exceed the required setback more than ten percent (10%).
2. The corresponding opposite setback must be larger than required by the same distance as the waiver request (to insure that the waiver is not just an attempt to place a larger Building on the Lot) or the waiver request concerns an intrusion of only a small corner of the Building (such as a house too close to the front of a cul-de-sac Lot such that it violates the side setback requirements at the front corner but nowhere else).
3. Any waiver request which does not meet paragraphs a. and b. above shall be denied an Administrative Waiver and must comply with the setback requirements or seek a Variance pursuant to the City of St. Augustine Beach Land Development Regulations Article X Section 10.02.00.
4. A fee of \$53 must be paid to the Building & Zoning Department to apply for the Administrative Waiver.

(Ord. No. 18-08 , § 1(Exh. 1), 7-2-18; Ord. No. 20-02 , § 6(Exh. 1), 3-2-20; Ord. No. 21-04 , § 2, 6-7-21; Ord. No. 21-15 , § 3, 1-3-22)

**SECTION 3.** Amend Article VI - Section 6.03.05 Design standards for off-street parking and loading areas as used in this Appendix of Appendix A – LAND DEVELOPMENT REGULATIONS, of the City of St. Augustine Beach be, and the same is, hereby amended, revised and restated to read:

**Sec. 6.03.05. Design standards for off-street parking and loading areas.**

**B. Size.**

1. Standard parking spaces shall be nine (9) feet by twenty (20) feet.
2. Parallel parking spaces shall be a minimum of eight (8) feet wide and twenty-two (22) feet long. If a parallel space abuts no more than one (1) other parallel space, and adequate access room is available, then the length may be reduced to twenty (20) feet.
3. Tandem parking spaces must be a minimum of nine (9) feet wide and twenty (20) feet long.
4. Compact parking spaces must be a minimum of eight (8) feet wide and sixteen (16) feet long.
5. Spaces for handicapped parking shall be the size specified in section 316.1955, Florida Statutes.
6. The standard off-street loading space shall be ten (10) feet wide, twenty-five (25) feet long, provide vertical clearance of fifteen (15) feet, and provide adequate area for maneuvering, ingress, and egress. The length of one (1) or more of the loading spaces may be increased up to fifty-five (55) feet if full-length tractor-trailers must be accommodated. Developers may install spaces that are larger than the standard, but the number of spaces shall not be reduced on that account.
7. The comprehensive planning and zoning board may modify these requirements where necessary to promote a substantial public interest relating to environmental protection, heritage conservation, aesthetics, tree protection, or drainage.

**C. Layout.**

1. Pedestrian circulation facilities, roadways, driveways, and off-street parking and loading areas shall be designed to be safe and convenient.
2. Parking and loading areas, aisles, pedestrian walks, landscaping, and open space shall be designed as integral parts of an overall development plan and shall be properly related to existing and proposed buildings.
3. Buildings, parking and loading areas, landscaping and open spaces shall be designed so that pedestrians moving from parking areas to buildings and between buildings are not unreasonably exposed to vehicular traffic.
4. Landscaped, paved, and gradually inclined or flat pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas, and adjacent buildings. Pedestrian walks should be designed to discourage incursions into landscaped areas except at designated crossings.
5. Each off-street parking space shall open directly onto an aisle or driveway that, except for single-family and two-family residences, is not a public street.
6. Aisles and driveways shall not be used for parking vehicles, except that the driveway of a single-family or two-family residence shall be counted as a parking space for the dwelling unit, or as a number of parking spaces as determined by the City Manager or designee based on the size and accessibility of the driveway.

7. The design shall be based on a definite and logical system of drive lanes to serve the parking and loading spaces. A physical separation or barrier, such as vertical curbs, may be required to separate parking spaces from travel lanes.
8. Parking spaces for all uses, except single-family and two-family residences, shall be designed to permit entry and exit without moving any other motor vehicle.
9. No parking space shall be located so as to block access by emergency vehicles.
10. Compact car spaces should be located no more and no less conveniently than full size car spaces, and shall be grouped in identifiable clusters. Up to five (5) percent of the parking spaces required per section 6.03.02 may be designed as compact car parking spaces. The five (5) percent will not be rounded up.

(Ord. No. 18-08 , § 1(Exh. 1), 7-2-18)

**SECTION 4.** Amend Article XII - Section 12.02.06 as used in this Appendix of Appendix A – LAND DEVELOPMENT REGULATIONS, of the City of St. Augustine Beach be, and the same is, hereby amended, revised and restated to read:

**Sec. 12.02.06. Concept review.**

A. All major developments must be submitted to concept review.

(Ord. No. 91-7, § 2; Ord. No. 92-7, § 13)

**SECTION 5.** All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**SECTION 6.** If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**SECTION 7.** This Ordinance shall take effect ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the

City of Saint Augustine Beach, Florida this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK


EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_,  
2023. Posted on [www.staugbeh.com](http://www.staugbeh.com) on the \_\_\_\_ day of \_\_\_\_\_, 2023.

**MEMORANDUM**

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager 

**DATE:** April 24, 2023

**SUBJECT:** Underground Electric Power for 2<sup>nd</sup> Street, West of 2<sup>nd</sup> Avenue: Budget Resolution  
22-08 to Pay Costs

We ask that the Budget Resolution be postponed to your June 5<sup>th</sup> meeting when staff will have more information concerning it.

## MEMORANDUM

Agenda Item # 6

Meeting Date 5-1-23

Date: April 24, 2023

To: Max Royle, City Manager

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

Subject: Commercial solid waste and recycling non ad valorem assessment for transient rental properties.

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### BACKGROUND

On October 3, 2022, the City Commission voted to begin the process of creating a commercial solid waste non ad valorem assessment for transient rental properties. The proposed assessment was not intended to be a new fee, but to replace the existing overage logging and monthly billing system for transient rental properties.

On November 14, 2022 the City Commission passed Resolution 22-16 Expressing intent to implement a solid waste and recycling non ad valorem assessment for transient rental properties. Resolution 22-16 was submitted to the Tax Collector prior to January 1, 2023.

In order to impose a commercial non ad valorem assessment for transient rentals in the upcoming year, the City must do the following:

- Set the ranges and the first year rate for the assessment
- Notify all affect properties of their assessment at least 20 days prior to a public hearing
- Hold a public hearing to formally set the assessment for the upcoming year
- Approve an agreement with the Tax Collector to place the assessment on the next tax bill.

### DISCUSSION

Challenges exist in developing an equitable solid waste and recycling non ad valorem assessment for transient rental properties without adversely impacting revenues for the provided services. The current system allocates a number of approved waste carts to businesses in an effort to charge a fee commensurate with the volume of material collected. Assessing by Parcel ID or Business Tax Receipt (BTR) alone, however, would result in a reduction in rates for multiple unit transient rental properties, and an overall reduction of solid waste revenues collected.

Though a non ad valorem assessment remains a viable long-term solution for the collection of fees for transient rental solid waste and recycling services, two crucial questions must be answered, including:

- What is the best way to impose an equitable fee for multiple rental units under one BTR
  - Fee be by rentable unit?
  - Fee by units annually inspected?
- What is the best way to equitably assess single rental units that serve very large parties
  - Fee by number of bedrooms?
  - Tiered fee by building size?

## **OPTIONS**

An option exists to remain with a “similar to present” method of billing for transient rental services in FY 2024, while allowing time to finalize details regarding the best way to create an equitable non ad valorem assessment for 2025. Options to streamline the billing process include:

- Annual billing of solid waste and recycling services with BTR payments
- Elimination of routine counting of unauthorized carts or uncontainerized trash
- Elimination of overage charges
- Quarterly audits to determine appropriate number of carts for each business

Changes as proposed above would require modification of Chapter 10 of the City Code, which would be brought to the Commission for consideration at future meetings, beginning as early as June 2023.

## **ACTION REQUESTED**

Provide guidance to staff whether to continue to pursue a commercial non ad valorem assessment for the upcoming fiscal year, or to recommend changes to Chapter 10 of the City Code to streamline the existing billing process for solid waste and recycling services.



**Max Royle**

---

**From:** Comm Rumrell  
**Sent:** Monday, April 24, 2023 3:23 PM  
**To:** Max Royle  
**Subject:** City Attorney Contract

Agenda Item # 7

Meeting Date 5-1-23

ADD'L INFORMATION

Max

I'm writing in **SUPPORT for the Douglas Law Firm.**

They have done an outstanding job for the city and please use this letter as support for their continued services and fees. If we should go out for a bid, I think we could be surprised at the response.

Best  
Vice Mayor  
Dylan Rumrell  
Comdrumrell@cityofsab.org  
Mobile 904.584.5161


City of St Augustine Beach  
2200 A1A South  
St Augustine Beach, FL 32080  
[www.staugbch.com](http://www.staugbch.com)

\*Please excuse any typos\*

\*All correspondence are public records\*

**MEMORANDUM**

**TO:** Mayor Samora  
Vice Mayor Rumrell  
Commissioner Morgan  
Commissioner George  
Commissioner Sweeny

**FROM:** Max Royle, City Manager mk

**DATE:** April 14, 2023

**SUBJECT:** City Attorney Services Request for Approval of Addendum to Contract with the Douglas Law Firm

**BACKGROUND**

After the resignation of City Attorney James Wilson of the Coquina Law Group in 2019 the City Commission advertised for proposals from law firms, interviewed several and after the firm initially selected withdrew its proposal, the Commission selected Douglas Law Firm.

At its March 3, 2020, the Commission approved the contract with the Douglas Law Firm for a retainer of \$6000.00 per month and a per hour fee of \$175.00 for extra-legal work, such as defending the City in court.

After more than three years, the Douglas Law Firm is proposing an increase in the retainer to \$8500.00 a month. The fee for extra-legal work would remain at \$175.00 per hour.

**ATTACHMENTS**

Attached for your review is the following information:

- a. Pages 1-8, the original contract approved in March 2020.
- b. Page 9, the proposed addendum to the 2020 contract to raise the monthly retainer to \$8500.00.

**ACTION REQUESTED**

It is that you discuss with Mr. Charles Douglas of the Douglas Law Firm the reasons for the addendum and that you decide whether to approve it.

**SATISFACTION WITH CITY ATTORNEY SERVICES**

The City administration is pleased with the services provided by the Douglas Law Firm. The attorney assigned to the City, Mr. Jeremiah Blocker, is responsive to questions and requests from the City staff and is actively seeking to improve the firm's interactions with the City, such

as attending the monthly department head meeting. His advice helps the staff greatly and avoids delay in bringing ordinances and resolutions by the staff to the Commission.

**CONTRACT FOR CITY ATTORNEY SERVICES**

This Agreement entered into this 21<sup>st</sup> day of February, 2020, and effective MARCH 3<sup>rd</sup>, 2020, by and between the City of St. Augustine Beach, a Florida Municipal Corporation ("CITY"), having an address of 2200 AIA S., St. Augustine Beach, FL 32080 and the law firm of Douglas Law Firm ("ATTORNEY"), having an address of One News Place, Saint Augustine, FL 32086.

**WITNESSETH:**

**WHEREAS**, the City has issued requests for proposals to qualified attorneys to act as the City's City Attorney and has received from the Attorney a response thereto attached as Exhibit "A" (the "Response") and hereby engages the ATTORNEY upon the terms and conditions hereinafter contained:

**A. ENGAGEMENT.** ATTORNEY agrees to provide legal services including legal advice and consultation, litigation and any other related issues or matters, which are assigned to him by CITY. In connection with such services, ATTORNEY shall provide at its own cost and expense all personnel, equipment, and library or electronic legal research services as are reasonably required to provide the services herein contemplated.

**B. COMPENSATION.** The primary individual lawyer for the CITY shall be Charles Douglas, who shall serve as the CITY ATTORNEY. The CITY ATTORNEY may utilize other alternative attorneys from the firm, including but not limited to, Lex Taylor, Linda Campbell, who shall be deemed to be assistant city attorneys. Any attorney providing services to the CITY shall be admitted to practice by the Florida Bar and a member in good standing.

*[Signature]*

The ATTORNEY shall be compensated by the CITY with a base fee of \$6,000.00 per month for all work within the "**Regular Scope of Work**," which excludes litigation and extra legal work, which additional items shall be billable by the ATTORNEY at the rate of \$175.00 per hour. See attached **Exhibit "B"** for Regular Scope of Work.

**C. ACCESS TO CITY PERSONNEL AND RECORDS.** The CITY agrees to provide access to all personnel and records deemed necessary for the completion of the services to be provided under the terms of this Agreement.

**D. OUTSIDE CLIENTS.** ATTORNEY is free to engage in any other business or legal representation, provided that such other business or legal representation shall not constitute a conflict of interest. In that event of a potential conflict of interest, the ATTORNEY will promptly advise the CITY of such potential conflict.

**E. TIME REQUIRED.** ATTORNEY shall devote only as much time and attention to the providing of legal services to the CITY as the opinion and judgment of ATTORNEY deems reasonably necessary.

**F. PERSONAL ATTENTION.** ATTORNEY agrees to give personal attention to work performed; and to in every way and in good faith protect to his utmost the rights of the CITY.

**G. EXPENSES AND LITIGATION EXPENSES.** The CITY shall reimburse ATTORNEY for all expenses and court costs incurred in connection with any litigation which the ATTORNEY is authorized to prosecute or defend; in addition to those expenses as may be necessary in the taking of depositions, or any other expenses incurred in or about litigation that the City authorizes the ATTORNEY to defend or prosecute. It is understood that the CITY may engage other attorneys in the prosecution or defense of any litigation or to handle any specialized matters. The term "litigation" does not include appearances before any City Board such as the Local Code Enforcement Board.



**H. NON-LIABILITY FOR COSTS AND EXPENSES.** ATTORNEY shall not be liable for costs or expenses of any kind and shall be reimbursed by CITY for all ordinary and necessary expenses paid by ATTORNEY in connection with the prosecution or defense of any litigation.

**I. ADDITIONAL COUNSEL.** If employment of additional counsel shall be necessary or advisable in the preparation or trial of any litigation, ATTORNEY may contract for such assistance on terms approved by the CITY. Matters related to Police Unions and collective bargaining, should they arise, shall be outside of the scope of this contract and the CITY may continue to retain other labor counsel to handle those matters.

**J. EQUAL EMPLOYMENT.** In all hiring or employment made possible by or resulting from this Agreement, there will not be any discrimination against any employee or applicant for employment because of race, color, religion, age, physical or mental disability, national origin, gender, creed, culture or ancestry.

ATTORNEY shall fully comply with CITY Ordinance No. 13-03 regarding employment discrimination, including Section 3-4 of the City Code, which provides:

It is an unlawful employment practice for an employer:

- (1) To fail or refuse to hire, to discharge or otherwise to discriminate against an individual with respect to compensation or the terms, conditions or privileges of employment because of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, age or disability.
- (2) To limit, segregate or classify employees or applicants in a way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee or applicant because of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, age or disability.

*ZMT*

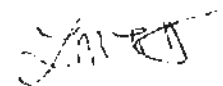
**K. ASSIGNABILITY.** ATTORNEY shall not assign any interest in this Agreement, nor shall ATTORNEY transfer any interest in the same without prior written consent of the CITY.

**L. ACKNOWLEDGMENT OF EXCLUSION OF WORKER'S COMPENSATION COVERAGE.** ATTORNEY herein expressly agrees and acknowledges that he is an independent contractor. As such, it is expressly agreed and understood between the parties hereto, in entering into this Agreement, that CITY shall not be liable to the ATTORNEY for any benefits or coverage as provided by the Worker's Compensation Law of the State of Florida.

**M. ACKNOWLEDGMENT OF EXCLUSION OF UNEMPLOYMENT COMPENSATION.** ATTORNEY herein expressly declares and acknowledges that he is an independent contractor, and as such is being hired by the CITY under this Agreement, and therefore, it is expressly declared and understood between the parties hereto, in entering into this Agreement, and in connection with unemployment coverage only that: (1) ATTORNEY has been and will be free from any control or direction by the CITY over the performance of the services covered by this ATTORNEY; (2) Services to be performed by ATTORNEY are outside the normal course and scope of the CITY's usual business; and (3) ATTORNEY has been independently engaged in the practice of law prior to the date of this Agreement. Consequently, neither ATTORNEY nor anyone employed by ATTORNEY shall be considered an employee of CITY for purpose of unemployment compensation coverage, the same being hereby expressly waived and excluded by the parties hereto.

**N. WAIVER OF SICK AND ANNUAL LEAVE BENEFITS.** It is expressly agreed and understood between the parties entering this Agreement that the ATTORNEY, acting as an independent agent, shall not receive any sick or annual leave benefits from the CITY.

**O. CONFLICT OF INTEREST.** ATTORNEY, by signing this Agreement, covenants that ATTORNEY has no public or private interest, direct or indirect, and shall not acquire

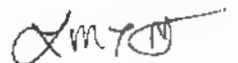


directly or indirectly any such interest, which does or may conflict in any manner with the performance of ATTORNEY'S services and obligations under this Agreement. ATTORNEY further covenants that, in the performance of this Agreement, no person having such an interest as described above shall be employed by ATTORNEY.

**P. POWERS CONFERRED ON ATTORNEY.** The CITY gives ATTORNEY the authority to file any and all papers necessary and proper in any action which he is authorized to prosecute or defend on behalf of the CITY; to take any evidence necessary and proper; to make any amicable and extrajudicial compromise of the case only with the CITY approval; and otherwise do those things ordinarily undertaken by a city attorney. ATTORNEY is granted the right and authority to do any and all things necessary and proper to protect the interest of the CITY, consistent with the City's Charter.

**Q. CANCELLATION.** Either party to this Agreement may terminate this Agreement at any time during the term of this Agreement by giving the other party written notice of said intention to terminate at least thirty (30) days before the date of termination; **provided, however,** that as to any pending litigation in which the ATTORNEY has been engaged, ATTORNEY shall, until a successor is appointed, take all actions necessary to protect the interests of the CITY pending appointment and appearance of such successor and shall be compensated therefor in the same manner as compensation is paid for litigation. ATTORNEY shall reasonably cooperate with any successor about pending matters. Notice of cancellation by the ATTORNEY shall be given to the CITY in care of the City Manager. Notice of cancellation shall be given to the ATTORNEY at his or her then address as shown by the records of the Florida Bar.

**IN WITNESS WHEREOF,** the parties have caused these presents to be executed as of the day and year first above written.

A handwritten signature in dark ink, appearing to be "Xm70" with a flourish at the end.



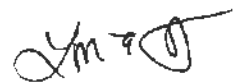
CITY OF ST. AUGUSTINE BEACH

ATTEST:   
City Manager

BY:   
Mayor-Commissioner

 FOR TERM

BY: LEX MORTON TAYLOR III  
FOR DOUGLAS LAW FIRM



**Exhibit "B"**

**CITY ATTORNEY, CITY OF ST. AUGUSTINE BEACH**

**REGULAR SCOPE OF WORK**

The scope of work is divided into two parts: regular and extra-legal. Under regular is the following:

1. Attend all regular and special or workshop meetings of the City Commission.

The City Commission has one regular meeting on the first Monday of every month. This meeting begins at 6:00 p.m. The Commission sometimes has special meetings or workshop meetings on other days of the month. These meetings may be held at 5:00 or 6:00 p.m.

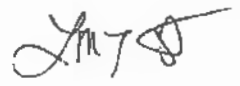
2. Attend all meetings of the Comprehensive Planning and Zoning Board.

The Board normally has one meeting a month: the third Tuesday at 6 p.m.

3. Attend meetings of the Code Enforcement Board as the attorney for the Code Enforcement Officer.

The Officer brings cases to the City's Code Enforcement Board once a month, usually on the fourth Wednesday at 2:00 p.m. The City Attorney provides legal advice to the Officer. The Code Enforcement Board has its own attorney, if one is needed. Sometimes the Board has an emergency or special meeting.

4. Attend other meetings when requested or when deemed appropriate by the City Commission.
5. Perform all legal work for the City as required by the City Charter, excluding litigation.
6. Handle the negotiation and preparation of agreements, contracts or similar documents.
7. Review and comment on contract forms between the City and independent contractors.
8. Perform legislative work associated with City Commission, Planning Board, and Code Enforcement Board meetings, including preparation of ordinances and resolutions, variances, conditional



use permits, final development plans, etc., together with research work associated with the preparation of those documents.

9. Respond by telephone, e-mail or regular mail to requests for advice from the Mayor, Commissioners, Police Department, City Manager's office, and Building and Zoning Department regarding administrative, legislative, executive and legal issues.
10. When requested by the City Commission or by the Police Chief or by the City Manager, perform investigations that would require interviewing witnesses, taking testimony, review of reports and legal research.
11. Respond to email and telephone inquiries by members of the public regarding matters before the city.

**Extra Legal – Bill Hourly at \$175**

Work performed under extra-legal consists of the following:

- A. Attend City, County, State and Federal meetings and conferences on litigation work concerning the City when approved by the City Commission.
- B. Prosecute violations of local ordinances or of the zoning code in any Court, if the State Attorney is not handling the prosecution.
- C. Provide labor negotiations and assist with labor relations matters that go beyond routine telephone conferences or counseling. Ability to perform labor negotiations legal work is optional as the Police Department has traditionally used separate counsel for this work.
- D. Provide legal services for such matters which do not involve items covered by paragraphs 1-10 above, but which necessitate legal advice or use of the City Attorney's office, as determined by the City Commission. These matters which might be difficult to quantify but may include attendance at meetings between City officials and officials or representatives of other business entities or governmental entities, or attendance at mediation.
- E. Provide legal counsel in any litigation, including but not limited to defense of challenges to the City's ordinances, development orders, regulations; and defend the City in lawsuits which are not defended by legal services provided by the City's insurer, the Florida League of Cities.
- F. Conduct real estate or public finance closings and related legal work as bond counsel, etc.

*YMT*

## **ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT**

This Addendum To Professional Services Agreement (the "**Agreement**") is made and entered into on April, 2023 by and between Douglas Law Firm ("**DLF**"), and the City of St. Augustine Beach ("**City**"). DLF and the City shall hereinafter collectively be referred to as the "parties" and generically as a "party."

1. This Agreement amends and modifies that certain Professional Services Agreement ("**Services Agreement**") dated February 21, 2020 made and entered into by the parties hereto as follows:
2. The Parties agree to amend the base compensation for legal services to \$8,500 per month to the DLF based on the increase in the required level of engagement, volume of legal work, litigation and growing needs of the City requiring legal services.
3. Required legal services outside of Board and Commission meetings to include: litigation, will be covered under the hourly rate.
4. All other provisions of the Services Agreement remain in full force and effect, other than any provision that conflicts with the terms and spirit of this Agreement, which shall be deemed to be amended appropriately in order to be consistent with this Agreement.

**IN WITNESS WHEREOF**, the Parties have executed this Agreement on the date first written above.

### **City of St. Augustine Beach**

By: \_\_\_\_\_  
Max Royle,  
City Manager

### **Douglas Law Firm**

By: \_\_\_\_\_  
Charles T. Douglas, Jr.  
Managing Partner

### **City of St. Augustine Beach**

By: \_\_\_\_\_  
Don Samora,  
Commissioner - Mayor

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING  
MAY 1, 2023**

**CODE ENFORCEMENT/BUILDING/ZONING**

Please see pages 1-45.

**COMPREHENSIVE PLANNING AND ZONING BOARD**

The minutes of the Board's March 21, 2023, meeting are attached as pages 46-63.

**SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE**

The Board did not meet in March because it lacked a quorum. The minutes of its April 11, 2023, meeting, will be provided with this Report for the June 5<sup>th</sup> Commission meeting.

**POLICE DEPARTMENT**

Please see page 64.

**FINANCE DEPARTMENT**

Please see page 65.

**PUBLIC WORKS DEPARTMENT**

Please see pages 66-69.

**CITY MANAGER**

1. Complaints

A. Illegal Parking

A 16<sup>th</sup> Street resident complained about illegal parking by beach visitors and overnight parking in campers. He asked that No Overnight Sleeping signs be posted. His complaint was forwarded to the Public Works Department to put up the signs.

B. Litter

A resident wrote that there is litter around the dumpsters along the north side of the Publix shopping center. The complaint was forwarded to the Code Enforcement Division, which contacted the company managing the shopping center. Larger dumpsters will help alleviate the litter problem.

C. Missing No Parking Sign

A resident emailed that a No Parking sign on 2<sup>nd</sup> Avenue between 3<sup>rd</sup> and 4<sup>th</sup> streets was missing. The Public Works Department was asked to put up another sign. In an additional email, the resident pointed

out where there were gaps that may need No Parking signs. That email was forwarded to the Public Works Department.

#### D. Condition of Bocce Courts

The courts are located on City property west of the former city hall. A resident pointed out that the courts needed repair. His complaint was forwarded to the Public Works Department.

### 2. Major Projects

#### A. Road/Sidewalk Improvements

##### 1) Opening 2nd Street West of 2<sup>nd</sup> Avenue

At its March 7, 2022, meeting, the City Commission awarded the bid for this project to DB Civil Construction of Ormond Beach, Florida, for \$579,850. The contract has been executed and construction has started with clearing of the right-of-way and preparations to lay the road's base. Underground water, sewer lines and drainage pipes are being installed. At its January 9, 2023, meeting, the Commission approved a budget resolution to appropriate \$33,000 to provide contract administration services. The project is scheduled to be completed by June 2023, though the completion may be delayed because of the undergrounding of electric power lines by Florida Power and Light.

##### 2) A1A Beach Boulevard Crosswalk Improvements

As of the end of February 2022, the County had put up flashing signals for the crosswalks on A1A Beach Boulevard between Sea Colony and the shopping center, and between the beach walkway at Ocean Hammock Park and the Whispering Oaks subdivision. In early August 2022, flashing signals were erected at the 16<sup>th</sup> and 11<sup>th</sup> Street crosswalks. According to the County Traffic and Transportation Department, two additional signals will be put up: one in the vicinity of the pier park and one at F Street. No dates have been set as to when these improvements will be done.

##### 3) Paving 13<sup>th</sup> Lane

A 12<sup>th</sup> Street resident has asked that the City pave 13<sup>th</sup> Lane, a dirt alley between A1A Beach Boulevard and the beach. City staff is checking whether the alley has been vacated and where its boundaries are, as owners of adjacent properties may have put a fence in it. If the alley can be paved, the project will be made part of the City's five-year capital improvements plan.

#### B. Beach Matters

##### 1) Off-Beach Parking

At this time, the only parking project is improvements to the two parkettes on the west side of A1A Beach Boulevard between A and 1<sup>st</sup> Streets. The City Commission appropriated \$45,000 in the Fiscal Year 2022 budget for this project. The Public Works Director selected a consultant from the County's list of civil engineering consultants. The consultant, the Matthews Design Group, is now doing the design work. Money for the improved parking area will come from American Rescue Plan Act funds. At the Commission's July 11, 2022, meeting, Matthews provided an update report on the design. The

Commission selected the second option: Vehicles will enter the parking area from 1<sup>st</sup> Street and exit it to the Boulevard near A Street. The conceptual design is complete; work on permits is underway; construction will be done in 2023.

There is no discussion at this time concerning paid parking anywhere in the City.

## 2) Beach Restoration

The project will begin in August 2023 and be completed by the end of February 2024. The Corps of Engineers will provide an update report to the Commission at its August 7<sup>th</sup> meeting.

## C. Parks

### 1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for \$5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of \$4.5 million. The City gave the Trust a down payment of \$1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer at the time, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded \$1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for \$1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill.

A condition of the two grants is that the City implement the management plan that was part of the applications for the grants. The plan includes such improvements as restrooms, trails, a pavilion and information signs. The Public Works Director applied to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms, which the City received. At its March 7, 2022, meeting, the City Commission approved the Public Works Director's recommendation that the one bid received to construct the restrooms be rejected because of its very high price and authorized negotiating with the bidder to lower the cost. As these negotiations did not result in significant savings, the Director decided to purchase prefabricated restrooms. He showed a photo of the restrooms to the Commission at its April 4<sup>th</sup> and May 2<sup>nd</sup> meetings. The Commission approved the restrooms, which have been ordered and will be delivered in April. Work will be completed in May 2023.

Also, to implement the management plan, the City has applied for funding from a state grant and for a Federal grant from the National Oceanic and Atmospheric Administration. The Public Works Director's master plan for improvements to the Park was reviewed by the City Commission at its October 5, 2020, regular meeting. The design and permitting work for the interior park improvements (observation deck and central trail) need to be done. The City will then advertise for bids in the spring of 2023.

The picnic pavilion, children's playscape, signage and secondary trails will be done in the future as funds become available.

Concerning the request from some residents to relocate the Park's beach access: At its December 5<sup>th</sup> meeting, the City Commission provided topics to City staff that the Commission believes will help it make a decision about relocating the beach access. At its January 9, 2023, meeting, the Commission reviewed information provided by staff and decided that the persons requesting that the access be relocated should form a non-profit entity and make a proposal to the City, which the City Attorney will review. In the meantime, City staff is reviewing the management plan that the City agreed to implement as a condition for receiving two grants from the state, to see whether there are any grant stipulations that would prohibit relocating the access.

## 2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for \$2.5 million. By written agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26<sup>th</sup> 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to ownership by the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it.

At this time, the City does not have the money to develop any trails or other amenities in the Park. Unlike Ocean Hammock Park, there is no management plan for Hammock Dunes Park. A park plan will need to be developed with the help of residents and money to make the Park accessible to the public may come from the American Rescue Plan Act. At its May 2, 2022, meeting, the City Commission approved the City Manager writing a Request for Qualifications for a park planner to prepare a plan for improvements to Hammock Dunes Park. The City Commission at its June 6, 2022, meeting approved the wording for a Request for Qualifications from park planners. However, because other projects, especially drainage ones, require attention, advertising the REQ has been delayed.

## 3. Finance and Budget

### A. Audit Report for Fiscal Year 2022 Budget

Fiscal Year 2022 ended on September 30, 2022. At the City Commission's April 3, 2023, meeting, the auditor presented the report. This topic will no longer be in this Report.

### B. Fiscal Year 2023

Fiscal Year 2023 began on October 1, 2022, and will end September 30, 2023. March 31, 2023, marked the end of the sixth month of FY 23. As of the fiscal year's halfway point, the City had received \$6,280,031 for the General Fund, or 60.3% of the total projected to be received from the entire fiscal year, and had spent \$4,013,893, or 38.6% of the projected expenditures. The surplus of revenues over expenditures was \$2,246,138. As of March 31, 2023, the total provided by property taxes, the City's major source of revenue, was \$3,822,117, or 92% of the amount projected to be received from this source for the entire fiscal year. During the remaining months of the fiscal year, declining amounts will be provided by property taxes until June or July 2023, when the City usually receives no revenue from this source.

### C. Alternative Revenue Sources



In response to the City Commission's request that the administration suggest potential sources of revenue to fund City operations, the Public Works Director has proposed a stormwater utility fee. The Commission discussed this proposal at two meetings in 2021 and decided not to authorize the staff to proceed to the next step in the process to adopt the fee in the future. However, at its October 3, 2022, meeting, the Commission decided to hold a public hearing on November 14, 2022, concerning the fee, and at that meeting approved a resolution stating the City's intent to adopt a non-ad valorem assessment for a stormwater fee. The next step will be to adopt a range for the fee. The Public Works Director presented an ordinance to the Commission at its February 6th. The Commission passed the ordinance on final reading at their March 6<sup>th</sup> meeting but did not approve a budget resolution to appropriate \$13,790 for a civil engineering consultant to digitize impervious surfaces of residences and businesses in the City for determining an equivalent residential charge. The Commission asked that the City staff work on preparing the information for a residential charge. Money will be requested in the FY 24 budget for a consultant to develop a range of fees.

#### 4. Miscellaneous

##### A. Permits for Upcoming Events

During late March and in April, the City Manager approved the following permits: a. for Nease High School's Beaches Go Green beach cleanup on April 15<sup>th</sup>; b. for the Earth Day beach cleanup on April 22; c. for the Gate Club of Historic St. Augustine's beach cleanup on May 20<sup>th</sup>; d. for the Eastern Surf Association's surf contests on various dates in the spring and summer of 2023; e. for the Pink Up the Pace 5K Walk/Run on October 7<sup>th</sup>; f. for TNT's Arts and Crafts Show on January 13-14, 2024; g. for TNT's Arts and Crafts Show on February 17-18, 2024; h. for TNT's Arts and Crafts Show on March 9-10, 2024; and i. for TNT's Arts and Crafts Show on April 13-14, 2024.

##### B. Vision Plan

At its March 6, 2023, meeting, the Commission approved the Vision Plan. At its June 5<sup>th</sup> meeting, the Commission will consider whether to schedule a workshop later in June to review the Plan again.

##### C. Former City Hall

On Wednesday, March 23, 2022, the City Commission held a workshop to discuss possible uses for the former city hall, which is located on the south side of pier park. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, informed the Commission that the City has received \$500,000 historic grant to renovate windows and other features in the building and a \$25,000 grant for interpretative signage. The outcome of the workshop was that the building would be renovated for use as an arts center with the second floor restored for artists' studios and possibly a small museum. Ms. Stone presented a report about the history of the former city hall and using the \$500,000 for exterior improvements to the building, such as the second-floor windows and other features. The deadline for using the money from the historic grant is June 2023. The deadline for the spending of the \$25,000 grant for the civil rights monument was March 31, 2023.

At the City Commission's October 3, 2022, meeting, Ms. Stone reported that the Cultural Council has hired two local architects to provide technical expertise for the first phase, the \$500,000 grant, for exterior and interior improvements to the building, such as new windows, an upgraded stairway and restroom. Future interior renovations include an elevator, artists' studios and a second stairway from the second story.

Also, a designer has been hired to develop interpretive signage for the building. Ms. Stone provided an update report at the Commission's March 6, 2023, meeting about the plans for interior improvements and interpretative signage describing the building's history and to commemorate the 1964 attempt to integrate the beach in front of the former city hall. The installation of the memorial signs will be delayed because the columns may have to be replaced.

The next step will be a visioning meeting presented by the Cultural Council. It will involve the public for the next phase of the renovation of the building. No date for the meeting has been scheduled.

# COSAB NEW SFR CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Description	User Code 1
3070	115 D ST	P2100133	SFR-D	2/4/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3176	129 14TH ST	P2101217	SFR-D	9/24/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3897	15 SABOR DE SAL RD	P2200622	SFR-D	3/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4186	13 13TH LN	P2200376	SFR-D	1/24/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4634	301 S FOREST DUNE DR	P2201349	SFR-D	8/2/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4665	171 RIDGEWAY RD	P2200670	SFR-D	3/10/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4723	282 RIDGEWAY RD	P2200346	SFR-D	1/3/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4828	106 F ST	P2200648	SFR-D	3/31/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4894	107 E ST	P2201127	SFR-D	6/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5016	103 WHISPERING OAKS CIR	P2200667	SFR-D	3/10/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5018	507 F ST	P2201176	SFR-D	6/15/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5145	1101 LAUGHING GULL LN	P2200769	SFR-D	3/30/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5193	937 DEER HAMMOCK CIR	P2200808	SFR-D	4/6/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5256	109 8TH ST	P2200851	SFR-D	4/19/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5269	6 15TH ST		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5346	5 15TH ST	P2201519	SFR-D	9/1/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5370	9 11TH ST.	P2300307	SFR-D	12/15/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5470	386 OCEAN FOREST DR	P2201087	SFR-D	5/25/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5569	9 13TH ST	P2300640	SFR-D	2/22/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5570	7 13TH ST	P2300643	SFR-D	2/22/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5587	14 6TH ST	P2300483	SFR-D	2/2/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5592	110 7TH ST	P2201120	SFR-D	6/1/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5644	399 OCEAN FOREST DR	P2201148	SFR-D	6/16/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5662	129 WHISPERING OAKS CIR	P2201164	SFR-D	7/5/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5666	105 KINGS QUARRY LN	P2201335	SFR-D	7/26/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5724	254 RIDGEWAY RD	P2201288	SFR-D	7/12/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5839	133 ISLAND HAMMOCK WAY	P2201408	SFR-D	8/4/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5851	12 2ND ST	P2300674	SFR-D	3/1/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5889	2 C ST	P2300588	SFR-D	2/13/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6034	618 OLD BEACH RD	P2300195	SFR-D	11/4/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6076	16 5TH ST	P2300034	SFR-D	10/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6122	884 OCEAN PALM WAY	P2300322	SFR-D	12/13/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6356	1105 LAUGHING GULL LN	P2300216	SFR-D	11/16/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6484	454 OCEAN FOREST DR	P2300371	SFR-D	1/3/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6518	509 B ST	P2300369	SFR-D	1/18/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6548	16 LINDA MAR DR	P2300883	SFR-D	4/11/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6585	9 10TH ST		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6816	372 RIDGEWAY RD	P2300781	SFR-D	3/22/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6837	113 5TH ST	P2300766	SFR-D	3/21/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
6838	117 5th st	P2300769	SFR-D	3/21/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
7032	0 OCEANSIDE DR		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
7091	413 C ST		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES

Application Id Range: First to Last

Issue Date Range: First to 04/14/23

Expiration Date Range: First to 09/12/25

Applied For: N Open: Y

Application Date Range: First to 04/14/23

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: SFR-A to SFR-D

User Code Range: PP to RES

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

## COSAB COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Description	User Code 1
6012	3930 A1A SOUTH UNIT 8	P2201526	COM BUILD OUT	9/2/2022	COMMERCIAL BUILDING ALT.-- TENANT BUILD-OUT--THE ART HOUSE	COM
6417	3920 A1A SOUTH UNIT 7	P2300294	COM BUILD OUT	12/6/2022	COMMERCIAL BUILDING ALT.-- UNIT 7 INTERIOR TENANT BUILDOUT FOR AT&T RETAIL STORE	COM
6459	116 SEA GROVE MAIN ST	P2300352	COM BUILD OUT	12/16/2022	COMMERCIAL BUILDING ALT. -- BUILD-OUT	COM
6597	950 A1A BEACH BLVD	P2300822	COMMERCIAL NEW	3/27/2023	NEW COMMERCIAL BUILDING -- NEW PUBLIC RESTROOM - UTILITY	COM

Application Id Range: First to Last

Issue Date Range: First to 04/14/23

Expiration Date Range: First to 09/12/25

Applied For: N Open: Y

Application Date Range: First to 04/14/23

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: COM ADDITION to COMMERCIAL NEW

User Code Range: COM to COM

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

## COSAB FY'23 ZONING REPORT

Application Id	Parcel Id	Property Location	Building Code	Activity Type	Inspector	Date	Status
6119	1711000000	201 B ST	ZONING	Z-VARIANCE	BONNIE M	10/18/2022	APPROVED
6133	1725610250	103 WHISPERING OAKS CIR	ZONING	Z-VARIANCE	BONNIE M	10/18/2022	APPROVED
6527	1725610380	224 BIG MAGNOLIA CT	ZONING	Z-VARIANCE	BONNIE M	1/17/2023	APPROVED
6528	1725610380	224 BIG MAGNOLIA CT	ZONING	Z-TREE REMOVAL	BONNIE M	1/17/2023	APPROVED
6635	1742000020	1097 A1A Beach Blvd	ZONING	Z-COND USE	BONNIE M	3/21/2023	APPROVED
6646	1629640310	1020 SALTWATER CIR	ZONING	Z-VARIANCE	BONNIE M	3/21/2023	APPROVED
6818	1705900000	711 A1A BEACH BLVD, UNIT A	ZONING	Z-COND USE	BONNIE M	3/21/2023	APPROVED
6973	1669500000	607 11TH ST	ZONING	Z-VARIANCE		4/18/2023	OPEN
6980	1748500000	4000 A1A SOUTH	ZONING	Z-COND USE		4/18/2023	OPEN
6992	1629630002	SEA GROVE MAIN ST	ZONING	Z-VARIANCE		4/18/2023	OPEN
6996	1691500000	541 A1A BEACH BLVD	ZONING	Z-VARIANCE	JENNIFER	4/18/2023	OPEN

Application Id Range: First to Last

Range of Building Codes: ZONING to ZONING

Activity Date Range: 09/20/22 to 09/30/23 Activity Type Range: Z-APPEAL to Z-VARIANCE

Inspector Id Range: First to Last

Included Activity Types: Both

Sent Letter: Y

## COSAB FY'23 TREE INSPECTIONS

Application Id	Property Location	Building Code 1	Description of Work 1	Work Type	Issue Date
6216	402 B ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	TREE REMOVAL	10/13/2022
6389	134 13TH ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	TREE REMOVAL	11/21/2022
6404	6 MICKLER BLVD	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	TREE REMOVAL	11/17/2022
6587	202 AZALEA AVE	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	TREE REMOVAL	1/9/2023
6763	609 MARIPOSA ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	TREE REMOVAL	2/14/2023
<b>Totals</b>					

Application Id Range: First to Last

Issue Date Range: 10/01/22 to 04/14/23

Expiration Date Range: First to 09/12/25

Applied For: N Open: Y

Application Date Range: First to 04/14/23

Use Type Range: First to Last

Hold: N

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: Y

Work Type Range: First to Last

User Code Range: First to Last

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

Activity Date Range: 10/01/22 to 04/14/23

Activity Type Range: T-TREE REMOVAL to T-TREE REMOVAL

Inspector Id Range: First to Last

'SENT LETTER': Y Open With No Date: N

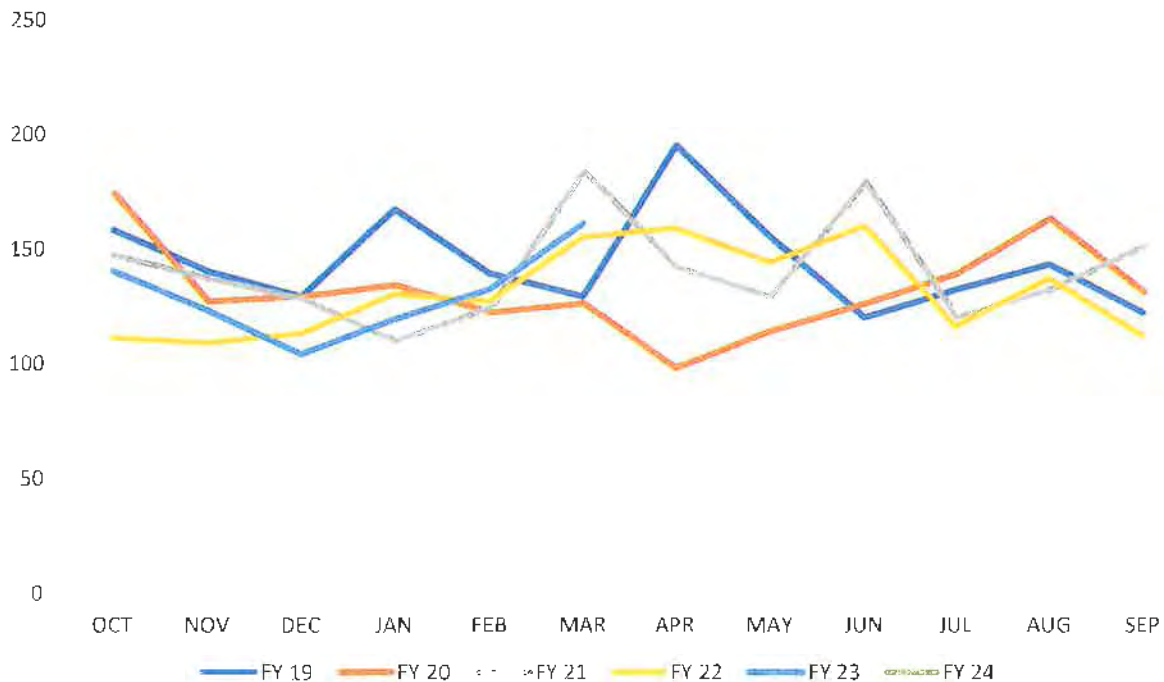


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## NUMBER OF PERMITS ISSUED

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	158	174	147	111	140	
NOV	140	127	137	109	123	
DEC	129	129	128	113	104	
JAN	167	134	110	130	119	
FEB	139	122	124	127	132	
MAR	129	126	184	155	161	
APR	195	98	142	159		
MAY	155	114	129	144		
JUN	120	126	179	160		
JUL	132	139	120	116		
AUG	143	163	132	137		
SEP	122	131	151	112		
<b>TOTAL</b>	<b>1729</b>	<b>1583</b>	<b>1683</b>	<b>1573</b>	<b>779</b>	<b>0</b>

## NUMBER OF PERMITS ISSUED



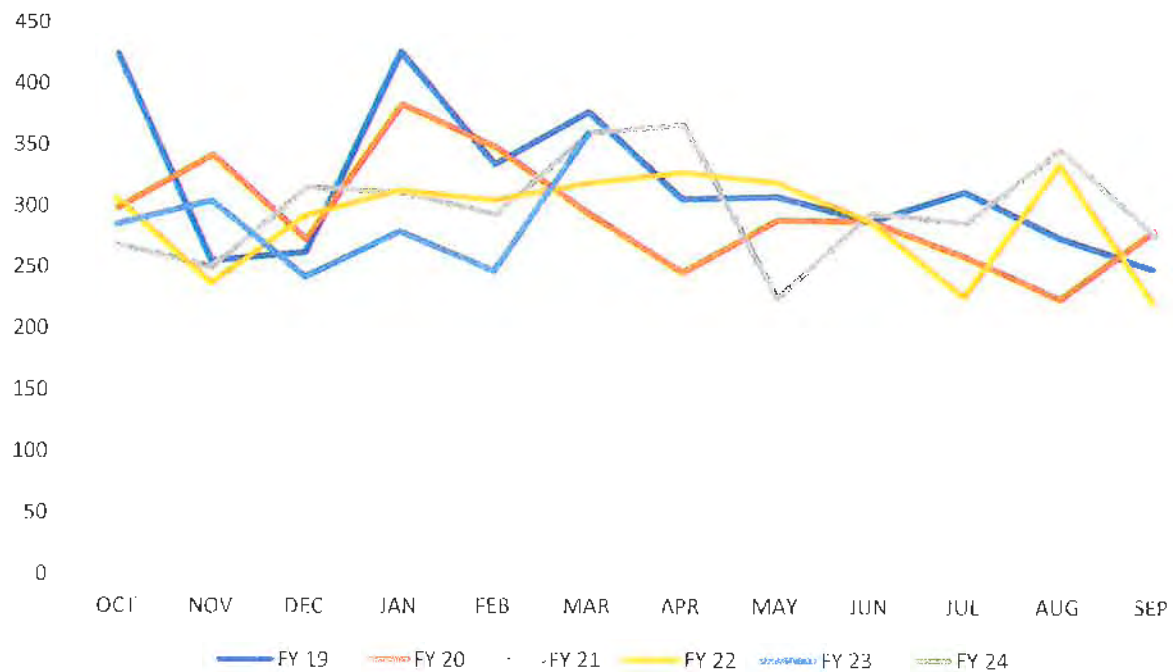


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## NUMBER OF INSPECTIONS PERFORMED

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	424	298	268	306	285	
NOV	255	341	250	237	304	
DEC	262	272	315	292	242	
JAN	426	383	311	313	279	
FEB	334	348	293	305	247	
MAR	377	294	360	319	360	
APR	306	246	367	328		
MAY	308	289	226	320		
JUN	288	288	295	288		
JUL	312	259	287	227		
AUG	275	225	347	335		
SEP	250	281	277	223		
<b>TOTAL</b>	<b>3817</b>	<b>3524</b>	<b>3596</b>	<b>3493</b>	<b>1717</b>	<b>0</b>

## NUMBER OF INSPECTIONS PERFORMED





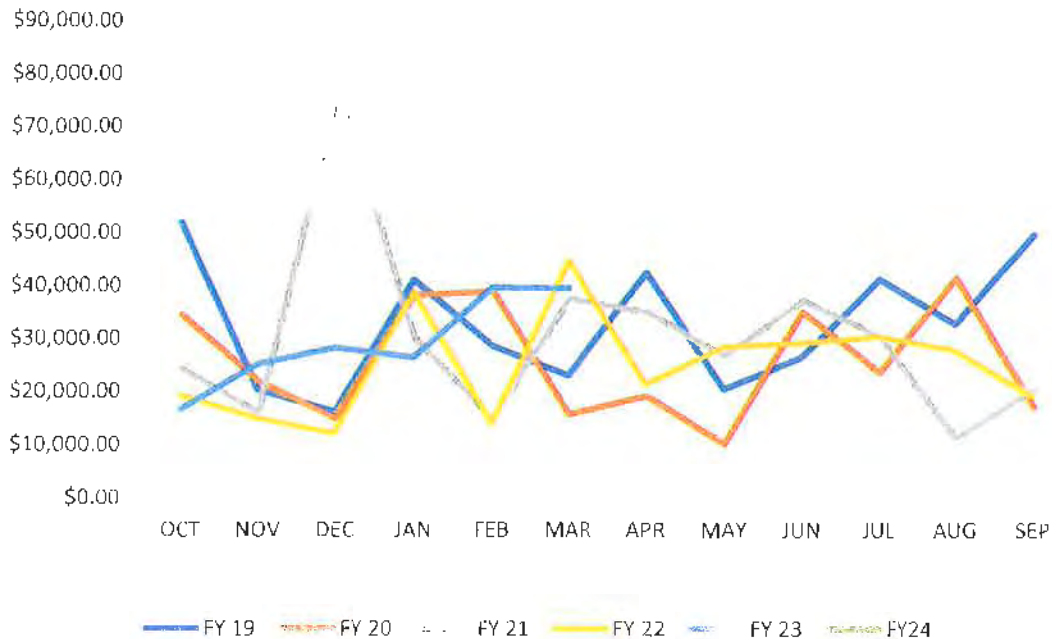


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## BUILDING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY24
OCT	\$51,655.01	\$34,277.62	\$24,139.90	\$19,160.96	\$16,521.84	
NOV	\$20,192.42	\$21,844.58	\$15,910.52	\$14,923.51	\$25,004.85	
DEC	\$16,104.22	\$14,818.54	\$76,639.68	\$12,110.85	\$28,106.15	
JAN	\$40,915.31	\$37,993.58	\$30,011.51	\$38,549.15	\$26,335.25	
FEB	\$28,526.70	\$38,761.13	\$14,706.76	\$13,916.49	\$39,494.58	
MAR	\$22,978.53	\$15,666.80	\$37,447.22	\$44,664.15	\$39,382.43	
APR	\$42,292.91	\$19,092.61	\$34,884.49	\$21,386.72		
MAY	\$20,391.12	\$10,194.02	\$26,753.41	\$28,447.01		
JUN	\$26,445.26	\$34,939.40	\$37,149.19	\$29,198.87		
JUL	\$41,120.86	\$23,555.36	\$30,368.01	\$30,368.57		
AUG	\$32,714.82	\$41,455.38	\$11,236.89	\$27,845.37		
SEP	\$49,543.66	\$17,169.56	\$20,329.54	\$19,118.87		
<b>TOTAL</b>	<b>\$392,880.82</b>	<b>\$309,768.58</b>	<b>\$359,577.12</b>	<b>\$299,690.52</b>	<b>\$174,845.10</b>	<b>\$0.00</b>

## BUILDING PERMIT FEE REPORT



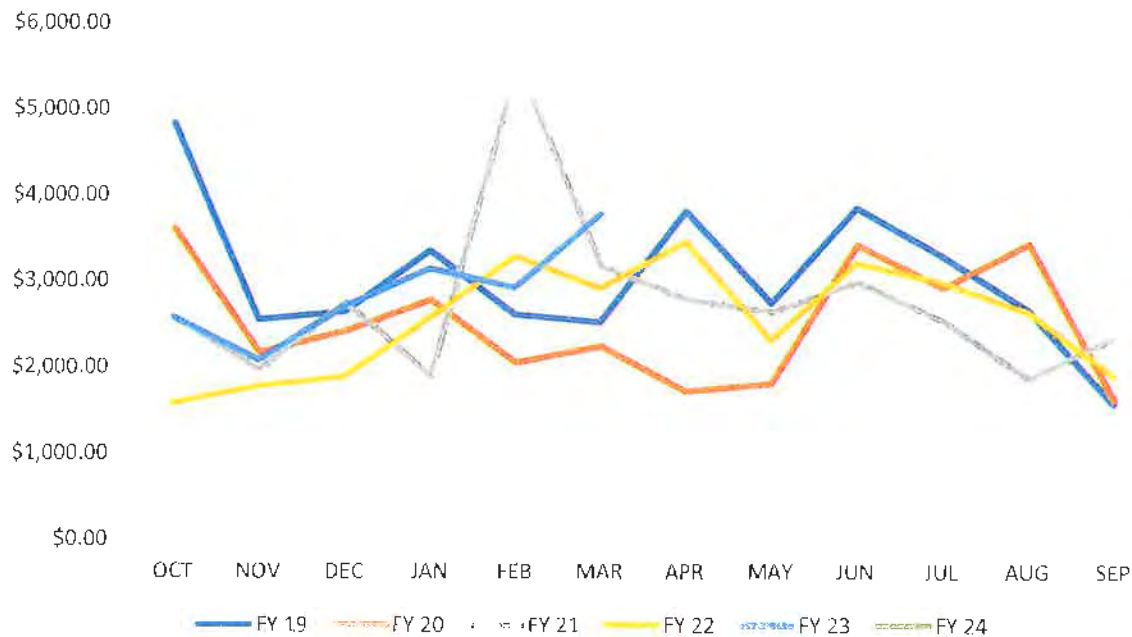


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## MECHANICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	\$4,819.09	\$3,593.67	\$2,574.62	\$1,575.00	\$2,565.54	
NOV	\$2,541.44	\$2,160.00	\$1,963.00	\$1,771.00	\$2,073.09	
DEC	\$2,633.64	\$2,409.62	\$2,738.04	\$1,880.00	\$2,693.06	
JAN	\$3,338.69	\$2,768.47	\$1,891.99	\$2,563.12	\$3,133.88	
FEB	\$2,601.00	\$2,044.08	\$5,505.00	\$3,274.80	\$2,911.21	
MAR	\$2,515.33	\$2,237.73	\$3,163.00	\$2,908.99	\$3,771.39	
APR	\$3,801.26	\$1,716.00	\$2,784.79	\$3,452.30		
MAY	\$2,736.33	\$1,809.00	\$2,637.52	\$2,308.40		
JUN	\$3,844.54	\$3,417.00	\$2,978.00	\$3,204.70		
JUL	\$3,286.00	\$2,917.93	\$2,535.39	\$2,981.26		
AUG	\$2,663.49	\$3,430.11	\$1,870.49	\$2,642.88		
SEP	\$1,579.42	\$1,621.00	\$2,352.24	\$1,902.57		
<b>TOTAL</b>	<b>\$36,360.23</b>	<b>\$30,124.61</b>	<b>\$32,994.08</b>	<b>\$30,465.02</b>	<b>\$17,148.17</b>	<b>\$0.00</b>

## MECHANICAL PERMIT FEE REPORT



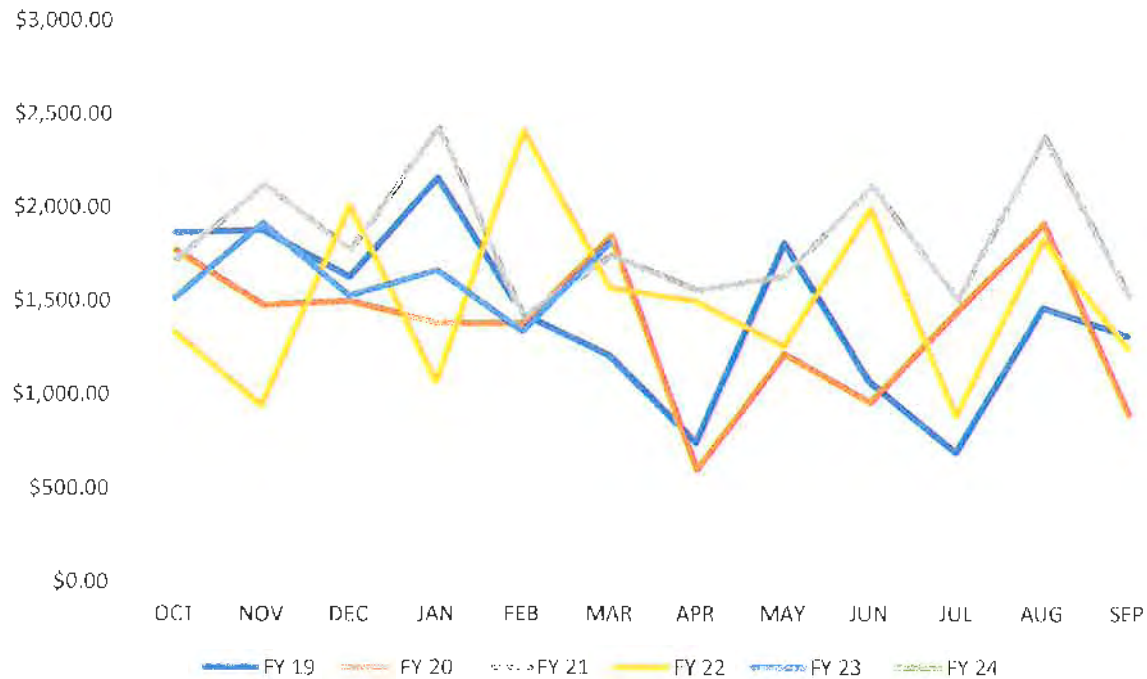


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## ELECTRICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	\$1,860.32	\$1,765.00	\$1,718.00	\$1,330.00	\$1,510.00	
NOV	\$1,872.66	\$1,475.00	\$2,115.00	\$940.00	\$1,910.00	
DEC	\$1,622.32	\$1,495.00	\$1,770.00	\$2,005.00	\$1,523.00	
JAN	\$2,151.66	\$1,380.00	\$2,418.00	\$1,065.00	\$1,660.00	
FEB	\$1,425.32	\$1,375.00	\$1,413.00	\$2,405.00	\$1,335.00	
MAR	\$1,203.33	\$1,843.00	\$1,740.00	\$1,565.00	\$1,810.00	
APR	\$743.00	\$600.00	\$1,553.00	\$1,495.00		
MAY	\$1,805.00	\$1,215.00	\$1,628.00	\$1,255.00		
JUN	\$1,065.00	\$955.00	\$2,108.00	\$1,985.50		
JUL	\$690.00	\$1,443.00	\$1,505.00	\$885.00		
AUG	\$1,460.00	\$1,910.00	\$2,375.00	\$1,824.00		
SEP	\$1,310.00	\$895.00	\$1,520.00	\$1,245.00		
<b>TOTAL</b>	<b>\$17,208.61</b>	<b>\$16,351.00</b>	<b>\$21,863.00</b>	<b>\$17,999.50</b>	<b>\$9,748.00</b>	<b>\$0.00</b>

## ELECTRICAL PERMIT FEE REPORT





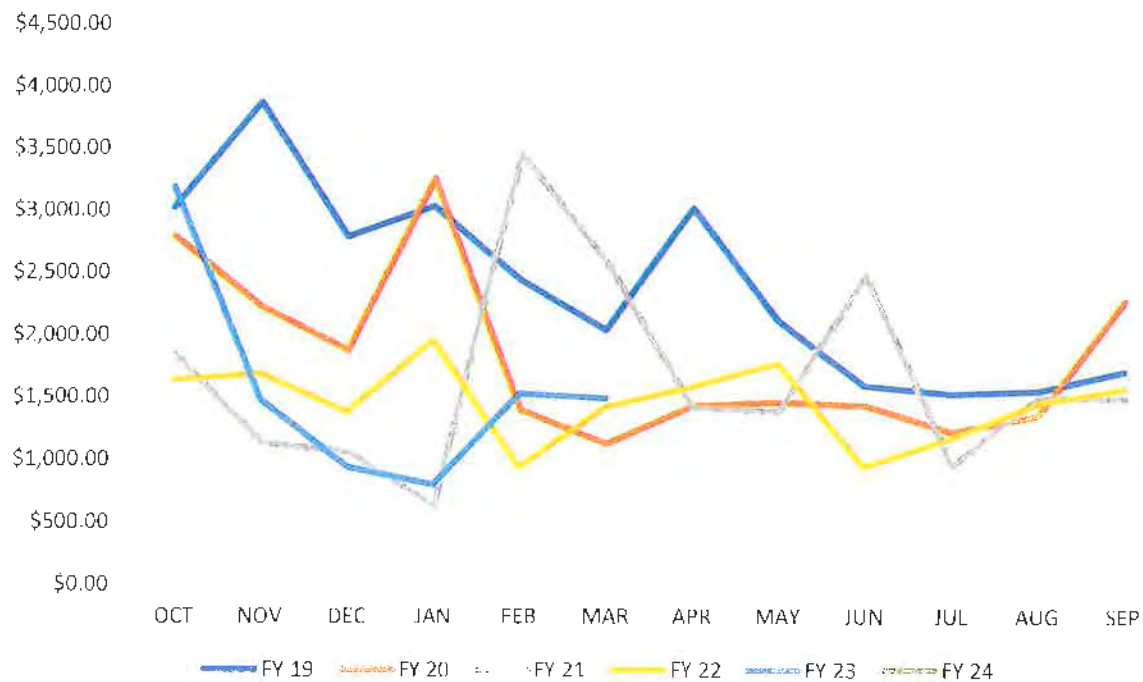
# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT


  
 Florida Department of Transportation

## PLUMBING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	\$3,016.37	\$2,786.00	\$1,844.00	\$1,632.00	\$3,188.00	
NOV	\$3,867.41	\$2,221.00	\$1,133.00	\$1,686.00	\$1,476.00	
DEC	\$2,783.10	\$1,869.00	\$1,062.00	\$1,379.00	\$937.00	
JAN	\$3,031.40	\$3,256.00	\$628.00	\$1,957.00	\$795.00	
FEB	\$2,440.44	\$1,395.00	\$3,449.00	\$938.00	\$1,525.00	
MAR	\$2,037.24	\$1,125.00	\$2,579.00	\$1,420.00	\$1,488.00	
APR	\$3,015.00	\$1,430.00	\$1,411.00	\$1,585.00		
MAY	\$2,110.00	\$1,459.00	\$1,390.00	\$1,772.00		
JUN	\$1,590.00	\$1,432.00	\$2,474.00	\$943.00		
JUL	\$1,525.00	\$1,218.00	\$952.00	\$1,170.00		
AUG	\$1,550.00	\$1,356.00	\$1,500.00	\$1,452.00		
SEP	\$1,706.00	\$2,270.00	\$1,490.00	\$1,572.00		
<b>TOTAL</b>	<b>\$28,671.96</b>	<b>\$21,817.00</b>	<b>\$19,912.00</b>	<b>\$17,506.00</b>	<b>\$9,409.00</b>	<b>\$0.00</b>

## PLUMBING PERMIT FEE REPORT



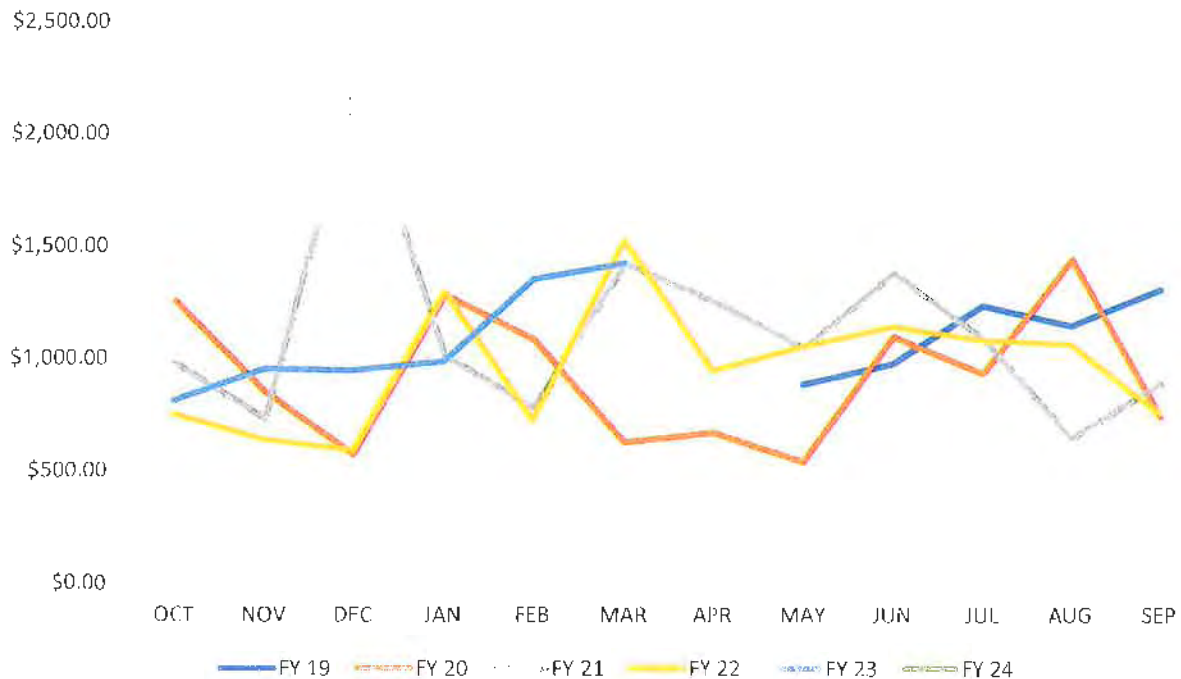


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## STATE SURCHARGE PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT		\$1,247.45	\$973.01	\$747.36	\$808.73	
NOV		\$845.65	\$729.40	\$635.64	\$947.61	
DEC		\$569.37	\$2,225.95	\$589.14	\$941.33	
JAN		\$1,277.63	\$1,006.45	\$1,293.24	\$983.02	
FEB		\$1,079.31	\$776.87	\$721.09	\$1,347.87	
MAR		\$623.46	\$1,417.90	\$1,521.83	\$1,418.94	
APR		\$666.54	\$1,250.09	\$943.11		
MAY	\$881.45	\$537.83	\$1,043.38	\$1,049.80		
JUN	\$972.50	\$1,093.02	\$1,378.01	\$1,139.84		
JUL	\$1,230.25	\$928.44	\$1,085.45	\$1,078.15		
AUG	\$1,141.48	\$1,437.49	\$642.86	\$1,061.67		
SEP	\$1,303.66	\$740.55	\$887.71	\$753.23		
<b>TOTAL</b>	<b>\$5,529.34</b>	<b>\$11,046.74</b>	<b>\$13,417.08</b>	<b>\$11,534.10</b>	<b>\$6,447.50</b>	<b>\$0.00</b>

## STATE SURCHARGE PERMIT FEE REPORT



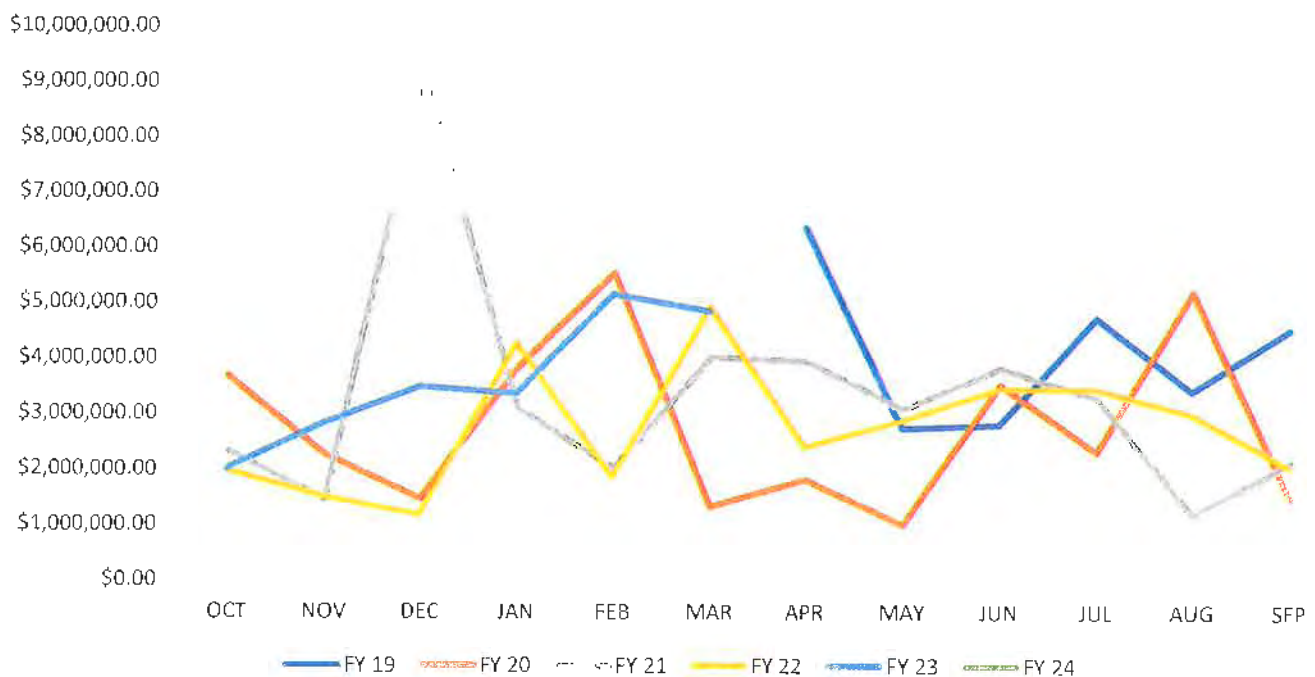


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## ALTERATION COST

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT		\$3,657,414.56	\$2,313,298.53	\$1,961,462.00	\$1,989,945.24	
NOV		\$2,242,421.52	\$1,440,841.88	\$1,490,891.09	\$2,807,970.23	
DEC		\$1,449,915.40	\$9,160,479.89	\$1,165,362.58	\$3,462,997.96	
JAN		\$3,789,363.81	\$3,088,758.57	\$4,239,155.17	\$3,341,701.62	
FEB		\$5,519,900.00	\$2,010,259.40	\$1,847,029.62	\$5,140,584.42	
MAR		\$1,321,570.04	\$4,010,607.80	\$4,906,297.30	\$4,826,782.10	
APR	\$6,338,617.35	\$1,803,157.19	\$3,939,394.49	\$2,392,827.18		
MAY	\$2,731,410.75	\$1,003,140.58	\$3,080,108.00	\$2,874,220.30		
JUN	\$2,792,442.43	\$3,519,844.50	\$3,807,580.85	\$3,445,719.17		
JUL	\$4,717,293.00	\$2,300,478.87	\$3,279,350.11	\$3,436,811.93		
AUG	\$3,393,250.74	\$5,175,949.96	\$1,182,881.00	\$2,982,874.58		
SEP	\$4,502,737.63	\$1,475,857.57	\$2,123,077.05	\$2,038,273.27		
TOTAL	\$24,475,751.90	\$33,259,014.00	\$39,436,637.57	\$32,780,924.19	\$21,569,981.57	\$0.00

## ALTERATION COST



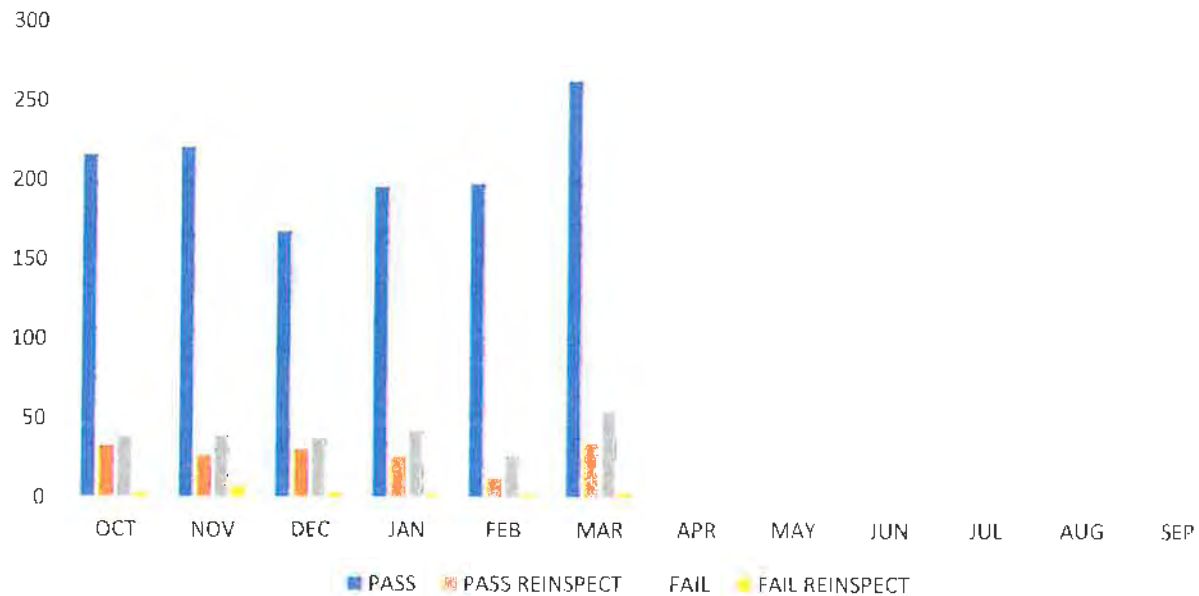


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## FY 23 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	215	32	38	3
NOV	220	26	39	7
DEC	167	30	37	3
JAN	195	25	42	2
FEB	197	12	26	2
MAR	262	34	54	3
APR				
MAY				
JUN				
JUL				
AUG				
SEP				
<b>TOTAL</b>	<b>1256</b>	<b>159</b>	<b>236</b>	<b>20</b>

## FY 23 INSPECTION RESULTS





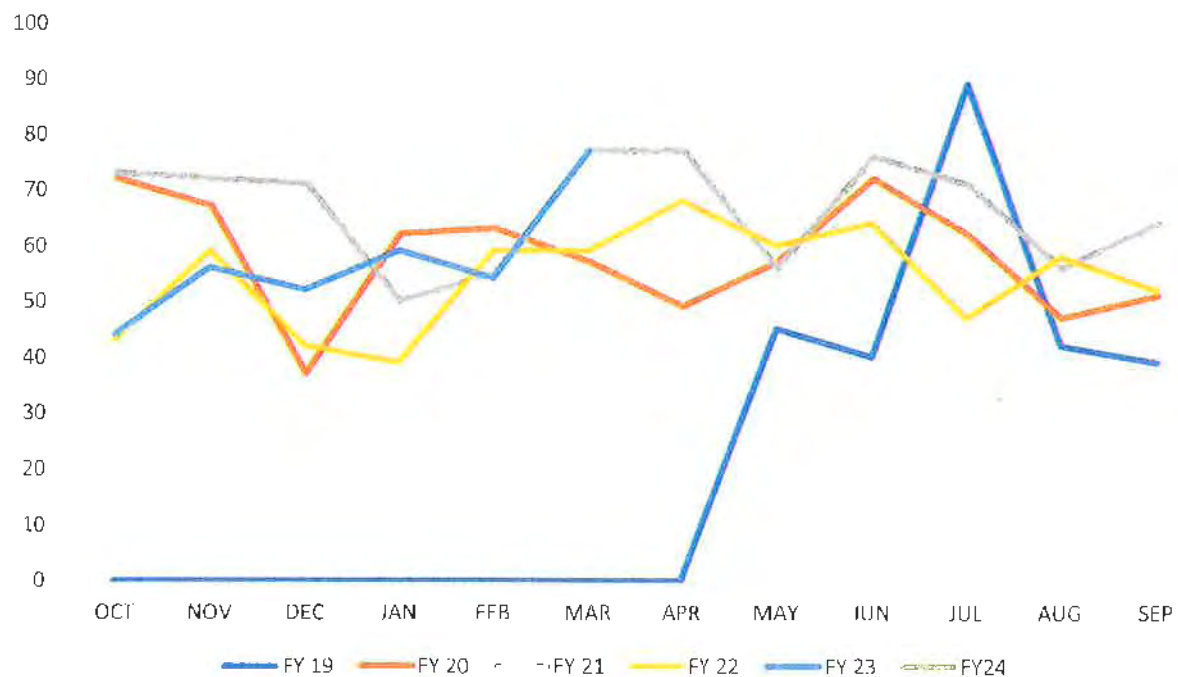


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## # OF PLAN REVIEW ACTIVITIES PERFORMED BY THE BUILDING DEPARTMENT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY24
OCT	0	72	73	43	44	
NOV	0	67	72	59	56	
DEC	0	37	71	42	52	
JAN	0	62	50	39	59	
FEB	0	63	55	59	54	
MAR	0	57	77	59	77	
APR	0	49	77	68		
MAY	45	57	56	60		
JUN	40	72	76	64		
JUL	89	62	71	47		
AUG	42	47	56	58		
SEP	39	51	64	52		
<b>TOTAL</b>	<b>255</b>	<b>696</b>	<b>798</b>	<b>650</b>	<b>342</b>	<b>0</b>

## # OF PLAN REVIEW ACTIVITIES





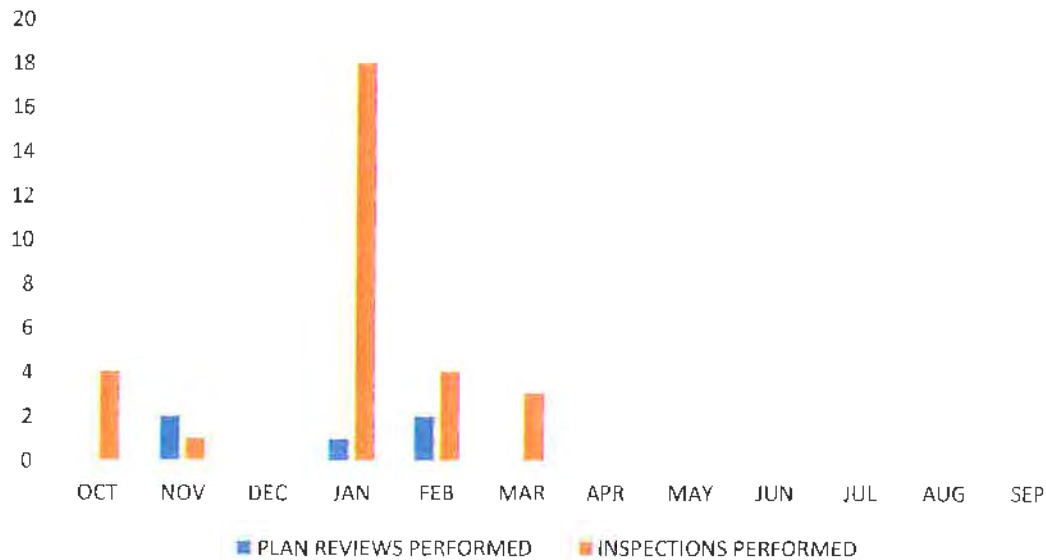


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## PRIVATE PROVIDER PLAN REVIEW AND INSEPECTIONS PERFORMED IN FY 23

	PLAN REVIEWS PERFORMED	INSEPECTIONS PERFORMED
OCT	0	4
NOV	2	1
DEC	0	0
JAN	1	18
FEB	2	4
MAR	0	3
APR		
MAY		
JUN		
JUL		
AUG		
SEP		
TOTAL	5	30

## PRIVATE PROVIDER PLAN REVIEW AND INSPECTIONS FY23



Range: First to Last  
Violation Date Range: 10/01/22 to 04/14/23  
Ordinance Id Range: First to Last  
Use Type Range: First to Last  
User Code Range: First to Last  
Open: Y  
Completed: Y  
Void: N  
Pending: Y

Customer Range: First to Last Inc Violations With Waived Fines: Yes

Violation Id: V2300001 Prop Loc: 3930 A1A SOUTH  
Viol Date: 12/05/22 Status: Completed Status Date: 01/19/23 Comp Name:  
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: work without permits, Also covered up work before inspection.

Created	Modified	Note
01/19/23	01/19/23	Permits issued and work has recommenced
12/05/22	12/05/22	Building Official Brian Law noticed upon inspection that work had been done without issuance of permit. The work in question was attempted to be covered up before inspection. <del>-Stop Work Order posted.</del>

Violation Id: V2300002 Prop Loc: 15 B ST  
Viol Date: 01/05/23 Status: Completed Status Date: 01/06/23 Comp Name: joanne carlson  
Comp Phone: Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Debris and rubbish in front yard.  
(paint cans, water heater, fencing)

Created	Modified	Note
01/05/23	01/05/23	Mr. Timmons and Mr. Ferris made contact with the tenant on the bottom floor of 15 B St. The tenet put code enforcement in contact with the landlord via cellphone. The owner stated that the debris will be removed in two weeks (1/19/23). Code Enforcement will return to verify.
01/06/23	01/06/23	Owner made contact with code enforcement to state that he had cleaned all the debris off his property.

Violation Id: V2300003 Prop Loc: 1 13TH ST  
Viol Date: 01/09/23 Status: Completed Status Date: 02/02/23  
Comp Name: Michael Longstreet Comp Phone: Comp Email:

Ordinance Id	Description
CC 18-7	Sec. 18-7. - Construction within rights-of-way.

Description: Complaint of a white picket fence constructed within the right of way

Created	Modified	Note
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02/02/23	02/02/23	Fence has been removed from the right of way.
01/26/23	01/26/23	Certified letter sent to owners of the property as a "official notice" to meet compliance.
01/25/23	01/25/23	Owners were emailed about the fence still in non compliance. Additionally, an email advising owners that a certified letter would be mailed out tomorrow giving the owners one week to remove the fence out of the right away. A short time later Code Enforcement received a phone call from Gary, one of the owners father that the fence would be removed out of the right of way by next week.
01/25/23	01/25/23	The fence has not been relocated back to the property of the owner and remains in the right of way. Contact was made with Public Works inquiring if the owner has made any contact in reference to what can be placed in the right of away. Public Works, Russell Adams informed Code Enforcement he has had no contact or communication in regards to this matter.
01/19/23	01/19/23	Owner has agreed to relocate fence to his property or remove completely within 2 weeks.

Violation Id: V2300004	Prop Loc: 331 A1A BEACH BLVD	Status: Completed	Status Date: 02/15/23	Comp Name:
Viol Date: 01/12/23	Comp Phone:	Comp Email:		
<u>Ordinance Id</u>	<u>Description</u>			
FBC 105.1	PERMITS 105.1 Required.			

Description: Foundation for business sign poured without any permit. Stop work order posted at work site.

<u>Created</u>	<u>Modified</u>	<u>Note</u>
02/15/23	02/15/23	Concrete has been removed; case is closed.
01/20/23	01/20/23	Jessica Long EMAIL: regencyinnprojects@gmail.com
01/20/23	01/20/23	01/20/23 Email recieved from Jessica Long with Regency requesting how to move forward with removal of concrete slab and obtaining appropriate permits to proceede. Code Enforcement officer Gil Timmons responded back via email informing concrete slab for unpermitted sign can be removed without a permit, and information on obtaining other permits can be addressed through the City of St. Augustine Beach's Permit Tech, Joseph Fowler.
01/20/23	01/20/23	01/19//23 Received a voice mail from Jessica with the Regency asking to speak with Gil Timmons of Code Enforcement with no other details. Code Enforcement Officer Gil Timmons returned the call with no contact and left a message on Jessica's voicemail advising he was attempting to return her call and for her to call back.
01/12/23	01/12/23	On 01/12/2023, Building Official Brian Law observed workers at 331 A1A Beach Blvd. pouring a concrete footer for a business sign. Code Enforcment was notified and found that no permit for this work was obtained. A stop work order was posted by Code Enforcement at the jobsite, and contact was made with an employee of the business. The employee advised she would get in touch with the owner to inform him. A short time later, the owner/representative of the business arrived at the Building Department to inquire on what was needed to continue with the work.
		Danny,
		Phone: 904-347-1525

Email: DANNYBH@GMAIL.COM

Additional Information:

Axesigns

16921 Via de Santa Fe  
Suit C Rancho Santa Fe, Ca 92067

858-699-7011 - Vaz (president)  
johnathon@axesigns.com - (727)510-7031

Florida Reps:  
joe@axesigns.com - (561)603-1376  
christine@axesigns.com - (407)709-8337

Violation Id: V2300005      Prop Loc: 212 3RD ST  
Viol Date: 01/17/23      Status: Completed      Status Date: 01/19/23      Comp Name: Beach PD  
Comp Phone:      Comp Email:

Ordinance Id	Description
CC 19-37	Sec. 19-37. - Prohibiting the parking of tractor trailers, other large trucks and recreational vehicles on or within the right-of-way of city streets and within residentially zoned areas.

Description: Recieved a complaint from the St. Augustine Beach Police Department in reference to someone living in an RV in the right of way on 3rd Street.

Created	Modified	Note
01/19/23	01/19/23	Code Enforcement followed up this and the RV is now out of the right way and in the drive way.
01/17/23	01/17/23	A complaint from the St. Augustine Beach Police Department was recieved on 01/17/23 in reference to someone living in an RV at the end of 3rd Street. Code Enforcement checked out the complaint and area and did find a an RV at the west end of 3rd street parked in the right of way. Upon knocking on the RV door, Code Enforcement observed a warning from the St. Augustine Beach Police Department wedged in the door of the RV. Code Enforcement then made contact with the resident of 212 3rd Street who advised this was their RV that had been parked at the end of the street while work was being performed on the RV. The redident informed Code Enforcement they would have the RV moved back to their driveway by tomorrow.

Violation Id: v2300006      Prop Loc: 114 C ST  
Viol Date: 01/18/23      Status: Completed      Status Date: 03/23/23      Comp Name: Craig Thomson  
Comp Phone:      Comp Email: craigthomsonaa@mac.com

Ordinance Id	Description
CC 18-7	Sec. 18-7. - Construction within rights-of-way.

Description: Recieved a complaint about a driveway width exceeding 18 feet.

Created	Modified	Note
03/23/23	03/23/23	Pavers removed and right-of-way permit obtained through Public Works for the driveway. Case closed out.

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02/09/23	02/09/23	Certified letter sent to owner of property to remove pavers in rights-of-way by 03/23/2023 or obtain a rights-of-way permit from Public Works by 03/23/2023.
01/18/23	01/18/23	Code Enforcement received a complaint in reference to a driveway on 114 C Street in regards to the width of the driveway. Upon inspection of the driveway Code Enforcement found no permit was obtained for the driveway. The width of the driveway is in question due to no permit being pulled or the approval of Public Work. A door knock requesting contact with Code Enforcement was placed on the front door of the residence.

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Violation Id: V2300007      Prop Loc: 16 EWING ST  
Viol Date: 01/18/23      Status: Completed      Status Date: 02/09/23      Comp Name: Kayla Polk  
Comp Phone: (813)394-8562      Comp Email: kaylapolk10@gmail.com

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Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

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Description: Complaint recieved about a possible illegal vacation rental.

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Created	Modified	Note
02/09/23	02/09/23	Owner has complied with obtaining all necessary permits, inspections, and license. Case closed out.
01/23/23	01/23/23	Received confirmation of certified letter sent to Ms. Maza.
01/19/23	01/19/23	Contact with the property management group (Lipsy Maza). Contact information: e-mail: Lipsydm@gmail.com Phone: +1(305)992-6699. Paperwork for short-term rental has been e-mailed. Ms. Maza has been made aware of required parameters concerning the airBnB listing.
01/18/23	01/18/23	Complaint was received regarding Code Enforcement to look into an illegal transient rental at 16 Ewing Street. Upon arrival Code Enforcement spoke to the tenants who advised they were renting the residence for thirty-plus days. A search for a transient rental/short term rental permit showed no results. Further investigation found the air bnb listing as seen in attachments. Certified letter of cease and desist was sent out 01/18/23.

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Violation Id: V2300008      Prop Loc: 378 A1A BEACH BLVD  
Viol Date: 01/18/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

---

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

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Description: Vending machine with no permits or site plans.

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Created	Modified	Note
03/22/23	03/22/23	Certified letter sent for notice to appear for 04/26/23 code board.
03/08/23	03/08/23	Email received from ice maker owner informing Code Enforcement he is working on getting the ice maker moved.
02/22/23	02/22/23	Code Enforcement G. Timmons sent owner information on compliance process on 02/21/2023 after

owner reached out for additional information.

02/17/23 02/17/23 Owner came into the Building Department to obtain information on getting proper permits to move ice vending machine. Spoke with Code Enforcement and Permit Tech.

02/07/23 02/07/23 Certified letter sent instructing owner to remove ice maker or relocate with proper permits.

01/19/23 01/19/23 Code Enforcement spoke to the person responsible for the ice vending unit. Email: blsutch831@gmail.com Phone: +1(516)650-4376. Information has been passed to the building department to insure unit is brought into compliance.

01/18/23 01/18/23 Code Enforcement received information from the Building Official on 01/18/23 in reference to an ice maker/vending machine installed in the parking lot of Rita's Ice/Antonio's Pizza. Code Enforcement went to the location and found the ice maker/vending machine in the south west corner of the business parking lot. The ice maker/vending machine is on a poured concrete slab with electric and water installed to the machine. An Employee at the counter of Antonio's Pizza informed Code Enforcement that the owner of the property had the ice maker/vending machine installed. A search of permits revealed a Business Tax Receipt was issued for the machine; however, no other permits were issued for the electric, water or site plan.

violation Id: v2300009 Prop Loc: 430 A1A BEACH BLVD  
Viol Date: 01/24/23 Status: Open Comp Name: Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Sign is over twelve feet in height which is not compliant with city code. (Hampton Inn)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/24/23	01/24/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is not in compliance with the city code of St. Augustine Beach. Compliance must be met by 08/01/23.

Violation Id: v2300010 Prop Loc: 331 A1A BEACH BLVD  
Viol Date: 01/24/23 Status: Open Comp Name: Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not compliance with code.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/24/23	01/24/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign on property is not in compliance with the city of code of St. Augustine Beach and must be in compliance by 08/01/23.

Violation Id: V2300011      Prop Loc: 461 A1A BEACH BLVD  
Viol Date: 01/24/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is not in compliance with code. (Mayday)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/24/23	01/24/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign has until 08/01/23 to be compliance with code.

Violation Id: V2300012      Prop Loc: 860 A1A BEACH BLVD  
Viol Date: 01/25/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Pool resurfacing with out permit.

Created	Modified	Note
01/27/23	01/27/23	Building Permit/Clearance Sheet Application received for review.
01/25/23	01/25/23	Code Enforcement was notified by the Building Official of the possibility of the pool at Guy Harvey Resort being resurfaced without a permit. Code Enforcement made contact with a worker who put him in touch with his foreman via phone. Jose, the foreman advised Code Enforcement that the owner of the resurfacing/paver company was aware of getting the proper permits. Jose

provided the following email to make contact with his boss. (mgarcia@vermon.com)

Violation Id: v2300013      Prop Loc: 18 A ST  
Viol Date: 01/26/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Pit Surf Shop/Stir It Up: Business signs not in compliance.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1, 2023.

violation Id: v2300014      Prop Loc: 15 1ST ST  
viol Date: 01/26/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. This is Anastasia Vet.

Created	Modified	Note
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1, 2023.

Violation Id: v2300015      Prop Loc: 741 A1A BEACH BLVD  
Viol Date: 01/26/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.



Description: Business sign not in compliance with city code. (Sunshine Realty)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300016      Prop Loc: 770 A1A BEACH BLVD  
Viol Date: 01/26/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. (Tasa)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300017      Prop Loc: 541 A1A BEACH BLVD  
Viol Date: 01/26/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. (Best Western)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/26/23 01/26/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: v2300018 Prop Loc: 770 A1A BEACH BLVD  
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. (Sea Forest Design)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/26/23 01/26/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: v2300019 Prop Loc: 818 A1A BEACH BLVD  
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance. (Fiesta Falls)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/26/23 01/26/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their

supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: V2300020      Prop Loc: 1097 A1A BEACH BLVD  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign for community shopping center does not comply with city code. (Anastasia Plaza)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be meet compliance with city code prior to or by August 1st, 2023.

Violation Id: V2300021      Prop Loc: 1115 A1A BEACH BLVD  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Circle K business sign is not in compliance with city code.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

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Violation Id: V2300022      Prop Loc: 1115 A1A BEACH BLVD  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

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Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign for Dunkin Donuts does not meet compliance with city code.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign for Dunkin Donuts is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

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Violation Id: V2300023      Prop Loc: 3955 A1A S  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

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Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign is over twelve feet in height which is out of compliance with city code.  
(Americas Best Value Inn)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet city code prior to or by August 1st, 2023.

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Violation Id: V2300024      Prop Loc: 4001 A1A S  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

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Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign over twelve feet in height which is out of compliance with city code.  
(Island Prep School)

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Created	Modified	Note
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height which is out of compliance and must be brought into compliance prior to or by August 1st, 2023.

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violation Id: v2300025      Prop Loc: 4100 A1A S  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

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Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign is over twelve feet in height which is out of compliance with city code. (  
Sandpiper Plaza)

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Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance with city code prior to or by August 1st, 2023.

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Violation Id: v2300026      Prop Loc: 3970 A1A S  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

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Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign is over twelve feet in height which is out of compliance with city code.

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Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

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Violation Id: V2300027      Prop Loc: 3942 A1A S  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

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Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign/s for this property 3942-3950 are over twelve feet in height. (Coastal Rental Property)

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Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign/s for Coastal Rental Property, 3942-3950 A1A S are over twelve feet in height. Compliance must be met prior to or by August 1st, 2023.

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Violation Id: V2300028      Prop Loc: 3175 A1A S  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

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Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign over twelve feet in height.

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Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

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01/27/23 01/27/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Watson Realty business sign is over twelve feet in height and must be brought into city code compliance prior to or by August 1st, 2023.

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Violation Id: V2300029 Prop Loc: 2060 A1A S  
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: Business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/27/23 01/27/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet city code prior to or by August 1st, 2023.

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Violation Id: V2300030 Prop Loc: 2010 A1A S  
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

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Description: 711 Store sign is over twelve feet in height.

Created	Modified	Note
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with

surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

Violation Id: v2300031      Prop Loc: 2040 A1A S  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Wendy's business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: v2300032      Prop Loc: 421 A1A BEACH BLVD  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Sunset Grille business sign over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet and will need to meet compliance prior to or by August 1st, 2023.

Violation Id: v2300033      Prop Loc: 4000 A1A SOUTH  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:



Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Oasis Restaurant business sign for parking lot is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign in parking lot is over twelve feet in height and must meet city code compliance prior to or by August 1st, 2023.

Violation Id: V2300034      Prop Loc: 590 A1A BEACH BLVD  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Obies Filling Station business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300035      Prop Loc: 1005 POPE RD  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Andy's Taylor Rental business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300036      Prop Loc: 303 A1A BEACH BLVD  
Viol Date: 01/27/23      Status: Open      Comp Name:      Comp Phone:  
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is over twelve feet in height. (Little Margies Cafe)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and will need to meet compliance prior to or by August 1st, 2023.

Violation Id: V2300037      Prop Loc: 677 OCEAN PALM WAY  
Viol Date: 01/27/23      Status: Completed      Status Date: 02/01/23  
Comp Name: Marshall Shenieder      Comp Phone:      Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Footer poured without permits.

Created	Modified	Note
02/01/23	02/01/23	Wall is completed and is under six foot in height which will not require a permit.

01/31/23	01/31/23	Complaint investigated and found there was a masonry wall on the back side of the property by the shared driveway which appeared to be new and not completed. A contractor was on site installing some cabinets and informed Code Enforcement the owner was not present, but he would inform the owner to make contact with the Building Department to obtain a permit. The contractor further explained the wall was new.
01/27/23	01/30/23	Received verbal complaint from Code Board Member Marshal Shneider in reference to a footer being poured without permits at 677 Ocean Palm Way. Electrical permit is the only active permit at this time. Inspection scheduled for Monday morning to investigate complaint.

Violation Id: V2300038	Prop Loc: 119 13TH ST	Status Date: 03/17/23	Comp Name: George Cole
Viol Date: 02/06/23	Status: Completed		
Comp Phone:	Comp Email:		

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Care of premises.

Created	Modified	Note
03/17/23	03/17/23	Owner has removed vehicles and rubbish from front yard.
03/06/23	03/06/23	Recieved call from owner Mr. Garrett confirming he received the certified mail. 251-377-0731
02/28/23	02/28/23	Certified letter sent to meet compliance by 03/14/2023.
02/27/23	02/27/23	Home owner called and advised he needs a couple weeks to get the vehicles removed and clean up the rubbish in the yard. This is the first attempt/contact owner has made with Code Enforcement. Home owner was informed a certified letter will be mailed out giving him an additional two weeks to be in compliance with code. Compliance date is now 03/14/2023.
02/06/23	02/06/23	The front yard of this property has two vehicles without license plates with one vehicle having some small kitchen appliances laying behind the vehicle. From the street, a van can be seen on the side of the house that appears to have not moved in a long time with rubbish on both sides of the van. A door hanger with the code violation and contact information was placed on the front door with a compliance date of 02/28/23.

Violation Id: V2300039	Prop Loc: 807 MICKLER BLVD	Status Date: 03/01/23	Comp Name:
Viol Date: 02/09/23	Status: Completed		
Comp Phone:	Comp Email:		

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Masonry wall ovr 6' without permits.

Created	Modified	Note
03/01/23	03/01/23	Permits applied and paid for; case closed out.
02/23/23	02/23/23	Awaiting permit/s to be paid; plans have been approved.
02/14/23	02/14/23	Owner came by the Building Department to discuss what he needed to do to be in compliance.

Owner was informed to obtain the proper permit/s and follow through. This took place on 02/13/2023.

02/09/23 02/09/23 Certified letter sent to owner to obtain proper permit/s by 03/01/2023 or removal of masonry fence by 03/01/2023.

02/09/23 02/09/23 Masonry fence constructed over 6' without obtain permit/s.

violation Id: V2300040 Prop Loc: 351 A1A BEACH BLVD  
Viol Date: 02/17/23 Status: Completed Status Date: 02/21/23  
Comp Name: St. Augustine Beach PD Comp Phone: Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Employee of Circle K living in vehicle on back side of store. Vehicle does not have a valid license plate displayed.

Created	Modified	Note
02/21/23	02/21/23	Vehicle and individual living in car behind Circle K are no longer on the property.
02/21/23	02/21/23	Vehicle does not have a valid license plate displayed.
02/17/23	02/17/23	Received an email and pictures from St. Augustine Beach Police Department in reference to an employee of the Circle K Store living in a vehicle on the back side of the store.

violation Id: V2300041 Prop Loc: 202 AZALEA AVE  
Viol Date: 02/17/23 Status: Open Comp Name: Building Official  
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Building shed without a permit.

Created	Modified	Note
03/22/23	03/22/23	Certified letter sent for notice to appear for 04/26/23 code board.
02/22/23	02/22/23	Since the Stop Work Order, work has continued on the shed.
02/21/23	02/22/23	Home owner came by the Building Department to obtain additional information and ask some more questions as to what he needed. He also apologized for his wife's actions towards staff on 02/17/23.
02/17/23	02/22/23	Home owners came by the building department to complain about the Stop work Order and were rude towards Building Department Staff. Building and Zoning along with the permit tech explained what was needed and provided appropriate paper work to the home owners.
02/17/23	02/17/23	The Building Official informed Code Enforcement of the construction of a shed which could be seen from 11th Street. Upon Code Enforcement investigating this, the shed's location was determined to be at 202 Azalea Ave. A review of open building permit/s for this address revealed there was no permit/s obtained for the shed. A stop work order was posted on the shed.

with literature explaining the violation. Contact with the owner of the property and/or builder yielded negative results, and a Code Enforcement business card was left at the door.

Violation Id: V2300042      Prop Loc: 213 B ST  
Viol Date: 02/21/23      Status: Completed      Status Date: 04/06/23      Comp Name: Gene Bryan  
Comp Phone: (904)501-3226      Comp Email: geno607@yahoo.com

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Care of premises

Created	Modified	Note
04/06/23	04/06/23	Case closed out; home owner has continued to keep construction equipment off porch and front yard. No other complaints have been received about the lights as it appears they are angled down away from neighbors residence.
02/21/23	02/21/23	Code Enforcement made contact with the home owner who advised us he would bring the ladder and construction material in the house in the next few days. Only one security light was working while Code Enforcement was on site, and the security light was angled in a downward position. The other lights were also in a downward position and appeared to be older. Home owner informed us the other lights did not work. Code Enforcement will return in a few days to see if ladder and construction equipment is put away.
02/21/23	02/21/23	Complainant also thinks the outside security lighting is too bright. Complainant advised to contact the local Police Department to check the brightness of the security light/s.
02/21/23	02/21/23	Complaint recieved regarding construction material being stored on the front porch of 213 B Street.

Violation Id: V2300043      Prop Loc: 135 13TH ST  
Viol Date: 02/21/23      Status: Completed      Status Date: 02/21/23      Comp Name: Sean wells  
Comp Phone: (904)568-1656      Comp Email:

Ordinance Id	Description
9.02.10	Sec. 9.02.10. - Noise - Land Development

Description: Barking dog complaint.

Created	Modified	Note
02/21/23	02/21/23	Code Enforcement followed up on the alleged barking dog complaint for the address of 135 13th Street received through the RSS. Contact was made with the home owner, and a copy of the City Code regarding noise/barking dogs was provided to the home owner. Home owner informed us that the Saint Augustine Beach Police and St. Johns County Animal Control have also visited him. Complainant was informed via email on contacting the Saint Augustine Beach Police as they would be available after hours and have the proper equipment to measure noise allegedly caused by barking dog.

Violation Id: V2300044      Prop Loc: 204 9TH ST  
Viol Date: 02/21/23      Status: Completed      Status Date: 03/23/23  
Comp Name: Code Enforcement      Comp Phone:      Comp Email:

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Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

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Description: Work without permits.

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Created	Modified	Note
03/23/23	03/23/23	Permits paid and case closed out.
03/22/23	03/22/23	Certified letter sent for notice to appear for 04/26/23 code board.
03/02/23	03/02/23	Contractor came in to speak with Building Official about permits.
02/23/23	02/23/23	Certified letter sent to owner to obtain permits on or before 03/22/23.
02/23/23	02/23/23	Representative from MATO Construction Company obtained information and paper work from Building Department's Permit Tech on this date.
02/21/23	02/21/23	Code Enforcement observed building materials in the front and side of this residence to include the installation of new siding and stairs. A stop work order was issued.

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Violation Id: V2300045	Prop Loc: 510 A1A BEACH BLVD		
Viol Date: 02/22/23	Status: Completed	Status Date: 02/24/23	Comp Name: Eddie Darcel
Comp Phone: (904)495-5241	Comp Email: eddiedarcel@gmail.com		

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Ordinance Id	Description
CC 13-4	Sleeping in Public Places or Vehicles Prohibited

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Description: Transient living and sleeping in vehicles.

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Created	Modified	Note
02/24/23	02/24/23	10TH Street Park/Parking lot has been monitored for the last few day, and no evidence of homeless people sleeping in their vehicles was found. Case closed out, but will continue to monitor.
02/22/23	02/22/23	Received a complaint through the RSS in reference to homeless people sleeping in their vehicles at the 10th Street park.

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Violation Id: V2300046	Prop Loc: 205 7TH ST		
Viol Date: 02/24/23	Status: Completed	Status Date: 03/15/23	Comp Email:
Comp Name: Code Enforcement	Comp Phone:		

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Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

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Description: Expired permits.

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Created	Modified	Note
03/15/23	03/15/23	Permits paid and submitted; case closed.
02/24/23	02/24/23	certified letter sent to home owner to comply on or before 03/24/23.

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02/24/23	02/24/23	Contractor from the construction company came by the Building Department on 02/23/23 to obtain forms for the permits.
02/24/23	02/24/23	Residence permits have expired over 6 months.

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Violation Id: V2300047	Prop Loc: 124 KINGS QUARRY LN	Status Date: 04/13/23	Comp Email:
Viol Date: 02/28/23	Status: Completed	Comp Phone:	
Comp Name: Code Enforcement			

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: No permits on record for work completed.

Created	Modified	Note
04/13/23	04/13/23	Permits have been satisfied; case closed out.
03/22/23	03/22/23	Owner contacted permit tech and is the process of taking care of permit violation/s.
03/08/23	03/08/23	Certified letter returned with signature. Additionally, residence has a newer deck at the rear of the house as shown in picture taken from the street.
02/28/23	02/28/23	Certified letter sent to home owner; compliance on obtaining permit/s on or before 03/28/2023.
02/28/23	02/28/23	While following up on other code cases, Code Enforcement noticed a newer deck and stairs at the residence of 124 Kings Quarry LN. A check of the Building Departments MCSJ revealed no permits have been obtained for this work.

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Violation Id: V2300048	Prop Loc: 860 A1A BEACH BLVD	Status Date: 02/28/23	Comp Email:
Viol Date: 02/28/23	Status: Completed	Comp Phone:	
Comp Name: Building Dept. Permit Tech.			

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Permit not pulled for work.

Created	Modified	Note
02/28/23	02/28/23	Building Dept. Permit Tech. notified Code Enforcement of a permit not pulled for mechanical work that was completed. Permit has now been obtained and double fees applied. Case closed out.

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Violation Id: V2300049	Prop Loc: 351 A1A BEACH BLVD	Comp Name: Building official/Code Enforcement
Viol Date: 03/02/23	Status: Open	
Comp Phone:	Comp Email:	

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: No permit obtained for work. This is Circle K.

Created	Modified	Note
03/16/23	03/16/23	Permits picked up to be completed by the window contractor.
03/09/23	03/09/23	Certified letter sent to owner of Circle K to obtain permit/s.
03/02/23	03/02/23	Hand delivered letter to obtain permit/s for work completed.
03/02/23	03/02/23	Front glass doors of store replaced without obtaining permit/s for the work.

Violation Id: V2300050      Prop Loc: 131 15TH ST  
Viol Date: 03/06/23      Status: Open      Comp Name: Code Enforcement  
Comp Phone:      Comp Email:

Ordinance Id	Description
SEC.5.00.00	Removal of Trees

Description: Removal of tree/s without permit/s. Tree in right of way was also removed.

Created	Modified	Note
04/10/23	04/10/23	Building Official had a meeting with property owner to discuss options to help off set cost of fines.
03/06/23	03/06/23	Tree in the right of way was also removed without approval or permit/s.
03/06/23	03/06/23	On 03/03/2023, Code Enforcement observed two landscaping workers cutting the remains of a tree/s that had been cut down. A search of permits yielded negative results for this address in removing any trees.

Violation Id: v2300051      Prop Loc: 202 6TH ST  
Viol Date: 03/08/23      Status: Open      Comp Name: Code Enforcement  
Comp Phone:      Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Working without permit/s.

Created	Modified	Note
04/04/23	04/04/23	Owner advised a plumber has been scheduled to come to the residence in the next day or two, and owner is trying to have everything completed in the next week or two. Owner advised to keep Code Enforcement up to date on progress.
03/22/23	03/22/23	Owner Amy Ferris called permit tech and was instructed on what needs to be obtained. Owner advised she will most likely get a contractor and obtain permits.
03/08/23	03/08/23	Owner called and advised he will come by to obtain permit/s.
03/08/23	03/08/23	Stop work order and business card given to tenant (Jordon) who advised he will get with the owner.



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03/08/23 03/08/23 A bathtub and drywall was observed in the yard of this residence which prompted a review of permits pulled. A search of permits pulled for this residence revealed no current permit/s.

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Violation Id: V2300052 Prop Loc: 2040 A1A S  
Viol Date: 03/13/23 Status: Open Comp Name: Code Enforcement  
Comp Phone: Comp Email:

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Ordinance Id	Description
8.00.10.	Nonconforming signs.

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Description: Discontinued business sign.

Created	Modified	Note
03/13/23	03/13/23	Certified letter addressing sign to be removed by or before 04/10/23.
03/13/23	03/13/23	Certified letter sent requesting removal of previous Wendy's fast food sign. Establishment has been closed/vacant for several months.

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Violation Id: V2300053 Prop Loc: 931 A1A BEACH BLVD UNIT 104  
Viol Date: 03/13/23 Status: Completed Status Date: 03/23/23  
Comp Name: Lois Lynn Levell-Troyer Comp Phone: (208)880-5989  
Comp Email: ridingmytrek@rocketmail.com

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Ordinance Id	Description
IMPC 504.3	Plumbing and system hazards

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Description: Condominium unit above complaintant allegedly leaking down through the ceiling.

Created	Modified	Note
03/23/23	03/23/23	Homeowner has stated that the leak has been repaired.
03/13/23	03/13/23	Complaint received from owner of condominium 931 A1A Beach Blvd. Unit 103 advising that her neighbor above her at 931 A1A Beach Blvd. Unit 104 allegedly has a leak that is coming through her ceiling causing damage and the neighbor will not repair the leak.

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Violation Id: V2300054 Prop Loc: 1097 A1A BEACH BLVD  
Viol Date: 03/15/23 Status: Open Comp Name: Elyse Brady Comp Phone:  
Comp Email:

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Ordinance Id	Description
14-2	Sec. 14-2. - weeds, trash, and unsanitary matter.

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Description: Trash outside of dumpster.

Created	Modified	Note
03/15/23	03/15/23	St. Augustine Beach City Manager received a complaint via email from a resident living near Anastasia Plaza in regards to the large amounts of trash outside of the dumpsters used for the businesses at Anastasia Plaza.

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Violation Id: V2300055      Prop Loc: 64 ATLANTIC OAKS CIR  
Viol Date: 03/16/23      Status: Pending      Comp Name: Building Inspector  
Comp Phone:      Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Working without permit/s.

Created	Modified	Note
03/17/23	03/17/23	Case is pending and will be monitored. Just for reference a Owens Stucco Repair Truck was at the residence this morning.
03/16/23	03/16/23	Pictures were taken of a toilet in the dumpster which can be seeing driving up to the residence. There also appears to be another toilet in the dumpster and one vanity next to the dumpster.
03/16/23	03/16/23	Approximately 3:44 p.m., Code Enforcement arrived back at the building department. At this time, Code Enforcement received a phone call from a person claiming to be the home owner of 64 Atlantic Oaks Circle. The home owner advised he is a Vet overseas and was calling us because his wife said we left a card. I explained we had some questions about possible plumbing work being performed without permits. The home owner at this point became upset and advised they were only replacing a fence and didnt like being accused of something he didnt do. I tried to explain we were only seeking to find out if plumbing work was being performed and if there was a contractor. The home owner was very upset and stated that he did not like being accused of something he did not do. I tried to explain to the home owner we received a complaint and were only trying to investigate. The home owner continued to be rude and cut me off and accuse me of harrassing. I could not get a word in to explain or defuse his irrational behavior. I then terminated the call by saying have a good day.
03/16/23	03/16/23	Building Inspector G. Brown informed Code Enforcement of a dumpster outside of 64 Atlantic Oaks Circle Unit B with a toilet in the dumpster. A search of permits for this address had negative results. Code Enforcement went to the address approximately 3:30 p.m. to investigate and visibly saw from the road a toilet sitting in the dumpster. An attempt to contact the owner or possible contractor was made by knocking on the door. There was no answer at the door so a business car was left on the door to contact us.

Violation Id: V2300056      Prop Loc: 213 9TH ST UNIT A  
Viol Date: 03/23/23      Status: Completed      Status Date: 04/13/23      Comp Name:  
Comp Phone:      Comp Email:

Ordinance Id	Description
INVESTIGATION	

Description: Outside claim.

Created	Modified	Note
04/13/23	04/13/23	Due to a variance given in 1988. Permits were not required for the addition on the rear of the house. -See attachment
03/23/23	03/23/23	Outside investigation to gather past information on residence.

Violation Id: V2300057      Prop Loc: 3950 A1A S  
Viol Date: 04/03/23      Status: Completed      Status Date: 04/13/23      Comp Name: Douglas Badin  
Comp Phone: (561)376-9081      Comp Email:

Ordinance Id      Description  
INVESTIGATION

Description: Alleged illicit discharge.

Created	Modified	Note
04/13/23	04/13/23	Due to rain the night of, evidence of leaves has been washed away
04/03/23	04/03/23	Written complaint received on City of St. Augustine Beach's Citizen Complaint Form in regards to leaves being blown into AIA by a landscaping company possibly hired by Coastal Realty Property Management. Code Enforcement will investigate and monitor the complaint to gather information and evidence.

Violation Id: V2300058      Prop Loc: 312 B ST  
Viol Date: 04/05/23      Status: Completed      Status Date: 04/05/23      Comp Name: Mick Orlando  
Comp Phone: (904)326-9300      Comp Email:

Ordinance Id      Description  
CC 6.02.03      Sec. 6.02.03. - Rights-of-way.

Description: Basket ball pole/hoop in right of way.

Created	Modified	Note
04/05/23	04/05/23	Complaint investigated and monitored on 04/04/23 and 04/05/23. Basketball hoop/pole is in the driveway of residence.

Violation Id: V2300059      Prop Loc: 1 11TH ST  
Viol Date: 04/05/23      Status: Completed      Status Date: 04/12/23      Comp Name: Undine George  
Comp Phone: (904)236-6243      Comp Email: undinec@gmail.com

Ordinance Id      Description  
5.06.00      Protection of dune system.

Description: Pathway constructed through the dunes.

Created	Modified	Note
04/12/23	04/12/23	Case closed out; there is no new construction to indicate this is a new pathway cut through the dunes.
04/05/23	04/05/23	Pathway lined with rocks constructed through the dunes behind residence.

Violation Id: V2300060      Prop Loc: 3950 A1A S  
Viol Date: 04/05/23      Status: Completed      Status Date: 04/13/23      Comp Name: Douglas Badin  
Comp Phone: (561)376-9081      Comp Email:

Ordinance Id      Description

INVESTIGATION

Description: Illicit discharge investigation

Created	Modified	Note
04/13/23	04/13/23	Due to rain the night of, evidence of leaves has been washed away
04/05/23	04/05/23	Allegation currently being monitored to be on site when lawn service returns.
04/05/23	04/05/23	illicit discharge investigation in reference to leaves from lawn service being blown into the street.

Violation Id: V2300061      Prop Loc: 611 BOWERS CT  
Viol Date: 04/10/23      Status: Open      Comp Name: Laura Wright      Comp Phone: (904)315-7919  
Comp Email:

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

Description: Illegal Rental

Created	Modified	Note
04/11/23	04/11/23	Certified letter sent to cease and desist rental.
04/10/23	04/10/23	After following up on a written complaint, it was determined that the residence in question is being used as a rental without being in compliance with the City of St. Augustine Beach City Codes. Residence is not registered as a rental with the City of St. Augustine Beach.

Violation Id: V2300062      Prop Loc: 638 BOWERS CT  
Viol Date: 04/10/23      Status: Open      Comp Name: Laura Wright      Comp Phone: (904)315-7919  
Comp Email:

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

Description: Illegal Rental

Created	Modified	Note
04/11/23	04/11/23	Certified letter sent to cease and desist rental.
04/10/23	04/10/23	After investigating a complaint of an illegal rental at this residence, it was determined the residence in question is operating an illegal rental. Residence is not in compliance with the City of St. Augustine Beach City Code for rentals.

Violation Id: V2300063      Prop Loc: 506 A ST  
Viol Date: 04/10/23      Status: Open      Comp Name: Code Enforcement  
Comp Phone:      Comp Email:

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Ordinance Id	Description
LDR 3.02.03	PROHIBITED USES

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Description: Illegal Rental

Created	Modified	Note
04/11/23	04/11/23	Certified letter sent to cease and desist rental.
04/10/23	04/10/23	while investigating a different illegal rental, Code Enforcement discovered this illegal rental. "A" Street Beach House! Walk to SA Beach! (vrbo.com)

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Violation Id: V2300064      Prop Loc: 413 A ST  
Viol Date: 04/10/23      Status: Open      Comp Name: Code Enforcement  
Comp Phone:      Comp Email:

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Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

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Description: Illegal Rental

Created	Modified	Note
04/10/23	04/10/23	Residence was found on vrbo.com and is not registered with the City of St. Augustine Beach as a rental.

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Violation Id: V2300065      Prop Loc: 212 10TH ST  
Viol Date: 04/10/23      Status: Open      Comp Name: Code Enforcement  
Comp Phone:      Comp Email:

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Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

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Description: Illegal rental

Created	Modified	Note
04/11/23	04/11/23	Certified letter sent to cease and desist rental.
04/10/23	04/10/23	while investigating an illegal transient rental, this illegal transient rental was found on the vrbo.com website. This residence is not within the compliance of the City of St. Augustine Beach's compliance for rentals.

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Violation Id: V2300066      Prop Loc: 201 SEVILLA ST  
Viol Date: 04/11/23      Status: Open      Comp Name: Code Enforcement  
Comp Phone:      Comp Email:

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Ordinance Id	Description
LDR 3.02.03	PROHIBITED USES

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Description: Illegal Rental

Created	Modified	Note
04/11/23	04/11/23	Certified letter sent to cease and desist rental.
04/11/23	04/11/23	while investigating an illegal rental; this residence was found online as rental which is not in compliance with St. Augustine Beach City Code.

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Violation Id: V2300067	Prop Loc: 2 LISBON ST		
Viol Date: 04/11/23	Status: Open	Comp Name: Code Enforcement	
Comp Phone:	Comp Email:		

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Ordinance Id	Description
SEC. 3.02.03	PROHIBITED USE

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Description: Illegal Rental

Created	Modified	Note
04/11/23	04/11/23	Certified letter sent to cease and desist rental.
04/11/23	04/11/23	while investigating an illegal rental, this residence was found to be an illegal rental.

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Violation Id: V2300068	Prop Loc: 317 S OCEAN TRACE RD		
Viol Date: 04/11/23	Status: Open	Comp Name: Permit Tech.	Comp Phone:
Comp Email:			

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Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

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Description: Bathroom Remodel/No Permits

Created	Modified	Note
04/11/23	04/11/23	Stop work Order posted at residence.

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Violation Id: V2300069	Prop Loc: 39 OCEAN CT		
Viol Date: 04/14/23	Status: Open	Comp Name: Jeanne Lindquist	
Comp Phone:	Comp Email:		

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Ordinance Id	Description
INVESTIGATION	

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Description: Fill dirt causing run off onto neighbors property.

Created	Modified	Note
04/14/23	04/14/23	Pictures taken and uploaded of fill dirt. Spoke with Public Works and they will let Code Enforcement know if this is causing or going to cause illicit discharge onto neighbors property.
04/14/23	04/14/23	Received a complaint that the owners of 39 Ocean Ct. are bringing in fill dirt which is altering the run off of storm water.

April 14, 2023  
01:47 PM

CITY OF ST. AUGUSTINE BEACH  
Custom Violation Report by Violation Id

Page No: 30

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## MINUTES

### PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING

TUESDAY, MARCH 21, 2023, 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**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice-Chairperson Chris Pranis, Conner Dowling, Larry Einheuser, Hester Longstreet, Senior Alternate Gary Smith.

BOARD MEMBERS ABSENT: Hulsey Bray, Victor Sarris.

STAFF PRESENT: Building Official Brian Law, City Attorney Jeremiah Blocker, Planner Jennifer Thompson, Recording Secretary Bonnie Miller.

IV. **APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF JANUARY 17, 2023**

**Motion:** to approve the minutes of the January 17, 2023 meeting. **Moved** by Hester Longstreet, **seconded** by Conner Dowling, **passed 6-0** by unanimous voice-vote.

V. **PUBLIC COMMENT**

There was no public comment pertaining to anything not on the agenda.

VI. **NEW BUSINESS**

- A. Request for new construction of an 8-foot-high masonry privacy wall along A1A Beach Boulevard on the west side of Lot 17, Block 9, Chautauqua Beach Subdivision, in a commercial land use district at 14 2<sup>nd</sup> Street, St. Augustine Beach, Florida, 32080, Theo Fotianos, Applicant

Brian Law: We've had a request for a cancellation of this item, with the applicant asking that it be delayed until the Board's meeting next month.

Kevin Kincaid: Okay, so we are then going to start with the next item, Item B, on the agenda.



- B. Land Use Variance File No. VAR 2023-02; for reduction of the minimum 10-foot rear and side yard setback requirements per Seagrove Planned Unit Development (PUD) Ordinance No. 01-15, to 5 feet in the rear and on each side, for proposed new construction of a pool, pool deck, and screen enclosure on Lot 31, Seagrove of St. Augustine Beach Unit 5, at 1020 Saltwater Circle, St. Augustine Beach, Florida, 32080, Carmen Pollitz, Agua Construction Company, Agent for Ryan and Molly Payne, Applicants

Jennifer Thompson: This is a land use variance application for reduction of the minimum 10-foot rear and side yard setback requirements in the Seagrove PUD for a pool, pool deck, and screen enclosure at 1020 Saltwater Circle. The Board has seen many similar variance requests like this before, as the Seagrove PUD has stricter setback requirements than the City of St. Augustine Beach Land Development Regulations require when it comes to setbacks for pools. The applicants are asking that the setbacks for their pool addition be reduced to 5 feet, instead of the 10 feet required by the PUD ordinance.

Carmen Pollitz, 2550 North State Street, Bunnell, Florida, 32110, agent for applicants: I work with Agua Construction, and I filed for this variance for the Paynes, who own the property at 1020 Saltwater Circle. Basically, as Ms. Thompson stated, there is the same ongoing issue here, as there is no room to build a pool on this property because the house was built with 5-foot setbacks from side property lines, but a 10-foot setback is required for a pool and deck, so nothing lines up. It would look very awkward, to say the least, and this house sits unusually back off the lot with a 49-foot front setback, instead of the usual 20-foot front setback, so there is very little room, and it will only be a small pool.

Chris Pranis: Is there any opportunity to move the pool so it would be taken away from the side of the yard that only has a 5-foot side setback?

Carmen Pollitz: The pool itself, from the edge of the water, is only about 2-4 inches outside of the 10-foot setback requirement. The Paynes' first concern, when they all sat down to design the project, was to have the least impact on both next door neighbors, especially Mr. McGrath, on the side closest to the pool. It is costing them a lot of money to build the wall and waterfall which will be between the pool and Mr. McGrath's lot.

Kevin Kincaid: You are aware of the letter, then, from Mr. McGrath?

Carmen Pollitz: Yes.

Kevin Kincaid: He is asking that this variance not be approved, based on a fear of the noise and disruption it will cause to his property. I think Chris' question was whether the pool could be moved further away from Mr. McGrath's property.

Chris Pranis: There is 20 feet on the other side of the pool, so could it be moved in that direction, so there is not just a 5-foot setback on the side of the property next door?

Carmen Pollitz: Approximately, about right in the center of the house, an outdoor bathroom will be added. This is not shown on the plans, because it does not require a variance. On the other side of that, they plan to add an outdoor grill and kitchen area.

Chris Pranis: So that cabana and bathroom do not exist currently?

Carmen Pollitz: Correct.

Hester Longstreet: On that one side, it is very close to the house next door. I don't even see that there is literally 10 feet or a lot of room between the two houses.

Carmen Pollitz: There is 10 feet between the two houses, with a 5-foot setback off the side property lines for each house.

Kevin Kincaid: From the house, or from the proposed pool?

Carmen Pollitz: The pool is actually almost entirely within the 10-foot setback requirement. The deck is what is outside the 10-foot setback. The measurement of the pool from the lot line is 9 feet, 10 inches, I think, and the deck is 5 feet to the lot line.

Hester Longstreet: In the back, it looks like there is water behind the house. By extending the pool back so there is only a 5-foot setback off the rear property line, is there going to be a problem with either dirt eroding and falling into the water, or with flooding? I mean, I didn't walk onto the property owner's yard, but I did sit out there for quite a while looking at the back, and it looks like there is water behind the house.

Carmen Pollitz: It is a marsh area, yes.

Hester Longstreet: So, it looks like there is either going to be flooding or maybe erosion, and you are asking to build 5 feet closer to that, and only have a 5-foot barrier between the pool and/or pool deck and where the water starts?

Carmen Pollitz: The deck will be raised approximately about 18 inches, to come up with the back level of the lanai of the house, so it will have an 18-inch turndown.

Hester Longstreet: And you don't foresee erosion or anything like that? This is not a lot of space between the water's edge and where the concrete for the pool will start.

Carmen Pollitz: It is a natural swale all through there, that's how the development is designed. I've done several pools in Seagrove, and the way the lots are designed, they drain to the swale and along the edge and out into the marsh.

Jennifer Thompson: Mr. Chair, if I may add, all pools get reviewed by the City's Public Works Department for grading and drainage, so if a drainage issue were to arise, the Public Works Department would address that prior to a permit being issued.

Hester Longstreet: And they said there was nothing, or did they actually look at this?

Jennifer Thompson: No, because the applicants cannot apply for this pool permit unless a variance is granted. It would be turned down the way construction is proposed here, because the Seagrove PUD requires a 10-foot setback.

Hester Longstreet: I understand that, what I am saying is, did anyone from the Public Works Department go back there at any point in time to say there was no problem?

Kevin Kincaid: They won't until the applicants apply for a permit, and they can't get a permit unless a variance is approved by this Board.

Carmen Pollitz: And if they have any suggestions or anything, or if they wanted the grading done a certain way to accommodate for any issues, we will do as they ask.

Kevin Kincaid: So, back to the original question I think Chris asked, and that I have also, if the Board were to grant the variance on two of the sides, but also try to respect the request from Mr. McGrath to not put the pool right on his lot line, is it possible to move the pool a couple of feet away from his lot line, to respect that distance he is asking for?

Carmen Pollitz: The pool is actually already almost 10 feet from the Paynes' side property line, the only thing that is close to the property line is going to be a waterfall and a solid rock planter, to be a sound and visual barrier.

Larry Einheuser: And that is going to be in line with the house, correct?

Carmen Pollitz: Yes.

Kevin Kincaid: The pool is already in the ground?

Chris Pranis: No, it can't be.

Brian Law: Alright, so, if I may, Mr. Chair? The conceptual site plan shows what is being discussed as the barrier, which is a raised flower or vegetative planter. Keep in mind when Seagrove was designed as a PUD, houses could be 5 feet from the lot lines, but pools, pool decks and such are required to have a 10-foot setback. Moving the pool is definitely up to this Board, but as shown, the pool does not go all the way into the 10-foot side setback.

Kevin Kincaid: I'm confused about the pool already being in, and the Board looking at a variance for a pool.

Brian Law: The pool is not in the ground at this time.

Kevin Kincaid: Okay. I can definitely see the planter is not going to add any noise. If the Board were to respect what Mr. McGrath is asking for, a 10-foot barrier instead of the 5-foot setback requested in the variance, how much difficulty would that cause?

Carmen Pollitz: A tremendous amount of difficulty. What I was explaining earlier is that the pool is in the required 10-foot setback, the only thing that is outside it is the planter.

Conner Dowling: Sorry, the pool is 9 feet, 10 inches from the side property line, which is very close to being within the 10-foot setback, but not quite. Also, if you follow that edge of the pool up to the rear of the lot, it would actually be closer to the south side property line. It might not be that difficult just to make that planter slightly larger and shift the pool over a foot or a foot-and-a-half so that the pool is entirely within the 10-foot setback.

Kevin Kincaid: Also, the pool could be built by moving it over 2 inches and by eliminating the planter, and then they would not need a variance, but I do not think the addition of the planter is going to cause any more noise, I actually think it is going to help.

Larry Einheuser: The planter is actually going to buffer any noise.

Carmen Pollitz: That planter has 3 waterfalls in it as well.

Conner Dowling: Right, making some background noise. I think the Board would have to agree, for the variance, that the pool itself, at the edge of the waterline, should be required to have the 10-foot setback, and allow a setback reduction for the planter and waterfalls, as part of the pool deck. Increasing the size of that planter as it is drawn now would enable a lot more plants to be put in it, because right now, it looks kind of small.

Carmen Pollitz: It looks small, but really, it is 5 feet high, and about 10 feet long, and it is two levels. The top part is 2 feet wide, and then there is a back wall that is higher.

Kevin Kincaid: Is there one level of planting, or two?

Carmen Pollitz: There is one level of planting.

Gary Smith: Is there any type of wall or fence or border between Mr. McGrath's property and the pool?

Carmen Pollitz: They are putting up a 6-foot-high privacy fence starting at about the location of the back porch, along this side.

Gary Smith: So, with this fence, is there also going to be a screen enclosure over the pool?

Carmen Pollitz: Not at this time, but possibly later, which is why the variance application includes setback reductions to 5 feet for a screen enclosure.

Gary Smith: So, there is going to be some visibility, then, from the adjacent property having to look at that enclosure as well, as it would go up beyond the height of the fence.

Carmen Pollitz: At this time, I don't believe they are planning on having a screen enclosure. This was included in the variance paperwork just so they wouldn't have to go

through this process again, if they did decide, in the future, to have a screen enclosure.

Kevin Kincaid: Any other questions from the Board? Is Mr. McGrath here?

Marcus Thompson, Trinity Law & Title, 62 Hypolita Street, Suite 2, St. Augustine, Florida, 32084: Good evening, my name is Attorney Marcus Thompson, and I am here on behalf of Michael McGrath, the adjacent homeowner. I think the best thing to do is to show pictures [EXHIBIT A] to the Board on the overhead of what the issue is here, because I think pictures kind of speak a thousand words. This first photo shows the area we're talking about where the pool will go in, so obviously, this is a large concern for Mr. McGrath, as it will be quite close to his property line, as shown in the next photos. I think the pictures really depict how close we're talking about, as the photos showing the three windows on the north side of Mr. McGrath's back porch are actually the windows in Mr. McGrath's master bedroom. The noise caused by the pool being that close, if this variance is granted, is going to cause a major problem affecting not only Mr. McGrath's property values but also his enjoyment of his property. Here's another photo depicting the distance between the two properties, which is approximately 13.5 feet, house to house. I think the pictures pretty much show the issues we are facing. At issue tonight is whether the Board should grant the variance for setback reductions from 10 feet to 5 feet, which essentially cuts the setbacks in half. The applicable sections of the City of St. Augustine Beach Code are 10.02.01 of the City's Land Development Regulations (LDRs), which states that this Board may grant variances that are not contrary to the public interest and will not adversely affect other property in the vicinity. Obviously, from the pictures, the variance will cause an adverse impact on Mr. McGrath's property. Section 10.02.03 of the LDRs provides the considerations for the Board in granting a variance, with 10.02.03.B.4 requiring the Board to consider whether the hardship is self-created, and in this instance, the applicants moved to their property in 2020, and the PUD ordinance at issue was adopted in 2001, which was over 19 years prior. Mr. McGrath has lived at his property at 1024 Saltwater Circle since 2009. Basically, when the applicants purchased their property, they should have done their due diligence, and if a pool was a deal-breaker for them, they should have made sure it was feasible to build a pool on this property in Seagrove. Asking for a variance now at Mr. McGrath's detriment isn't really appropriate. Not only is the hardship self-created, the Board also must consider the impacts of the variance on neighboring properties. The proposed pool area is located adjacent to Mr. McGrath's bedroom, so it will significantly affect the use and enjoyment of his property. The requirements of the Code are designed to prevent a situation like this. It is clear that the granting of a variance will have a major impact not only on his enjoyment of his property but also on the value and marketability of the property. The Code specifically states, in Section 10.02.03.B.6 of the LDRs, that an adverse impact upon neighboring properties will act against the granting of a variance application. Finally, the Board must consider the precedent that would be set should the variance be granted, per Section 10.02.03.B.3 of the LDRs. The setback reductions the applicants are asking for in this case would reduce the setbacks by half. The very reason the setback requirements are what they are is to prevent situations such as this, with someone wanting to build a pool right next to a bedroom window. Based on the foregoing, I think the Code requires that the Board deny the variance, so that is what we are asking the Board to do tonight.

Kevin Kincaid: I would point out that the precedent also is what has been done previously. The Board has approved a number of similar variances in Seagrove on prior occasions.

Marcus Thompson: I haven't reviewed all those prior applications.

Kevin Kincaid: A number of variances in Seagrove have been approved. Also, I think the Seagrove Architectural Review Board (ARB) reviewed and approved the setback reductions requested in this variance application. In this case, though, the applicants would not need a variance if the planter wasn't built and the pool was moved over a bit.

Brian Law: Actually, the rear yard setback reduction request is also still on the table.

Marcus Thompson: The issue with the rear yard setback variance is that it is in a conservation zone, so I think this is going to run into issues with St. Johns River Water Management District (SJRWMD), which I haven't even looked into at this point in time.

Kevin Kincaid: What I'm saying is that the applicants could move the pool over and not build the additional waterfall and planter, which I consider to be a sound barrier.

Marcus Thompson: Perhaps, we'd have to see revised plans, but the plans they are asking to be approved as part of the variance application just don't meet the requirements and considerations the Board is required to review and consider, which I think makes it pretty clear that the variance should not be granted in this situation.

Kevin Kincaid: Okay. Any questions for Mr. McGrath and his attorney?

Chris Pranis: I have a question for Brian Law. Is this variance for just a rear setback reduction, or both rear and side yard setback reductions?

Brian Law: We're going to let Ms. Thompson answer this, as this is her case, but this is a multi-faceted variance.

Jennifer Thompson: The variance is for rear and side yard setback reductions. On the rear, the pool is shown as being 7 feet, 4 inches from the rear property line, so they are asking for a rear setback reduction from 10 feet to this.

Chris Pranis: I see this on the site plan layout, however, what the applicant filled out on the application does not really say that, so this is why I am questioning it.

Marcus Thompson: Mr. Chair, I would also add with regard to the considerations required for the granting of the variance, the prior precedent is one factor on the list of required considerations. There are several other factors that worked against the granting of the variance, so it's kind of a multi-factor analysis. I just wanted to point out that distinction.

Hester Longstreet: Going back and looking at some of the other variances that have been approved, this is different, in the respect that there wasn't a house, but an open

conservation area on the one side of a recent applicant's lot, so we didn't have that problem of a negative impact on an adjacent neighbor's lot. Here we do have this problem. Driving over there and looking at it from a visual point, it just looks so close, and the houses are so close together, so this is different from the prior variance applications the Board has approved in the past, as it will have a different effect on the neighbors. On the back, the Board can approve a setback reduction to allow the applicants to build the pool and deck, with the caveat that it would have to be approved by the City as well as SJRWMD, because it is a conservation area. We can say that, but that doesn't mean that it is actually going to happen, as it is out of our hands.

Brian Law: If I may, if you look at the map showing the boundary survey included in the variance application, you will see the conservation area is actually shown as starting at the rear property line. That is very common in PUDs, and this is what I would expect to see, as on PUD lots, you are not going to use part of a lot in a conservation area unless it is your last resort. So, no permit would be required by SJRWMD, from what I'm seeing here.

Hester Longstreet: Would it still have to be approved by the City?

Brian Law: Yes, ma'am, most definitely, the Public Works Department, headed by Mr. Bill Tredik and now with Mr. Russell Adams involved, is now taking a more active role in the drainage as far as permit applications are concerned. We send them a digital copy of permit applications and site plans and they do site visits and work with the contractors.

Carmen Pollitz: The Paynes did their due diligence. When you move into Seagrove, you get the PUD bylaws and package, and it states 5-foot setbacks for pools and decks, so people don't realize this issue until they want a pool and a deck and they find out the PUD ordinance overrides everything with the 10-foot minimum setback requirements.

Kevin Kincaid: But the PUD ordinance is Seagrove's own rules.

Brian Law: The City is unaware of what is spoken in whatever documents Ms. Pollitz is referring to. My staff has no choice but to enforce the ordinance that creates the PUD.

Carmen Pollitz: Seagrove's requirements state 5-foot setbacks, and they don't enforce the PUD ordinance, and it's just a mess.

Gary Smith: This is a totally different scenario from what the Board has passed before. Looking at Mr. McGrath's bedroom window, it is so close to the pool, I just really have a problem with noise coming from the pool, and someone trying to sleep, basically.

Carmen Pollitz: That's why they have the 5-foot wall and waterfall, which will be closer to his bedroom window than the pool.

Larry Einheuser: How long will the pool run during the day?

Carmen Pollitz: If you are talking about the pool equipment, which will be on the other

side of the house, you can set it to cycle at any time. The neighbor on that side of the house is in agreement with the proposed variance request for the pool and pool deck.

Kevin Kincaid: The equipment is pretty quiet, I think it is the people in the pool who will cause noise.

Hester Longstreet: The variance paperwork requests setback reductions to 5 feet in the rear and on each side. On the survey map or site plan, the rear setback is marked as 7 feet, 3 inches.

Jennifer Thompson: The setback from the rear property line to the actual pool water line is 7 feet, 4 inches, but the rear pool deck is shown as having a 5-foot setback from the rear property line. The Seagrove PUD requires a 10-foot setback for all pools and decks.

Hester Longstreet: What about the side setbacks?

Jennifer Thompson: The side setback next to Mr. McGrath's lot is shown at 5 feet, and there is over 25 feet from the pool on the other side, with a 5-foot setback from the deck to the property line.

Kevin Kincaid: So, the decks run parallel to the property lines on both sides.

Carmen Pollitz: Yes, and the decks are in line with the setbacks for the home on both sides.

Kevin Kincaid: Where did we get the 9-foot, 10-inch setback for the pool on the side next to Mr. McGrath's property?

Jennifer Thompson: That's the actual setback from the side property line to the actual water line of the pool. The planter has a 5-foot setback from this side property line.

Kevin Kincaid: If the deck and planter were removed, how much of the pool would actually be within the 10-foot side setback? It would be less than 9 feet, 10 inches at the southwest corner of the lot, because the pool is set straight, and the lot line is at an angle.

Jennifer Thompson: It seems to be at just over 7 feet from the lot line at this back corner.

Larry Einheuser: The pool could be moved over so everything would be inside the 10-foot setback.

Kevin Kincaid: Except for the deck and the planter, which would have to be removed. I don't have a problem with the 5-foot setback for the pool deck at the rear property line.

Larry Einheuser: Pool equipment is normally only on during the day, and I don't see them having pool parties all night long, but I don't know that, so I would like to ask the homeowners some questions.



Carmen Pollitz: Their children are young and are in school most of the time, so it's not going to be a 24-hour, 7-day-a-week pool party.

Ryan and Molly Payne, 1020 Saltwater Circle, St. Augustine Beach, Florida, 32080, applicants: Hi, I'm Ryan Payne, and this is my wife, Molly.

Larry Einheuser: How old are your kids?

Ryan Payne: They are 9 and 11.

Larry Einheuser: So, they are not going to be partying until 11 p.m.

Ryan Payne: No, the reason we want a pool is to enjoy our backyard, and we took a lot of consideration into its design as we knew Michael next door was concerned about noise. That's why it has been designed with a planter wall, which will have more bushes and trees planted along its back side, for more of a natural look from his property line, so he is not staring at a concrete wall.

Molly Payne: When we bought the house, there was nothing back there, so we just want to create more enjoyable living space for our children and ourselves. It's not just about the pool, there is also a cabana area where we are putting in a small addition so we can have a mud room for the kids, so it's about the whole project, and us being in the position, finally, to have these things. It's not like the pool is a deal-breaker, it is just that we are in a position where we can and want to have these things for our kids. No, we won't be up late, and trust us, we don't want to have all the kids in the neighborhood up in our pool everyday swimming and screaming. It's going to be a smaller pool, as it is just for us, as a family, to enjoy our back yard together.

Chris Pranis: The way this pool sits on the site plan, it is 27 feet, 2 inches away from the other side of the property, so why can't you just move the pool 3 feet towards this side, which would keep the pool within the required setbacks, and keep everybody happy?

Molly Payne: Yeah, when that was being discussed earlier, about moving the pool 2 inches over, of course we could move the pool over 2 inches, but I don't know about moving it over 3 feet.

Kevin Kincaid: I think that the far corner of the pool is not 9 feet, 10 inches, but 7 feet from the side property line, because the pool goes straight back, and the lot line angles toward the pool at this back corner. I am not going to speak for the Board, but I would be inclined to grant the rear setback reduction, because we do not have a complaint about the rear setback. I think the complaint is about the pool in general, and I do not know that it is fair for the Board to tell the applicants they can't have a pool at all in their backyard, because they have a neighbor who has issues with it. We have granted variances for pools before, but I think we are looking at respecting what this neighbor is asking for, as he has shown pictures that show that the pool would be basically right under his window. But I am also concerned that if the pool is moved 3 feet over, and the planter,

the wall and the deck are not put in, that will actually be worse for Mr. McGrath because some of the sound-deadening barrier will be lost.

Ryan Payne: That is exactly why we put it in.

Molly Payne: The people who lived in our house prior to us had like six kids living there, so I think what is maybe happening is that their neighbor is drawing upon the experience of having six kids always out there running around, when we just have two kids. I can see where in somebody's mind, they might think this is happening all over again, but it is just not really going to be like that. Again, a compromise in the design would be perfect.

Hester Longstreet: Would that be possible, to move the pool a few feet to the other side?

Conner Dowling: The way the design is right now, it is very close, in my opinion. I understand you want to have enough space between the pool deck and the cabana to enjoy the space, that's understandable, but we're not asking you to reduce the pool by 25 percent or something, it's really just moving it over approximately between 2-3 feet.

Kevin Kincaid: You don't have to reduce the size of the pool, but Mr. McGrath's sake and concerns, you may have to give up some space between the cabana and the pool.

Hester Longstreet: I think that is so small a thing, to give up three feet, but when it's underneath somebody's main bedroom window, three feet can make a big difference. If you want the pool, you may have to give up a few feet and have a smaller cabana or deck.

Conner Dowling: It would also make a difference because the pool setbacks would then comply with the setbacks in the PUD ordinance.

Kevin Kincaid: But you still wouldn't be able to build the deck and the planter feature, because these would be inside the 10-foot setback requirement, so a variance would still have to be granted for the deck and the other features. If you move the pool three feet to the other side and eliminate the deck and other features, you would not need a variance for side setback reductions, only for the rear setback reduction.

Ryan Payne: I still personally would want the features, because I think they would help.

Kevin Kincaid: I think the features would actually help accomplish what the neighbor would like, in the way of sound-deadening. I think this neighbor's original intent was to ask that the pool not be built at all. What the Board is trying to do is look for a compromise so we can honor your neighbor's concerns and still allow you to utilize your property.

Carmen Pollitz: So, if we move the pool so it is in compliance with the 10-foot setbacks, will you allow the deck, the waterfall and the planter with 5-foot setbacks?

Kevin Kincaid: Well, I don't know, we're negotiating. The Board would have to discuss this and come up with a motion and figure out what we are going to do with this. I think

we are still trying to find out where everybody is sitting on this.

Ryan Payne: I am okay with moving the pool so it does not need a variance, but I want the features there, that is all I ask. The lanai can go away, it doesn't have to be in there.

Conner Dowling: We are concerned with the water line of the pool.

Carmen Pollitz: On the overhead is a picture of an approximate view of what would be seen from Mr. McGrath's house **[EXHIBIT B]**.

Kevin Kincaid: That does not include a 6-foot-high privacy fence.

Carmen Pollitz: This is the fence that the Seagrove Homeowners Association (HOA) wanted. They want the back of the lot open, and do not want it to be all closed in.

Gary Smith: So, the 6-foot fence is going to be an open railing fence, like this in the picture shown on the overhead? That is not going to help with noise.

Marcus Thompson: We kind of have an issue with the Board talking hypothetically about what sort of things would be granted. Basically, the application in front of the Board today does not meet the requirements of granting a variance at all, based on what we talked about, so if the applicants want to try again, the next step is to resubmit a new application. I do not think it is appropriate for the Board to discuss what it would approve versus what it would not approve. We have had some discussion and I think we have made clear what the parameters the Board needs to work with are, and it is up to the applicants to go back and revise the plans and come back to the Board.

Kevin Kincaid: And the Board will decide that. We thank you for your input.

Michael McGrath, 1024 Saltwater Circle, St. Augustine Beach, Florida, 32080: Just a couple of points, regarding the 6-foot fence and walls, the inner floor in my bedroom is two-and-a-half feet above ground level. I stand at the window at two-and-a-half feet up and I'm six feet tall, so I'm looking over most of what is going to go in next door, depending how high the bushes will get, and that's a whole other issue. The Paynes have two pre-teens, they are great kids, they are a great family, we're cordial and we're friendly. But I've had experience with them actually putting a rent-a-pool in their backyard, which they've done on occasion on weekends. That's no problem on a weekend, but it is a major distraction, as it is a lot of noise, and they are kid magnets, as all the kids from the neighborhood come over. It's all the squealing and laughing and it's really a spectacle out there. It's fine for a weekend or a Saturday, but permanently, it's going to change the character and the peace and quiet that exists out there right now. I purchased my property in 2009 as a retirement home. We liked the property and the area, and we like that the street is now a narrow one-way street, which it wasn't at the time we bought the property. There is nothing in the back of the property and never will be. It's a great neighborhood for kids, pets, and old people, and this is going to change it dramatically.

Kevin Kincaid: Thank-you. Okay, I will make a motion to grant the variance as requested in the rear for the back part of the property and that we change the variance requested for the side of the property from 5 feet to 8 feet, and that we require that a 6-foot-high privacy fence be installed between Mr. McGrath's property and the applicants' property.

Brian Law: If I may? I do not believe you would want to include the 6-foot-high privacy fence in the motion because we are unaware of Seagrove's covenants and rules, which may strictly prohibit a solid fence. It's not part of the PUD, but it could be in the ARB details. I recall many years ago something like that happened, not with this Board, but a fence was put up and then it was taken back down. Again, I am not quoting the ARB rules.

Gary Smith: On that comment right there, that even makes it worse for Mr. McGrath, if they are not able to put a fence up. With the noise and the view and stuff like that, I think the fence would definitely have to be a must before we could approve anything.

Kevin Kincaid: Yeah, so if they cannot put up a fence then I think many of us or possibly some of us would rethink the variance.

Carmen Pollitz: A vinyl privacy fence is allowed.

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Michael McGrath: Again, my bedroom is two and one-half feet above the ground, which takes two-and-a-half feet away.

Kevin Kincaid: I do not think the applicants can be responsible for how tall you are and how your bedroom is built. I don't know how we can tell somebody they cannot use their property the way they want to because of how tall you are. I think that by requiring the fence in the motion, our approval is contingent upon protecting you with that fence. If they cannot protect you with the fence, then I think the applicants would have to come back here to redo the variance. That's my reason for putting the fence in the motion.

Brian Law: That's okay, just so the Board and the applicants and neighbors all know, if this is the motion that passes, this will not leave zoning's approval until we have an ARB letter approving that fence on that side, as this is the only way we can enforce this.

Kevin Kincaid: Just for me, the picture shown a minute ago of the little 5-foot-high black fence required by the ARB does not do anything to protect Mr. McGrath from noise or anything else.

Carmen Pollitz: The ARB already approved a 6-foot-high vinyl privacy fence along the front. They just don't want the property closed in like a compound.

Kevin Kincaid: We're talking about between the two properties, not along the back, and not for any other reason but to be an additional noise barrier.

Hester Longstreet: And you can leave the back with the open fence so you can still see the water.

Conner Dowling: One question on your motion, it worries me a little bit to say we will grant the side variance not at 5 feet but at 8 feet, because in theory, they could have a plan that eliminates the planter barrier that's at 8 feet, and I know it gets confusing.

Kevin Kincaid: We could say that the pool water line be no closer than 10 feet, but the planter feature can exceed that and go as close as 8 feet.

Conner Dowling: They could have a pool with 10-foot setbacks on these two sides, which isn't too much further from what they are showing on the site plans, and we wouldn't have any say in this. I get the point of not making them come back again but there are a lot of little details in this plan. To me, it's really about the setback of the pool water line and having that in the language of the motion as a minimum.

Kevin Kincaid: Okay, so let me try to restate this then. We grant the variance as requested in the rear of the property, and for the side abutting Mr. McGrath's property, we grant the variance not at 5 feet as requested but at 8 feet with the stipulation that the water line of the pool structure be 10 feet from the lot line and that the other features can be up to 8 feet from the lot line, and with the addition of a 6-foot-high privacy fence.

Carmen Pollitz: The planter, waterfall and wall all have to be certain widths.

Brian Law: Mr. Chair, before we continue down this path, there is a motion on the floor, which needs to be addressed, one way or the other. This is not the time to debate.

City Attorney Jeremiah Blocker: Also Mr. Chair, if we could, we need to make sure that we state what the hardship is in the motion and for the record as well. We have a motion on the table right now, so there should not be any chatter going on until we have a second on the motion and the Board can then have discussion on the motion.

Larry Einheuser: Second on the motion.

Kevin Kincaid: Okay, so we have a motion and a second. Any discussion on the motion?

Conner Dowling: To me, I would change it to state a 10-foot setback to the pool water line is required, and that a 5-foot setback to anything else not related directly to the depth of the pool is okay, because this would increase the size that the planter could be, which would inevitably be a good thing for everyone.

Kevin Kincaid: Okay, we accept that as a friendly amendment. Does anybody have an issue with that? Hearing none, the pool water line will be at 10 feet from the lot line, and any features will be allowed with a 5-foot setback, and there will be a 6-foot-high privacy fence as previously stated. To state the hardship, I think it is the contours of the property line and the shape of the property.

City Attorney Jeremiah Blocker: That's fine Mr. Chair. There has been an amendment to the motion. Will whoever seconded the original motion second the amended motion?

Larry Einheuser: I second the amendment to the motion.

Kevin Kincaid: Any other discussion on this? Hearing no discussion, I will now call for a vote on the motion.

**Motion:** to approve Land Use Variance File No. VAR 2023-02 to allow a rear yard setback reduction from 10 feet, per Seagrove PUD Ordinance No. 01-15, to 5 feet, for proposed new construction of a pool, pool deck and screen enclosure, and side yard setback reductions from 10 feet, per Seagrove PUD Ordinance No. 01-15, to 5 feet, for proposed new construction of all said improvements with the exception of the pool itself, which shall maintain a 10-foot setback from all side yard property lines to the pool water line, with the additional requirement that a 6-foot-high privacy fence be installed between the applicants' property at 1020 Saltwater Circle and the adjacent property next door to the south at 1024 Saltwater Circle, with the hardship stated as the contours of the property line and the shape of the property on Lot 31, Seagrove of St. Augustine Beach Unit 5, at 1020 Saltwater Circle, St. Augustine Beach, Florida, 32080. **Moved** by Kevin Kincaid, **seconded** by Larry Einheuser, **passed 6-0** by the Board by unanimous voice vote.

C. Conditional Use File No. CU 2023-01, for a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Jersey Mike's Subs, in a commercial land use district in Anastasia Plaza at 1077 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Nickel Submarine LLC, Agent for Jersey Mike's Subs, Applicant

Jennifer Thompson: This agenda item is for a conditional use permit for consumption of food and beverages outside of an enclosed restaurant at 1077 A1A Beach Boulevard, located in the Publix shopping plaza at Jersey Mike's Subs. I do not believe there is a representative from Jersey Mike's here tonight, however, this is in the Publix strip mall in Anastasia Plaza. They have two high-top tables out in front of this sandwich shop.

Hester Longstreet: They have three tables.

Jennifer Thompson: Okay, they have three tables, and they are not placed blocking the sidewalk, so it is just to add additional seating. They are some tables, not many, inside.

Kevin Kincaid: Is this the same table set-up the previous occupants were using?

Jennifer Thompson: Previously, this is where Subway was. Sea Oats Café was next door, with a similar set-up of tables outside.

Kevin Kincaid: This is already happening, then, as I did see tables outside.

Jennifer Thompson: Yes, when they had their final inspection, there were tables outside and I told them they needed to apply for a conditional use permit. As they were unaware of this, they were told they could leave the tables until the Board makes their decision.

Kevin Kincaid: And we've had no complaints, no police activity and no complaints from the shopping center restricting the outside tables?

Jennifer Thompson: No. Other places in the shopping center do have outdoor seating, such as Starbucks, which has quite a few tables. Panache, even though it doesn't have food or drink, has a pretty large seating area for people who are waiting to be seen.

Kevin Kincaid: So, there is no objection to what has been brought forward?

Jennifer Thompson: No, we've had no complaints, just a couple of inquiries, basically from people who just want to make sure the tables will not spill over into other businesses, and that they will just be put out directly in front of Jersey Mike's only.

Kevin Kincaid: That would be up to the shopping center management to police that, right?

Jennifer Thompson: Yes, if they were to spill over, I imagine other businesses would complain to Regency, who owns the plaza.

Kevin Kincaid: Okay. Any public comment? Hearing none, do we have a motion?

**Motion:** to approve Conditional Use File No. CU 2023-01, for a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Jersey Mike's Subs, in a commercial land use district in Anastasia Plaza at 1077 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, for a period of 5 (five) years. **Moved** by Chris Pranis, **seconded** by Larry Einheuser, **passed 6-0** by the Board by unanimous voice-vote.

D. Conditional Use File No. CU 2023-02, for a conditional use permit for a catering business in a commercial land use district on Lots 1, 3, and the east 5.33 feet of Lot 5, Block 39, and the vacated alley lying north, Coquina Gables Subdivision, at 711 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, Brian Packer, Agent for Outer Banks Boil Company, Applicant

Jennifer Thompson: This last item on the agenda is a conditional use permit for a catering business in a commercial land use district at 711 A1A Beach Boulevard. This is for the Outer Banks Boil Company, which will be a walk-up, take-out restaurant/catering business, and the applicants are here today.

Kevin Kincaid: Okay, do we have any public input on this, any complaints, or any other concerns? Okay, hearing none, if we can then hear from the applicants please.

Brian Packer, 1287 Trailmark Drive, St. Augustine, Florida, 32092, agent for applicant: I'm with Outer Banks Boil Company, and we're at 711 A1A Beach Boulevard, Unit A. I've got Matt Khouri, who is the founder and chief executive officer (CEO) of Outer Banks Boil Company, here as well. Just to explain the business a little bit, it is not so much a restaurant, as there is no eat-in area, no tables, and we actually don't even cook any food

onsite, it's all food storage and food preparation. Half the business is to-go steamer pots, where customers can order, pick up a seafood pot, and take it home and steam it. The other half is the catering piece where we'll come to you, steam at your property, dump the seafood out on the table, and clean it up when you're done, and that's the piece that we need the conditional use permit for. Do you have anything to add, Matt?

Matt Khouri, 993 Corolla Drive, Corolla, North Carolina, 27927, founder and CEO of Outer Banks Boil Company: Yes, this is actually the twelfth store we have opened in the last seven years. We have two others here in Florida, one in Amelia Island, and one in St. Pete Beach. Catering is kind of a strong word for what we do, as it is not really full service, we come to you, we cook, we serve, we clean, and we take away all the trash when we're done, so it's more of trying to provide an experience to the customers. We are strategically located in seasonal beach communities and going out to eat in these areas can be very tough, so for us, trying to give that dining experience to the customer at their home through our catering is just an alternative dining option that we provide.

Kevin Kincaid: And you are meeting all the parking requirements for the proposed business, so that we are not expecting an overrun of parking with people parking all up and down the street?

Brian Packer: For the take-out part of the business, customers are there for 5-7 minutes total, as they pick up what they're getting, we explain it, and they take it to-go, so customers are not there very long for the take-out piece. On the catering side of things, we load up our equipment and gear, and we go out to wherever we are going. So it's conducted catering, where you have a personal chef really, at vacation rental venues or whatever the case may be. It's really kind of a short time for customers, as well as employees, to actually be onsite at the business location.

Kevin Kincaid: Any other questions? Hearing none, do we have a motion?

Hester Longstreet: I'll make a motion to approve this conditional use permit application for a five-year period, with the condition that the approval be granted as non-transferable, so that it goes with the applicant, not the with the property.

Kevin Kincaid: So, you would have to reapply for this in five years so we can re-assess the impact of this new business on the community.

**Motion:** to approve Conditional Use File No. CU 2023-02 for a conditional use permit for a catering business in a commercial land use district at 711 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, for a period of 5 (five) years, and with the condition that it be granted as non-transferable, to run with the current applicant only and not the property. **Moved** by Hester Longstreet, **seconded** by Gary Smith, **passed 6-0** by the Board by unanimous voice-vote.

## VI. OLD BUSINESS



There was no old business.

**VII. BOARD COMMENT**

Chris Pranis: Do we have any updates on that ice machine?

Brain Law: Currently, that case is in code enforcement, so I am not at liberty to discuss everything, but code enforcement has an active investigation case on this.

Gary Smith: I think the equipment is fine, the only thing I really have a problem with is where this is located on A1A Beach Boulevard, and how this is really in conflict with the Vision Plan the City has coming up. It just does not fit what we are trying to accomplish.

Kevin Kincaid: You could contact code enforcement and ask that the ice machine be relocated. Or, if you wanted, you could make a motion that we send a request from the Planning and Zoning Board to the Code Enforcement Board to relocate the ice machine.

Brian Law: I would strongly discourage that line. Code enforcement must run independent as it is solely enforcing codes that prohibit this type of equipment without building permits and also prohibit mechanical equipment in front yards.

Kevin Kincaid: Could the Board send this to the Code Enforcement Board as part of the Board's public comments?

Brian Law: I would say no, because there is a very good possibility that if the ice machine is going to remain in place at its current location, the property owners will have to apply for a variance. In that case, I would love not to see the two boards crisscross.

Kevin Kincaid: Do we have any other old business or Board comment? Hearing none, do we have a motion to adjourn?

Hester Longstreet: Yes.

**IX. ADJOURNMENT**

The meeting was adjourned at 7:11 p.m.

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Kevin Kincaid, Chairperson

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Bonnie Miller, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122)

## COMMISSION REPORT

April 2023

**TO:** MAYOR/COMMISSIONERS

**FROM:** DANIEL P. CARSWELL, CHIEF OF POLICE

### DEPARTMENT STATISTICS March 21<sup>st</sup> 2023 – April 16, 2023

**CALLS FOR SERVICE – 1,619**

**OFFENSE REPORTS - 57**

**CITATIONS ISSUED – 103**

**LOCAL ORDINANCE CITATIONS - 54**

**DUI -5**

**TRAFFIC WARNINGS- 103**

**TRESSPASS WARNINGS - 12**

**ANIMAL COMPLAINTS - 20**

**ARRESTS - 11**

- **ANIMAL CONTROL:**

- St. Johns County Animal Control handled 20 complaints in St. Augustine Beach area.

### MONTHLY ACTIVITIES –

No Activities this month

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## MEMORANDUM

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**TO:** MAX ROYLE, CITY MANAGER  
**FROM:** PATTY DOUYLLIEZ, FINANCE DIRECTOR  
**SUBJECT:** MONTHLY REPORT  
**DATE:** 4/13/2023

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### Finance

The city financials halfway through the year reflect 38.6% of budgeted expenditures, while approximately 60% of the revenue has already been collected. FY24 Budget has started with preliminary numbers being loaded into the budget software.

### Communications and Events

Don't forget the upcoming Arbor Day Event on April 26<sup>th</sup> and Art & Bark in the Park on May 13<sup>th</sup>



### Technology

The IT Department has no updates.

## MEMORANDUM

Date: April 20, 2023  
To: Max Royle, City Manager  
From: William Tredik, P.E., Public Works Director  
Subject: Public Works Monthly Report – April 2023

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### **GRANTS**

Public Works is managing the following active grants:

- **Mizell Pond Weir and Stormwater Pump Station**  
HMGP grant – FEMA/FDEM  
Grant amount \$2,202,108.00  
Project Stage: Construction Complete / FDEM Inspection – Grant Closeout
- **Ocean Hammock Park Phase 2**  
Florida Recreation Development Assistance Program  
Grant amount \$106,500  
Project Stage: Construction
- **Ocean Hammock Park Phase 3**  
Coastal Partnership Initiative Grant – NOAA funded  
Grant amount \$60,000  
Project Stage: Bidding
- **Ocean Walk Drainage Improvements**  
Legislative Appropriation Request  
Grant Amount - \$694,000  
Project Stage: Final Design / Awaiting additional funding
- **Ocean Walk Drainage Improvements**  
SJRWMD Districtwide Cost Share  
Grant Amount - \$354,087  
Project Stage: Development of Grant Agreement
- **C.R. A1A/Pope Road Storm Surge Protection – Phase 1 Design**  
HMGP grant (Dorian) - FEMA/FDEM  
Grant amount \$52,500  
Project Stage: Final Design
- **Dune Walkovers**  
St. Augustine Port, Waterway and Beach District  
Grant amount \$335,000  
Project Stage: Year 1 construction complete

- **Magnolia Dunes/Atlantic Oaks Circle Drainage Improvements**  
Legislative Appropriation Request  
Grant amount \$1,200,000  
Project Stage: Consultant Contract Execution
- **7<sup>th</sup> 8<sup>th</sup> and 9<sup>th</sup> Street Drainage**  
Legislative Appropriation Request  
Grant amount \$90,000  
Project Stage: Consultant Selection
- **Vulnerability Assessment Update**  
FDEP – Resilient Florida Program  
Grant amount \$50,000  
Project Stage: Grant Contract Development

The City has submitted the following grant and/or appropriation requests for the upcoming Florida legislative session:

- **Ocean Oaks Subdivision Flood Protection**  
Legislative Appropriation Request: \$1,500,000
- **Stormwater Treatment Facility Capacity Improvements**  
Legislative Appropriation Request: \$1,300,000
- **Seaside Villas Drainage**  
Legislative Appropriation Request: \$1,300,000
- **Dune Restoration / Sea Oats Planting**  
Legislative Appropriation Request: \$400,000

## **DRAINAGE PROJECTS**

### **Mizell Pond Outfall Improvements [FDEM INSPECTION / GRANT CLOSEOUT]**

Construction is complete and the facilities are operational. FEMA has increased the approved Total Project Cost to \$2,936,144.00 and restored the Federal funding level from 62.63% back to the original 75%. These changes increase the Federal funding for the project by \$390,400.50, representing a significant savings to the City. The City has requested State inspection of the completed project and will submit a reimbursement request for the remaining FEMA grant funding upon receipt of the executed amended contract.

**Ocean Walk Drainage Improvements [PRE-BID]** – Design and permitting is complete.. Design cost estimates indicate that the construction costs will exceed available funds. The Contractor revised the plans to reduce project costs, however, the reduced estimate still exceeds available funding. On April 11, 2023 the St. Johns River Water Management

District (SJRWMD) awarded a \$354,087 Districtwide Cost Share grant to help address the increased projected cost. SJRWMD funds cannot be used for any work completed prior to October 1, 2023, therefore the FDEP grant agreement has been amended to provide additional time to accommodate an October 2023 commencement of construction. Bidding of the project will take place late Summer with construction commencing in the beginning of FY 2024.

**Oceanside Circle Drainage [ON HOLD - VALUE ENGINEERING]** – Construction bids were opened on January 19, 2023. The low bid was more than double the Engineer's estimate and exceeds available construction funding. At their February 6, 2023 meeting, the City Commission opted to reject all bids, re-budget and rebid the project in FY 24, possibly in conjunction with one or more other capital improvement projects, so as to potentially realize overall economies of scale. In the interim, Public Works is working to value engineer the design to reduce project cost.

**C.R. A1A / Pope Road Storm Surge Protection [PERMITTING/FINAL DESIGN]** – The project will prevent storm surge from Salt Run from entering the City at Pope Road. Design (Phase 1 of the HMGP Grant) is 90% complete. SJRWMD and the Army Corps of Engineers have issued letters stating no permit required. Final Plans are being completed and will be submitted to FDEM/FEMA in May 2023. FDEM/FEMA will review Phase 1 submittal and the Bidding and Construction will commence upon receipt of a construction (Phase 2 of the HMGP grant) agreement from FDEM.

**Magnolia Dunes / Atlantic Oaks Circle Stormwater Resiliency improvements [PRE-DESIGN STUDY]** – Grant agreement complete. Staff is finalizing negotiations with the highest ranked consultant (ECT) and design is scheduled to commence in May 2023. The pre-design study will be complete in November 2023. Design and permitting will commence in December 2023 and is anticipated to be complete in December 2024. Construction is anticipated to commence in late Spring 2025 and be complete by June 2026. The City is currently working with FDEP to modify the project timeline to accommodate this schedule.

**7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> Street Drainage Improvements [CONSULTANT SELECTION]** – The City has received the executed grant agreement for the subject project and is proceeding with selection of a design consultant. Design is scheduled for FY 2023 with construction in FY2024.

**Stormwater Master Drainage Plan [PLAN DEVELOPMENT]** – CMT is developing the Stormwater Master Drainage Plan Update. A presentation on the status of the Plan is scheduled for May 1, 2023.

## **PARKS**

**Ocean Hammock Park Phase 2 [CONSTRUCTION]** – Phase 2 improvements include handicap accessible restrooms (including a sanitary lift station and force main), an outside beach shower, drinking fountain/bottle filling station, a handicap parking space in the

parking lot, two (2) picnic areas near the parking lot, an informational kiosk, and a nature trail with interpretative signage. Construction is funded by park impact fees, ARPA funds, and a \$106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Construction commenced on February 27, 2023 and is anticipated to be complete by mid-May. The parking lot is currently closed during construction, however, the beach boardwalk will remain open to pedestrian traffic. The parking lot, new restrooms and associated Phase 2 features are scheduled to be opened to the public prior to Memorial Day weekend.

**Ocean Hammock Park Phase 3.1 [BIDDING]** – Design and permitting is complete. Phase 3 design and permitting is complete. Phase 3.1 (a portion of phase 3 including the central nature trail and observation deck) is currently out for bids. Construction of Phase 3.1 is currently scheduled for Summer 2023.

**Dune Walkovers [CONSTRUCTION]** – Dune walkovers have been completed on 3<sup>rd</sup> Street, 4<sup>th</sup> Street 5<sup>th</sup> Street, 8<sup>th</sup> Street and B Street. Due to design challenges associated with beach erosion from Hurricanes Ian and Nicole, the remaining dune walkovers will be constructed in early 2024, after beach renourishment is complete.

### **Streets / Rights of Way**

**2<sup>nd</sup> Street Improvements and Extension [CONSTRUCTION]** – Utilities and stormwater piping construction are complete. The 3<sup>rd</sup> Lane Ditch has been piped. Roadway curb and base installation on the western block is complete. Work has begun on the eastern roadway block. Construction is anticipated to be complete in June 2023.

**A Street to 1<sup>st</sup> Street West Parking Lot [DESIGN/PERMITTING]**– Design is underway. Construction is anticipated in Summer 2023

## PENDING ACTIVITIES AND PROJECTS

1. LAND DEVELOPMENT REGULATIONS CHANGES. The City Commission at its June 6, 2022, meeting considered an ordinance concerning erosion-resistant materials and the resurfacing of parking lots. It wasn't passed. The City Attorney and City Engineer will prepare language for a new ordinance. Two other changes to the Regulations are amending the sign code to allow ground signs taller than 12 feet and to Sections 6.01.03 and 12.02.06. The Commission reviewed changes to the sign code at its April 3<sup>rd</sup> meeting and will review a second draft of a proposed ordinance at its May 1<sup>st</sup> meeting as well as the ordinance for changes to Sections 6.01.03 (building setbacks) and 12.02.06 (concept review).

2. VISION PLAN. After discussion and making changes to it, the Commission adopted the Plan at its March 6, 2023, meeting. The Commission will decide at its June 5<sup>th</sup> meeting whether to schedule a workshop concerning the Plan later in June.

3. PARKING IMPROVEMENTS. At this time, the only parking project is paving the dirt plazas on the west side of the Boulevard between A and 1<sup>st</sup> Streets. Money to pay the costs will come from the \$3.5 million that the City has been allocated from the American Rescue Plan Act. The Public Works Director approved the scope of work from a civil engineering consultant to do the design and permitting phase starting in March 2022 and \$15,000 was spent for this phase. Concept plans for two options were reviewed by the City Commission at its July 11<sup>th</sup> meeting. The Commission selected the option where vehicles will enter the parking lot from 1<sup>st</sup> Street with the exit on A1A Beach Boulevard. Final design is underway and pre-application by the St. Johns River Water Management District will be done in April.  
XXXX

There are no plans at this time for the Commission to consider paid parking.

### 4. JOINT MEETINGS:

a. With the County Commission: No date has been proposed yet in 2023 for a meeting.

b. With the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC): No date has been proposed yet in 2023 for a meeting.

5. UPDATING PERSONNEL MANUAL. The entire Manual will be reviewed by an attorney familiar with Florida public sector personnel regulations and laws. The consultant has been hired and the Finance Director, City Clerk and City Manager had a Zoom meeting with her on October 11, 2022, to discuss the scope of work. The consultant is reviewing the current Manual and will work with the department heads on revisions. The proposed, revised Manual will eventually be reviewed by the City Commission.

6. GRANTS. The City has received grants from the following agencies:

a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match is \$35,500. Total project is an estimated between \$400,000 and \$500,000. Because the original bid was well over the estimate, the Public Works Director purchased prefabricated restrooms. Also, because inflation has increased the costs significantly, the Director has negotiated with the vendor to lower them. After plumbing and electrical work was done to the site, the restrooms will be delivered



in early May. The parking lot will be opened once the restrooms are finished. The beach boardwalk has remained open for pedestrians.

b. Coastal Partnership Initiative: The Public Works Director applied for a Partnership grant for \$60,000 to construct the improvements to Ocean Hammock Park, which the state approved. The City will advertise for bids in May.

c. Vulnerability Study Update. The City has received a \$50,000 grant from the Florida Department of Environmental Protection's Resilient Florida Program. The grant will pay the costs to update the City's vulnerability study to ensure that it complies with recent changes to state law. The state is preparing a grant agreement.

#### 7. FLOODING COMPLAINTS. Citizens have expressed concerns about the following areas:

a. Ocean Walk Subdivision. The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16<sup>th</sup> Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents complained that the piping of the ditch caused flooding along the subdivision's west side. To improve the flow of water, the Public Works Director had debris cleared from the Mickler and 11<sup>th</sup> Street ditches. At its October 5, 2020, meeting, the City Commission asked the Public Works Director to prepare a Request for Qualifications, so that the Commission could consider an engineering firm to review the Ocean Walk drainage issues. The deadline for responses to the RFQ was November 23, 2020. The Public Works Director prepared an addendum, which was advertised before Thanksgiving. The deadline for the RFQ was December 8, 2020. A committee of City employees reviewed the three proposals that were submitted and recommended the City be authorized to negotiate with the Masters Design Group of St. Augustine. The Commission approved the authorization at its January 4, 2021, meeting. At its March 1<sup>st</sup> meeting, the Commission approved the contract with Matthews. In March 2021, the City was notified that its request to the Florida Legislature to appropriate \$694,000 for Ocean Walk drainage improvements was approved and in late May 2021 the City was notified that the appropriation had survived the Governor's veto. The grant agreement has been executed and a contract has been signed with the Matthews Design Group of St. Augustine for the design and permitting phase of the project. Preliminary design is nearing completion. Matthews provided an update report on the design/planning phase of the project to the City Commission at its July 11<sup>th</sup> meeting. Permit plans are nearly complete. Another update was provided by a representative of the civil engineering consultant, the Matthews Group, at the Commission's November 14<sup>th</sup> meeting. Advertising for bids has been postponed until the summer of 2023, so that the City can obtain cost share funds from the Water Management District, which were provided in April. The amount was \$354,087. The City will put additional money in the FY 24 budget. The estimated cost of the project \$1.4 million. Construction will likely begin after October 1, 2023.

b. Oceanside Circle. This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. A survey has been done to determine the road's right-of-way and the final design of a new road is underway by the City's civil engineering consultant. The final plans are done and the St. Johns River Water Management District has issued a permit. A request for bids was advertised with January 19, 2023, the deadline for receiving them. Three bids were received, all well above the \$500,000 estimate provided by the City's civil engineering consultant. At its February 6, 2023, meeting, the Commission approved the Public Works Director's recommendation to reject the bids. This project could be funded in the future by money from the stormwater utility fee, or by assessing the owners of the

properties adjacent to the street, or by grants. If funding becomes available, the City will advertise for bids in the fall of 2023.

c. St. Augustine Beach and Tennis Complex and the Sabor de Sal subdivision. The area has two ponds: one for the condo complex, the second between properties along Ocean Trace Road and along Sabor de Sal Road. Both are small. The condo complex pond floods during periods of heavy rain, threatening adjacent condo units. Each pond is privately owned and there is no outlet or pipe for stormwater from each. The area needs to be included in the update, currently being done, of the City's master stormwater management plan. The updated plan will be completed in March of April 2023. A solution to the Ocean Trace area flooding will involve the City, private property owners, the St. Johns River Water Management District and possibly the Florida Department of Transportation. On November 21, 2022, the Public Works Director and the City Manager met with residents of the area to hear their concerns and discuss possible solutions. With the Public Works Director's departure for another job, the City's new engineer will be involved with exploring a possible solution. St. Johns County may also be involved as Ocean Trace Road is owned and maintained by the County.

d. Pipes under Pope Road and A1A Beach Boulevard. Application for \$550,000, 75% of which will come from the Hazard Mitigation Grant Program. The contract with the Florida Division of Emergency Management has been executed. The Public Works Director prepared a Request for Qualifications for a design consultant. The responses were reviewed and ranked by a City staff committee and the Commission at its September 12<sup>th</sup> meeting authorized the City Manager to negotiate with the firm ranked first, the Matthews Design Group. The contract was executed in October and design of the project has commenced. Permitting has been completed. Once the City receives a permit from the Corps of Engineers, the City will submit the design to the Florida Division of Emergency Management for authorization to proceed to construction.

e. Magnolia Dunes/Atlantic Oaks Circle. Thanks to the efforts of Vice Mayor Rumrell, state representative Cyndi Stevenson and state senator Travis Hudson, \$1,200,000 was put in the state's Fiscal Year 2023, which went into effect on July 1, 2022. The appropriation survived the Governor's veto pen. The Florida Department of Environmental Protection prepared a grant agreement, which was signed in late October 2022. The next step is for the City to advertise a Request for Qualifications for a design consultant to do design and permitting work. At its February 6<sup>th</sup> meeting, the City Commission approved the staff negotiating a fee for services with Environmental Consulting and Technology of Jackson. Negotiations are under way. Once the consultant is hired, the pre-design study will be done in 2023, final design in 2024 with the construction done in 2025. The state will extend the grant agreement for an additional year. It will expire on June 30, 2026.

f. West end of 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> Streets. The Legislature in its 2023 budget approved an appropriation of \$90,000 for this project. The City has signed a grant agreement with the Florida Department of Environmental Protection (FDEP). Design and permitting work will begin in December 2023 and be completed by December 2024. The City has FDEP to approve this schedule.

8. STORMWATER UTILITY FEE. The Commission decided at its October 4, 2021, meeting that the time to levy the fee wasn't right in light of the recent increase in the non-ad valorem fee for the collection of household waste and recyclables and the increase in property taxes due to the rise of property values in the City. The Commission discussed the fee at its October 3, 2022, meeting and approved having a public hearing on November 14<sup>th</sup> meeting. At that meeting, the Commission approved a resolution stating the

City's intent to adopt the non-ad valorem assessment. At its March 6, 2023, meeting, the Commission adopted an ordinance that will allow the Commission to levy a stormwater utility fee in 2024. At that meeting, the Commission did not approve a budget resolution to appropriate \$13,000 for a civil engineering consultant to research the data needed for the City to propose a range of fees for the utility but as the fees cannot be recommended by the June or July deadline for submission of the range to the Tax Collector. Money will have to be appropriated in the FY 24 to pay for a consultant to develop the range by FY 2025.

**9. RENOVATING THE FORMER CITY HALL AND CIVIL RIGHTS MONUMENT.** On March 23, 2022, the City Commission held a workshop, the purpose of which was to discuss with citizens the renovation of the second floor of the former city hall at pier park, future uses of the building and a civil rights monument. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, made a PowerPoint presentation that described the building's history and the \$500,000 historic grant that can be spent on renovating certain features of the building, such as the upstairs windows and exterior awnings, and a smaller \$25,000 grant that can be spent on interpretative signage for the building. Ms. Stone highlighted that the building's designation as historic by the federal government enhanced its eligibility for the \$500,000 grant. The outcome of the workshop is that the building is to be used as a cultural arts center with the second floor possibly having artists' studios and a small museum. Artwork outside the building, such as a new civil rights monument to replace the old one that commemorates the 1964 civil rights struggle to integrate the adjacent beach, would be created. City staff will work with Ms. Stone and the Cultural Council on such matters as the building's structural strength, building code requirements to renovate the second floor, accessibility to the second floor for the public, fund raising and seeking citizens to serve as volunteers on a citizen advisory committee. The money from the \$500,000 grant must be spent by June 2024.

On July 12<sup>th</sup>, Ms. Christina Parrish Stone and Ms. Brenda Swan of the Cultural Council met with the Public Works Director and the City Manager and reported that the Council was advertising for proposals from architectural firms for the civil rights monument. Also discussed was where the monument would be located. One possible site is on the concrete walkway next to seawall and the stairs to the beach, so that the monument will be positioned where visitors can see it and the beach where the civil rights wade-in occurred in 1964. Ms. Stone will present the plans for the sign to the City Commission in early 2023. The \$25,000 grant must be spent by March 31, 2023.

Ms. Parrish Stone provided an update report to the Commission at its October 3<sup>rd</sup> meeting and another one at the Commission's March 6, 2023, meeting. At the latter meeting, Ms. Parrish Stone showed illustrations of the proposed civil rights memorial to commemorate the "wade in" of the City's beach in front of the former city hall in 1964. She and a local architect, Mr. Connor Dowling, also showed illustrations of the new, second floor windows and some interior renovations. The memorial and other work should be completed by this summer and will be paid by state grant funds. One delay is the columns along the building's north side to which the memorial panels will be attached may have to be replaced.

**10. BEACH RESTORATION.** According to the County's Coastal Manager, two million cubic yards of sand will be put on the beach from the middle of the state park south to the northern boundary of Sea Colony. The project will be done between August 2023 and the end of February 2024. The federal government will pay the entire \$37 million cost. At the City Commission's January 9, 2023, meeting, a

representative from the U.S. Army Corps of Engineers briefed the City Commission and the public about the project. Another briefing by the Corps of Engineers will be scheduled at the Commission's August 7<sup>th</sup> meeting.

11. NEW YEAR'S EVE FIREWORKS SHOW. The \$25,000 for the fireworks is provided from the bed tax by the County Commission. The contract for a 20-minute 2022 fireworks show was signed in October. The City's Events Coordinator, Ms. Melinda Conlon, worked with the fireworks company on the music that accompanied the show. Plans for the December 31, 2023, show will begin. At the Commission's April 3, 2023, meeting, Ms. Conlon provided a report on the fireworks show and the other events that she organized for the City in 2022 and gave an overview of the events planned during the remaining eight months of 2023.

12. INTERGOVERNMENTAL PROJECTS. When the Commission discussed the strategic plan at its February 1, 2021, meeting, more involvement with the County and St. Augustine was mentioned as desirable. Below is a summary of the City's current involvement with various area governmental entities.

a. Mobility: At the City Commission's August 11, 2021, meeting, St. Augustine's Public Works Director, Reuben Franklin, March 2021, presented his city's mobility plan. St. Augustine has received a grant to create a transportation connector in that city. If money remains from the grant, the two cities may discuss having a connector between them.

b. River-to-Sea Loop: This is a Florida Department of Transportation, St. Johns County, St. Augustine and St. Augustine Beach project to construct 26 miles of a paved bike/pedestrian trail as part of the 260-mile trail from the St. Johns River in Putnam County to the ocean in St. Johns County. The Loop will then go south through Flagler and Volusia counties to Brevard County. This is a long-term, multi-year project. At this time, the Loop will enter St. Augustine along King Street, go across the Bridge of Lions, south along State Road A1A to the State Park, through the Park and into our City, then along A1A Beach Boulevard to State Road A1A. Though possibly not feasible in all locations, the goal is to have a wide, bike/pedestrian trail separate from the adjacent road.

In January 2022, the County Traffic Operations Division informed City staff that no meetings concerning this project have been held for over a year. The Loop's final route has yet to be determined. It might be through the State Park into our City to A1A Beach Boulevard, or along Pope Road from Old Beach Road to the Boulevard.

c. Transportation Development Plan: The development of the plan involves several agencies, such as the County, St. Augustine, our City, the North Florida Transportation Organization and the Sunshine Bus System. On February 25, 2021, the City Manager attended by telephone a stakeholders' meeting for an update on the development of the plan's vision, mission goals and objectives. Most of the presentation was data, such as population density, percentage of residents without vehicles, senior citizens and low income and minority residents in the County and the areas served by the Sunshine Bus. The next stakeholders' meeting has yet to be announced. The agenda will include transit strategies and alternatives and a 10-year implementation plan.

d. Pedestrian Crosswalk Safety Signals. On A1A Beach Boulevard, the County Public Works Department has put flashing signals at the crosswalk between the Sea Colony subdivision and the shopping center, and at the crosswalks between the Whispering Oaks subdivision and Ocean Hammock Park and at 16<sup>th</sup>

Street and 11<sup>th</sup> Street. The County may put signals at two other locations: in the vicinity of pier park and at F Street.

13. BEACH ACCESS WALKOVERS. The Public Works Director asked the St. Augustine Port, Waterway and Beach Commission at its May 17, 2022, meeting, for an appropriation to buy half the costs to construct new walkovers at 11 access points to the beach. The Port Commission approved a match of \$335,000, or a 50% match, for the walkovers. At its June 6<sup>th</sup> meeting, the City Commission approved the City's match of \$335,000 coming from ARPA funds. The City has entered into an agreement with a contractor to design, permit and construct the first phase of the project. Survey work for 16<sup>th</sup> Street walkover has been completed. However, a walkover likely will not be done there because of beach erosion. Construction of the 10 walkovers will be done in two phases. For the first phase, walkovers were constructed at 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 8<sup>th</sup> Streets. In March-April 2023, the County has rebuilt the existing walkovers at 2<sup>nd</sup>, 7<sup>th</sup> and 9<sup>th</sup> Streets. The City has a new walkover at B Street. Additional walkovers will be constructed after the beach renourishment project is finished in February 2024.

15. HAMMOCK DUNES PARK. This Park is located on the west side of A1A Beach Boulevard between the shopping center and the Whispering Oaks subdivision. At this time, it has no amenities, such as walking trails because the City staff is involved in a number of significant drainage and other projects.

16. UNDERGROUNDING OF UTILITIES. At its May 2, 2022, meeting, the City Commission reviewed a request from the City Manager for referenda topics for the 2022 primary or general election. One possible referendum topic discussed was the undergrounding of utility lines. The Commission reviewed information concerning this topic at its June 6<sup>th</sup> meeting and decided to hold a workshop in August with representatives from Florida Power and Light. At its July 11<sup>th</sup> meeting, the Commission held a workshop for Tuesday, August 2<sup>nd</sup> with representatives from FP&L. The outcome was for City staff to prepare a Request for Qualifications for companies experienced with assisting cities with planning for undergrounding projects. The Commission reviewed the proposed RFQ at its September 12<sup>th</sup> meeting and decided not to advertise it but see whether the voters approve the additional one-cent sales tax at the November general election. As the tax wasn't approved, the Commission discussed undergrounding at its January 9, 2023, meeting and agreed with the City Manager's suggestion to request next summer that money be put in the Fiscal Year 2024 budget for consultant to prepare an estimate of the costs to do the undergrounding and what funding sources are available to pay the costs.

17. UPDATING STORM DRAINAGE MASTER PLAN. The City has hired CMT, a civil engineering consultant, to do the update. Work on it has started. Before the study is completed in the spring of 2023, a meeting within the next 60 days will be held to obtain public comment to assist in the development of the plan. An update will be provided by CMT at the Commission's May 1<sup>st</sup> meeting.

18. TRAFFIC SIGNAL ON STATE ROAD A1A AT MADRID STREET AND THE ENTRANCE TO MARSH CREEK SUBDIVISION. This has been requested by City residents. The signal would benefit the residents of two private, gated subdivisions, Whispering Oaks and Marsh Creek, and one ungated subdivision, Sevilla Gardens, with public streets. In response to emails from the City Manager, the Florida Department of Transportation responded that there aren't enough residents in Sevilla Gardens to justify the signal and the two gated subdivisions would be responsible for having a traffic study done, and, if the study showed the signal was justified, paying for the signal. The City Manager forwarded this information to a Whispering Oaks resident, who said he would contact Marsh Creek. At the Commission's December 5, 2022, meeting, Commissioner George said she would contact the Marsh Creek Homeowners Association

about the traffic signal proposal. She reported at the Commission's April 3, 2023, meeting that the cost of the signal system, according to the Florida Department of Transportation, would be \$1 million.

#### 19. NEW STREETLIGHTS ON 11<sup>TH</sup> STREET

The City has asked Florida Power and Light to put two new lights on the north side of 11<sup>th</sup> Street between Mickler Boulevard and the entrance to the Ocean Ridge subdivision. The City Manager has signed the contract for the lights.

20. OPENING 4<sup>TH</sup> STREET BETWEEN A1A BEACH BOULEVARD AND 2<sup>ND</sup> AVENUE. This is a platted street, most of which is unpaved. The City's policy is that the cost to open and pave such streets is paid by the owners of the lots adjacent to them and the City. The owners are charged an assessment. At its November 14, 2022, meeting, the City Commission approved the City Manager notifying the owners of the City's intent to open the street and charge them an assessment. In early December, the Manager sent the notification letters to the four owners. In late February, one property owner in response to his inquiry was told the cost to construct the street would be between \$460,000 and \$500,000.