



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, MARCH 14, 2022 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- 3.A. Proclamation 2022-09:** Proclaiming the month of March 2022 as Archaeology Month. *(N. Sikes-Kline, Commissioner)*

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

(PRESENTATIONS (MAXIMUM OF 10 MINUTES PER PRESENTATION)). PRESENTATIONS FOR COMMISSION MEETINGS MUST BE PRESENTED TO THE CITY MANAGER FOR APPROVAL NO LATER THAN TEN (10) WORKING DAYS PRIOR TO THE NEXT CITY COMMISSION MEETING. A PRESENTATION SUPPORT SERVICES REQUEST (AVAILABLE ON THE CITY'S WEBSITE) MUST ACCOMPANY ALL PRESENTATIONS.

7.A. General Public Presentations

- 7.B. An update from the Town and Gown Advisory Committee of Flagler College will be presented by Committee Chair, Tom Day. *(M. Wissel, Director Communications)*

7.C. Items of Great Public Importance

7.D. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

- 8.A.1. **Ordinance 2022-05**: Clarifies and confirms that the city may use any legally available procedures for code enforcement proceedings. *(I. Lopez, City Attorney)*
- 8.A.2. **Ordinance 2022-06**: Clarifies and codifies in greater detail existing procedures for city code citations. *(R. Thibault, Assistant City Attorney)*

8.B. Ordinances - First Reading (only if required by law)

8.C. Resolutions - Public Hearing (only if required by law)

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

- 9.A.1. **Ordinance 2022-07**: Updates land development regulations related to home-based businesses. *(A. Skinner, Director Planning and Building)*

9.B. Resolutions

- 9.B.1. **Resolution 2022-08**: Supports the grant application for assistance under the Florida Inland Navigation District's waterways assistance program for the Avenida Menendez Seawall continuation project. *(R. Franklin, Director Public Works)*

10. STAFF REPORTS AND PRESENTATIONS

11. ITEMS BY CITY ATTORNEY

- 11.A. Legislative update. (No Presentation). *(I. Lopez, City Attorney)*

12. ITEMS BY CITY CLERK

- 12.A. Request for one appointment to the Corridor Review Committee (CRC). *(D. Galambos, City Clerk)*
- 12.B. Request for two appointments to the Historic Architectural Review Board (HARB). *(D. Galambos, City Clerk)*
- 12.C. Request for alternate position to Historic Architectural Review Board (HARB). *(D. Galambos, City Clerk)*

13. ITEMS BY CITY MANAGER

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. ***The City of St. Augustine encourages anyone wishing to present the invocation at city commission meetings to contact the City Clerk's office, to be placed on the rotation list, and encourages people of all religious affiliations or of no religious affiliation to present a non-denominational invocation to inspire us in the work of the City Commission. The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CONSENT AGENDA - MARCH 14, 2022

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON MARCH 28, 2022:

- Ordinance 2022-07

CA.3. Reminder of Upcoming Meetings:

- March 28, 2022, 3pm, Special City Commission Meeting
- March 28, 2022, 5pm, Regular City Commission Meeting
- April 11, 2022, 5pm, Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- February 14, 2022 regular commission meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.

CA.8. Approval of Madeira at St. Augustine Phase 1C plat. (*A. Skinner, Director Planning and Building*)

CA.9. Information regarding the fees received for and the cost of the vacation rental program. (*A. Skinner, Director Planning and Building*)

CA.10. Invoice for professional services by Cavendish Partners, P.A. in the Smith v. City matter for \$3,600.00. (*I. Lopez, City Attorney*)

End of Consent Agenda



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, the month of March has been designated Florida Archaeology Month by the State of Florida in recognition of archaeology's importance in understanding and preserving the State's cultural resources, as well as promoting public awareness of those resources; and

WHEREAS, people of diverse races and ethnicities have made Florida their home for thousands of years and left behind archaeological evidence of their presence; and

WHEREAS, the City of St. Augustine has recognized the significance of its archaeological heritage and has endeavored to document the remains of both the prehistoric and historical past by establishing an archaeological ordinance and program; thereby, underscoring the national and international significance of that heritage; and

WHEREAS, 2022 marks the 35th anniversary of the City's Archaeological Preservation Ordinance, one of the first enacted in the country; and through its implementation, has gained immeasurable knowledge about our community's past and of those missing or underrepresented in the historical record; and

WHEREAS, the St. Augustine Archaeological Association, formed in part to support community archaeology and the passage of the archaeological ordinance, recently celebrated their 35th anniversary, and many of its members have donated their time in support of the City's Archaeology Program.

*NOW, THEREFORE, the City Commission of the City of St. Augustine does hereby proclaim the month of March 2022, as **ARCHAEOLOGY MONTH** in St. Augustine; and encourages citizens to recognize the importance of preserving the past before it is lost and support archaeological efforts to preserve St. Augustine's unique cultural heritage.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 14th day of March in the year of our Lord two thousand and twenty-two and the four hundred and fifty-sixth year of the founding of St. Augustine, the Nation's Oldest City.

Tracy Upchurch, Mayor

CITY OF ST. AUGUSTINE

MEMORANDUM

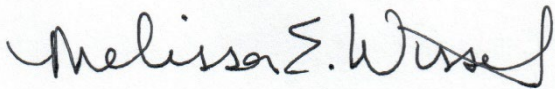
TO: John Regan, City Manager

RE: Town and Gown Advisory Committee Update

DATE: March 3, 2022

Town and Gown Advisory Committee Chair Tom Day will present an update to the City Commission for informational purposes.

Thank you,

A handwritten signature in black ink that reads "Melissa E. Wissel". The signature is written in a cursive, flowing style.

Melissa Wissel
Communications Director



Town & Gown Advisory Committee Presentation to the City of St Augustine March 14, 2022





Members of the Committee

	<u>2017</u>	<u>2022</u>
Total	11	12
Residents	5	5
College	3	4
City	3	3



History:

Formed in 2017 by City and College to enhance communication between the College and Residents

Mission Statement:

“Serve as a channel for representatives from the College and Community to discuss relevant issues that impact each to include but not be limited to: student behavior, mobility, transparency of growth, and housing”

Action:

25 recommendations presented to the City in October 2015, one of which was to form a permanent group

Results:

College and residents meetings since 2017

College Newsletter

Enrollment growth

“Coffee with a Cop” – Assigned manpower

Musical entertainment

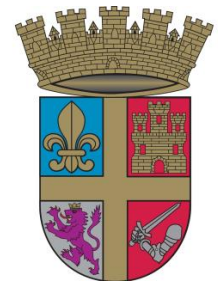
International Town& Gown Association

Advanced Learning

Town & Gown Committee

The Future:

- Continue to advise of growth plans in advance
- Support the College’s strategic plans
- Support the College’s athletic teams
- Build awareness of Town and Gown
- Expand the role of “Forever Learning”



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

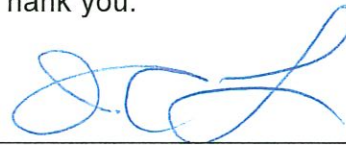
DATE: March 2, 2022

RE: **ORDINANCE 2022-05: AVAILABLE PROCEDURES FOR CODE ENFORCEMENT PROCEEDINGS**

Ordinance 2022-05 is a cleanup ordinance intended to clarify and confirm that the city may use any legally available procedures for code enforcement proceedings, including utilizing the code enforcement board, the special magistrate, or county court as allowed pursuant to state statute.

Please place Ordinance 2022-05 on the regular City Commission agenda for second reading on March 14, 2021.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Ord 2022-05: Clarifies and confirms that the city may use any legally available procedures for code enforcement proceedings.

ORDINANCE NO. 2022-05

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 2-316 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO CLARIFY THAT ALL LEGALLY AVAILABLE METHODS FOR CODE ENFORCEMENT ARE AVAILABLE TO THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 166.041, Florida Statutes, provides procedures for adoption of ordinances by municipalities; and

WHEREAS, the municipal code identifies multiple methods of code enforcement throughout the code available pursuant to Florida law, Chapter 162; and

WHEREAS, the municipal code may reference one procedure of code enforcement in a particular passage, however the intent was to make all procedural methods available for code enforcement; and

WHEREAS, the City Commission of the City of St. Augustine finds that depending on prosecutorial circumstances one method may be more appropriate based on the facts of a case, and wishes to clarify that all legally available methods for code enforcement are available to the City; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending Chapter 2, Article VI, Division 2, Section 2-316. Chapter 2, Article VI, Division 2, Section 2-316 of the Code of the City of St. Augustine is hereby amended to read as follows:

“Sec. 2-316. - Authority and purpose.

This division is adopted pursuant to F.S. ch. 162, Pt. II, and F.S. ch. 633, as a supplemental method of enforcing the codes and ordinances of the City of St. Augustine, and is enacted to protect the public health, safety and welfare of the citizens of the City of St. Augustine, Florida, and in no way is intended to replace or exclude the enforcement of code or ordinance violations as otherwise permitted by law. Reference to code enforcement, code enforcement board, or special

magistrate found in municipal code means any legally available method of code enforcement interchangeably, and is not intended to preclude one procedural method of code enforcement over all others.

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. 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. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

Tracy Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 2, 2022

RE: **ORDINANCE 2022-06: CODIFYING EXISTING PROCEDURES FOR CITY CODE VIOLATIONS**

Ordinance 2022-06 clarifies and codifies in greater detail existing procedures for city code citations, including the opportunity to pay an uncontested fine, the availability of community service in lieu of payment for indigent defendants, and criminal procedures and penalties. This amendment updates the timeline and options available to defendants to be consistent with the county court judicial notice requirements of the 7th Judicial Circuit.

Please place Ordinance 2022-06 on the regular City Commission agenda for second reading on March 14, 2021.

Thank you.



Richard K. Thibault
Assistant City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Ord 2022-06: Clarifies and codifies in greater detail existing procedures for city code citations.

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE AMENDING SECTION 1-8, PERTAINING TO PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THE CODE OF THE CITY OF ST. AUGUSTINE AND ORDINANCES ENACTED BY THE CITY; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR PENALTIES, REMEDIES AND COSTS OF ENFORCEMENT; PROVIDING FOR THE IMPOSITION OF LIENS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 166.041, Florida Statutes, provides procedures for adoption of ordinances by municipalities; and

WHEREAS, the City Commission enacts ordinances from time-to-time and codifies and amends the Code of Ordinances of the City of St. Augustine and, in taking such actions, the City Commission provides for penalties for the violation of the City Code and ordinances of the City; and

WHEREAS, under the provisions of Article VIII, Section 2 of the Constitution of the State of Florida, as expressed in Attorney General Opinion Number 81-76, dated October 13, 1981, and issued to the City Attorney of the City of Vero Beach, the City possesses the broad home rule authority to adopt and impose penalties for violations of the City Code and City ordinances; and

WHEREAS, although Section 775.08(2) and (3), Florida Statutes, provides that for purposes of state criminal nomenclature the conviction for violation of a municipal ordinance is neither a misdemeanor nor a non-criminal violation, the Florida legislature separately enacted Section 162.22 and Section 901.15, Florida Statutes, which provides for fines, arrest, or imprisonment as penalties to municipal code violations; and

WHEREAS, under the provisions of Chapter 162, Florida Statutes, the City's code enforcement processes and procedures, common law legal remedies available to the City, and other controlling applicable law provide the City with the adequate ability to remedy violations and penalize individuals who may violate the Code of Ordinances of the City of St. Augustine and the ordinances of the City; and

WHEREAS, State of Florida v. Coleman, 320 So. 3d 890 (2021) has upheld Section 162.22, Florida Statutes allowing for a person convicted of violating a municipal ordinance be sentenced to pay a fine, not to exceed \$500, and may be sentenced to a definite term of imprisonment, not to exceed sixty (60) days, in a municipal detention center or other facility as authorized by law; and

WHEREAS, the Section 901.15, Florida Statutes provides for an arrest by an officer without a warrant if a person has committed a violation of a municipal ordinance in the presence of the officer; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending Chapter 1, Section 1-8. Chapter 1, Section 1-8 of the Code of the City of St. Augustine is hereby amended to read as follows:

"Sec. 1-8. - General penalty; continuing violations.

(a) In this section "violation of this Code" means:

- (1) Doing an acting that is prohibited or made or declared unlawful, an offense or a misdemeanor by ordinance or by rule or regulation authorized by ordinance.
- (2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance.
- (3) Failure to perform an act if the failure is declared a misdemeanor or an offense or unlawful by ordinance or by rule or regulation authorized by ordinance.

(b) In this section "violation of this Code" does not include the failure of a city officer or city employee to perform an official duty unless it is provided that failure to perform the duty is to be punished as provided in this section.

(c) Except as otherwise provided, a person convicted of a violation of this Code shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for a term not exceeding sixty (60) days or any combination thereof. With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

A civil penalty of less than the maximum fine may be assessed if the person who has committed the civil infraction does not contest the citation and pays the fine within the time shown on the notice.

- (d) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.
- (e) Violations of this Code that are continuous with respect to time may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief.
- (f) The imposition of a penalty does not prevent code enforcement board proceeding or the imposition of a civil fine or civil penalty.

(g) Law enforcement of specified code violations- For violations of Sections 4-5, 18-8, 22-10, 22-12, and 24-14 of the municipal code, law enforcement officers- will follow the procedures identified in this section and Florida law. A law enforcement officer may issue a notice of violation or conduct a warrantless arrest pursuant to Section 901.15 Florida Statutes.

(1) Notice of citation. The citation notice shall inform the violator of the nature of the violation, amount of fine for which the violator is liable, providing instructions and due date for paying the fine within fifteen (15) days of issuance of the citation, and that the failure to pay the fine within fifteen (15) days of notice shall constitute an admission of the violation and be referred to county court for prosecution.

(2) The citation notice will include a court date and information on options to contest the citation, pay the citation, or provide community service. .

(3) A violator who has been served a citation must pay the fine within fifteen (15) days. Failure to do so shall result in the citation being referred to a court of competent jurisdiction for imposition of criminal prosecution pursuant to this section. Upon payment of the citation within the fifteen (15) daytime period, the matter will be administratively dismissed and not referred to county court for prosecution.

(4) In lieu of a civil penalty or criminal violation, or in addition to a lesser civil penalty, any violator of this section may elect to engage in community service hours not to exceed twenty (20) hours for first time violations and not to exceed forty (40) hours for repeat offenders. Upon completion of the hours, the matter will be administratively dismissed, or adjudication will be withheld if the citation has been referred to criminal court.

(5) Any person who willfully refuses to sign and accept a citation issued by a code enforcement or law enforcement officer shall be guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082, Florida Statutes^[1], or Section 775.083, Florida Statutes.

(6) The City may utilize all legally available code enforcement procedures available pursuant to Florida law,, as it deems appropriate under the circumstances..

(i) During the course of the City's code enforcement activities, the City shall account for the costs of code enforcement pertaining to each particular case including, but not limited to, administrative costs. All costs so charged may be assessed against the code violator and shall constitute a lien upon the property of the code violator, said lien may be filed in the public/official records of any county, and may be assessed and collected in accordance with the provisions of law.

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. 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. Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

Tracy Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: March 3, 2022

RE: **Introduction and First Reading Regarding Ordinance 2022-07 to Update Land Development Regulations related to home-based businesses and associated code revisions**

At their regularly scheduled meeting on Tuesday, March 1, 2022, the Planning and Zoning Board (PZB) reviewed and recommended the attached Ordinance. This ordinance provides language to update Chapter 28 the Zoning Code, individual zoning districts and the Supplementary Regulations in the Zoning Code to be consistent with the amended Florida Statutes related to home-based businesses. The PZB discussed the proposed revisions and recommended the revisions regarding home-based businesses to the City Commission.

The Florida legislature made changes to the Florida Statutes that impacted the existing city code, and changed the way that the city must approach “home occupation” or “home office, private” uses. The statute language is also attached as Florida Statute 559.955. In affect the Statute change preempts or limits the city’s ability to regulate these types of uses. There are only limited areas of regulation that the city can impose on these types of uses, such as Business Tax Receipts, signage, noise, parking of commercial vehicles for example that is beyond regulation of residential uses in an area.

The changes in the attached ordinance bring the city zoning code into compliance with the revised Florida Statutes, adding home-based business, eliminating references to home occupation, and home office, private, and referring to consistent enforcement with the State of Florida Statute.

This item was recommended by the PZB to the City Commission regarding updating the Zoning Chapter (Chapter 28) of the Land Development Code.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4320 or email at askinner@citystaug.com.



Amy McClure Skinner, AICP
Director, Planning and Building Department

Fla. Stat. § 559.955



Current through 2021 Legislative Session

Section 559.955 - Home-based businesses; local government restrictions**(1)** Local governments may not enact or enforce any ordinance, regulation, or policy or take any action to license or otherwise regulate a home-based business in violation of this section.**(2)** A home-based business that operates from a residential property as provided in subsection (3):**(a)** May operate in an area zoned for residential use.**(b)** May not be prohibited, restricted, regulated, or licensed in a manner that is different from other businesses in a local government's jurisdiction, except as otherwise provided in this section.**(c)** Is only subject to applicable business taxes under chapter 205 in the county and municipality in which the home-based business is located.**(3)** For purposes of this section, a business is considered a home-based business if it operates, in whole or in part, from a residential property and meets the following criteria:**(a)** The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.**(b)** Parking related to the business activities of the home-based business complies with local zoning requirements and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Local governments may regulate the use of vehicles or trailers operated or parked at the business or on a street right-of-way, provided that such regulations are not more stringent than those for a residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence. Local governments may regulate the parking or storage of heavy equipment at the business which is visible from the street or neighboring property. For purposes of this paragraph, the term "heavy equipment" means commercial, industrial, or agricultural vehicles, equipment, or machinery.**(c)** As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.**(d)** The

activities of the home-based business are secondary to the property's use as a residential dwelling. **(e)** The business activities comply with any relevant local or state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors. Any local regulations on a business with respect to noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors may not be more stringent than those that apply to a residence where no business is conducted. **(f)** All business activities comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids. Any local regulations on a business with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids may not be more stringent than those that apply to a residence where no business is conducted. **(4)** Any adversely affected current or prospective home-based business owner may challenge any local government action in violation of this section. The prevailing party in a challenge may recover reasonable attorney fees and costs incurred in challenging or defending the action, including reasonable appellate attorney fees and costs. **(5)** The application of this section does not supersede: **(a)** Any current or future declaration or declaration of condominium adopted pursuant to chapter 718, cooperative document adopted pursuant to chapter 719, or declaration or declaration of covenant adopted pursuant to chapter 720. **(b)** Local laws, ordinances, or regulations related to transient public lodging establishments, as defined in s. 509.013(4)(a)1., that are not otherwise preempted under chapter 509.

Fla. Stat. § 559.955

Added by 2021 Fla. Laws, ch. 202, s 1, eff. 7/1/2021.

ORDINANCE NO. 2022-07

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 TO PROVIDE A DEFINITION FOR HOME-BASED BUSINESS; AMENDING CODE SECTIONS 28-161, 28-162, 28-163, 28-164, 28-165, 28-166, 28-167, 28-183, 28-184, 28-185, 28-187, 28-206, 28-207, 28-208, 28-209, 28-226, 28-246 TO ALLOW FOR HOME-BASED BUSINESS AS A PERMITTED USE; AMENDING SECTION 28-347 TO MODIFY SUPPLEMENTAL REGULATIONS; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Florida legislature has expanded the types of permitting opportunities for Florida home-based businesses; and

WHEREAS, the City of St. Augustine in order to clarify the intent of the regulations, the City wishes to adopt an amendment of terms to clearly define the zoning regulations in accordance with Florida Statute 559.955; and

WHEREAS, in order to clarify the intent of the regulations, the City wishes to adopt an amendment of terms to clearly define the applicable law as it relates to zoning districts for home-based businesses; and

WHEREAS, on March 1, 2022 the Planning and Zoning Board acting as the designated land planning agency for the City of St. Augustine recommended the included additions and revisions to Chapter 28, the Zoning Code to the City Commission; and

WHEREAS, the City Commission for the City of St. Augustine 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.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending the Code of the City of St. Augustine. Sections 28-2, 28-161, 28-162, 28-163, 28-164, 28-165, 28-166, 28-167, 28-183, 28-184, 28-185 28-187, 28-206,

28-207, 28-208, 28-209, 28-226, 28-246, and 28-347 of the Zoning Code of the City of St. Augustine are hereby amended, as follows:

“Sec. 28-2. - Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word ‘shall’ is mandatory; the word ‘may’ is permissive. The word ‘used’ or ‘occupied’ includes the words ‘intended, designed or arranged to be used or occupied.’ The word ‘lot’ includes the word ‘plot’ or ‘parcel.’ The word ‘structure’ includes the word ‘building’ as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word ‘land’ includes the word ‘marsh,’ ‘water’ or ‘swamp.’ The word ‘map’ shall mean the ‘Zoning Maps of the City of St. Augustine, Florida’ and the ‘city’ shall mean the City of St. Augustine, Florida, a corporation of the State of Florida.

...

Home-based business means a business that operates, in whole or in part, from a residential property and meeting all the criteria as established in Florida Statute 559.955, as may be amended.

Home for the aged means a facility for the care of the aged with routine nursing or medical care provided.

Home occupation means a home-based business as that term is defined in Chapter 559.955, Florida Statutes.

Home office, private, means a home-based business as that term is defined in Chapter 559.955, Florida Statutes.

...”

“Sec. 28-161. – Residential, single-family-one: RS-1. .

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwelling; Home-based business.

...”

“Sec. 28-162. - Residential, single-family-two: RS-2.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses, so as to create and maintain a low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwellings; Home-based business.

...”

“Sec. 28-163. Residential, general-one: RG-1.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a medium intensity residential character.

- (1) *Permitted uses and structures:*

- a. Single-family dwellings.
- b. Multiple-family dwellings.
- c. Housing for the elderly.
- d. Roominghouses and boardinghouses.
- e. Tourist homes and bed and breakfast inns.
- f. Neighborhood recreational facility.
- g. Accessory apartments.
- h. Home-based business.

...”

“Sec. 28-164. Residential, general-two: RG-2.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a diverse medium intensity residential character.

- (1) *Permitted uses and structures:*

- a. Multifamily dwellings.
- b. Accessory apartments.
- c. Single-family dwellings.
- d. Tourist homes and bed and breakfast inns.
- e. Rooming and boarding houses.
- f. Hotel or motel, thirty (30) units maximum.
- g. Housing for the elderly.
- h. Neighborhood recreation facility.
- i. Home-based business.

...”

“Sec. 28-165. Residential and general office: RGO.

Intent. This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) Permitted uses and structures:

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- i. Hotels, motels, conference centers, convention centers and spas.
- j. Craft alcohol industry.
- k. Home-based business.

...”

“Sec. 28-166. Residential, low-one: RL-1.

Intent. This district is intended to apply to those neighborhoods designated for single and multiple-family dwellings and uses, as well as those nonresidential uses compatible with and complementary to low density residential uses, so as to create and maintain a mixed low density residential character.

(1) Permitted uses and structures:

- a. Single-family dwellings.
- b. Accessory apartments.
- c. Multiple-family dwellings.
- d. Home-based business.

...”

"Sec. 28-167. Residential and general office-A: RGO-A.

(a) *Intent.* This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) *Permitted uses and structures.*

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- i. Hotels, motels, conference centers, convention centers and spas.
- j. Craft alcohol industry.
- k. Home-based business.

..."

"Sec. 28-183. - Historic preservation district: HP-1.

Intent. This district is intended to provide primarily residential uses that will encourage the preservation and restoration of historic structures in the district.

...

(2) *Permitted uses and structures:*

- a. Single-family. Owner occupied or rental dwelling unit. If a rental dwelling unit, rentals on a monthly or greater period of time.
- b. Accessory apartments, apartments and duplexes, rental dwellings being rented on a monthly or greater period of time.
- c. Home-based business.

..."

"Sec. 28-184. Historic preservation district: HP-2.

Intent. This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

...

(2) Permitted uses and structures:

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.
- d. Professional and business offices.
- e. Rooming and boarding houses.
- f. Banks and other financial institutions.
- g. Retail sales (excluding rental of motorized vehicles):
 - 1. New.
 - 2. Antique.
 - 3. Souvenir.
 - 4. Gift.
 - 5. Craft, such as specialty food stores (including beer and wine but not supermarkets), clothing, toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop, sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.
- h. Service:
 - 1. Barbershop or beauty shop.
 - 2. Shoe repair.
 - 3. Restaurant (but not drive-in).
 - 4. Interior decorator.
 - 5. Photographic, art, craft, dance or music studios, indoor theatres, tailoring, catering and clothing rental.
- i. Museums.
- j. Housing for the elderly.
- k. Home-based business.

...”

“Sec. 28-185. Historic preservation district: HP-3.

Intent. This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

...

(2) Permitted uses and structures:

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.

- d. Retail sales (excluding rental of motorized vehicles):
 - 1. New.
 - 2. Antique.
 - 3. Souvenir.
 - 4. Gift.
 - 5. Craft such as specialty food stores (including beer and wine but not supermarkets), clothing and toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop, sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.
- e. Service. Restaurants with lounges; interior decorator; hair salon; photographic, art, craft, dance or music studios; tailoring; catering and clothing rental.
- f. Museums.
- g. Professional and business offices.
- h. Rooming and boarding houses.
- i. Housing for the elderly.
- j. Home-based business.

...”

“Sec. 28-187. - Historic preservation district: HP-5.

Intent. This district is intended to provide a mix of residential and nonresidential uses compatible with the existing historic structures and the district's relationship with surrounding neighborhoods and traffic circulation.

...

(2) Permitted uses and structures:

- a. Single-family.
- b. Professional and business offices.
- c. Banks and other financial institutions.
- d. Museums that relate to the history of St. Augustine.
- e. Housing for the elderly.
- f. Hair salons, beauty shops and barber shops.
- g. Tattoo parlor or studio.
- h. Home-based business.

...”

“Sec. 28-206. - Commercial low-one: CL-1.

Intent. This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The CL-1 district is not intended for use by medium intensity commercial uses such as

service stations, vehicle repair and sales, etc. However, professional and business offices and similar uses are encouraged.

(1) Permitted uses and structures:

- a. Retail outlets such as specialty food stores and drugs (but not supermarkets); clothing, hardware, toy and hobby shops; pet shops (but not kennel or veterinarian); bookstore and newsstand; stationery and card shops; leather goods and luggage; jewelry (including repair but not pawn shops); art and photographic supplies; TV and stereo equipment (including incidental repairs); florist or gift shop; bake shop (but not wholesale bakery); sporting goods; sundries and notions; business office supplies; musical instruments, records and tapes; and similar products.
- b. Service establishments such as hair salons, shoe repair shop, restaurant (up to one hundred (100) seats, but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises and similar activities.
- c. Tourist homes and bed and breakfast inns.
- d. All types of professional and business offices.
- e. Churches (except temporary revival establishments).
- f. Libraries and museums.
- g. Single-family dwellings as for RG-1 (section 28-163).
- h. Multiple-family housing.
- i. Rooming and boarding houses.
- j. Housing for the elderly.
- k. Antique shops.
- l. Stables, provided, however, that property shall have been utilized as of the date of the adoption of this subsection [December 23, 1991,] as a stable for more than two (2) years preceding such adoption, and no other.
- m. Tattoo parlor or studio.
- n. The above uses are subject to the following limitations:
 - 1. Sale, display, preparation and storage to be conducted within a completely enclosed building, and no more than twenty (20) percent of floor space to be devoted to storage.
 - 2. Products to be sold only at retail.
 - 3. No sale, display or storage of secondhand merchandise except as incidental to sale of new merchandise.
- o. Home-based business.

...

"Sec. 28-207. - Commercial low-two: CL-2.

Intent. This district is intended to apply to areas where low intensity commercial uses may be located to serve one (1) or more neighborhoods. The CL-2 district is not intended for use by medium intensity commercial uses but low traffic generating commercial uses are encouraged.

(1) Permitted uses and structures:

- a. Retail outlets such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, home furnishings and appliances (including incidental repairs), office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating and similar products.
- b. Service establishments such as hair salons, shoe repair shop, restaurant (but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises, radio and TV broadcasting office and studio, funeral home, marina, blueprinting, job printing and newspaper, electronic equipment repair shop, travel agencies, employment offices and similar activities.
- c. Banks, loan companies, mortgage brokers, stockbrokers and similar financial institutions.
- d. All types of professional and business offices, union hall and similar uses.
- e. Art gallery; museum; community center; vocational, trade or business school; colleges and universities; and similar uses.
- f. An establishment or facility for the retail sale or service of all alcoholic beverages either for on-premises or off-premises consumption, or both (but not drive-in).
- g. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on premises.
- h. Commercial parking lots, automobile parking garages.
- i. Hotels and motels without kitchenettes (maximum of fifty (50) units).
- j. Single-family dwellings as for RG-1 (section 28-163).
- k. Shopping plaza.
- l. Churches.

- m. Multiple-family dwellings as for RG-1.
- n. Tattoo parlor or studio.
- o. Micropigmentation clinic.
- p. Craft alcohol industry. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
- q. Home-based business.

...”

“Sec. 28-208. - Commercial medium-one: CM-1.

Intent. This district is intended to apply to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) Permitted principal uses and structures:

- a. Service station.
- b. Hotels and motels with or without kitchenettes.
- c. Shopping plaza and shopping center.
- d. Reception and information center.
- e. Museums.
- f. Outdoor recreational facilities.
- g. Service establishments such as hair salons, shoe repair shop, restaurant (including drive-in or fast food), service stations, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises, radio and TV broadcasting office and studio, funeral home, marina, blueprinting, job printing and newspaper, electronic equipment repair shop, travel agencies, employment offices, furniture reupholstering, video rental and similar activities.
- h. Banks and financial institutions.
- i. Multiple-family dwellings.
- j. Retail outlets such as specialty food stores, pharmacy, supermarkets, clothing and toy and hobby shops, pet shops (but not kennel), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, sporting goods, TV and stereo equipment (including repairs), florist or gift shop, bake shop, sundries and notions, business office supplies, musical instruments, records and tapes, art gallery and antique shop, home furnishings and appliances (including repairs), office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating, plant nursery and

garden center, alcohol sales and service (without drive-in) and similar products.

- k. Business and professional offices.
- l. Intermediate care facility.
- m. Special event venue as per section 28-347(8).
- n. Tattoo parlor or studio.
- o. Micropigmentation clinic.
- p. Home-based business.

...”

“Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

- (1) *Permitted uses and structures.* As for CM-1 (section 28-208), and in addition:
- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
 - b. Service establishments of all kinds including automobile service station or truck stop (see section 28-338) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstery, furniture refinishing and similar establishments.
 - c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
 - d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
 - e. Hotels and motels with or without kitchenettes.

- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.
- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- k. Agricultural market, outdoor or indoor.
- l. Special event venue as per section 28-347(8).
- m. Craft alcohol industry. See also Sec. 28-209 (1) d. for limitations on any type of wholesale, jobber or distributorship business.
- n. Home-based business.

...

“Sec. 28-226. - Industrial and warehousing: IW.

Intent. This district is intended to allow light manufacturing and related service, storage and commercial uses.

(1) Permitted uses and structures:

...

- n. Home-based business.

...

“Sec. 28-246. - Open lands district: OL.

Intent. This district is intended to apply to areas which are sparsely developed and including uses as normally found in environmentally sensitive areas away from urban activity. It is intended that substantial residential, commercial or industrial development shall not be permitted in the OL district; but lands in such district may be rezoned to the proper district to accommodate such uses when conditions warrant rezoning.

(1) Permitted uses and structures:

- a. Marinas, bait and tackle shops.
- b. Intermediate care facilities.
- c. Outdoor market.
- d. Commercial recreational facilities.
- e. Game preserves, wildlife management areas, fish hatcheries and refuges, watershed, water reservoirs and wells.
- f. Churches, monasteries, convents, temporary revival establishments, cemeteries, columbariums, crematories, mausoleums and memorial structures and monuments.
- g. Schools, colleges and universities with conventional academic curriculums.
- h. Housing for the elderly.

- i. Single-family dwellings on individual lots provided that no subdivision plat shall be recorded for such use in this district.
- j. Day nurseries and kindergartens (see section 28-347(2)).
- k. Governmental uses.
- l. Professional and business offices.
- m. Museums.
- n. The sale of wine, vinous spirits or vinous liquors for religious or sacramental purposes; however, the sale of said wine, vinous spirits or vinous liquors shall be in compliance with F.S. § 564.03 and any rules or regulations of the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business Regulation or its successor.
- o. Home-based business.

...

“Sec. 28-347. - Supplementary regulations for certain uses.

In addition to the permissible uses by exception listed in the schedule of district regulations, (article III), the following uses shall be permissible by exception in the districts indicated; and, unless specific provision is made otherwise in the grant of exception, such uses, whether permitted or permissible by exception, shall conform to all supplementary regulations listed under such use:

Home occupations and Home office, private. Home occupations and Home office, private shall have the same meaning and comply with the same criteria as home-based businesses pursuant to Chapter 559.955, Florida Statutes, as may be amended from time to time.

...

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that repealed language shall be removed and that the sections of this ordinance may be re-numbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. 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. Effective Date. This ordinance shall become effective upon passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: March 1, 2022

RE: **Other Business Item 7(a)**

Discussion and Recommendation Regarding an Ordinance to Update Regulations related to home-based businesses and associated code revisions

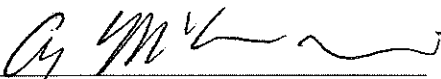
The attached Ordinance is for the Planning and Zoning Board (PZB) to discuss and recommend revisions to the Zoning Code regarding home-based businesses to the City Commission.

The Florida legislature made changes to the Florida Statutes that impacts the existing city code, and changes the way that the city must approach "home occupations". The statute language is attached as Florida Statute 559.955.

The changes in the attached ordinance bring the city zoning code into compliance with the revised Florida Statutes.

This item is for the PZB to discuss and make a recommendation to the City Commission regarding updating the Zoning Chapter of the Land Development Code.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4320 or email at askinner@citystaug.com.



Amy McClure Skinner, AICP
Director
Planning and Building Department

Fla. Stat. § 559.955



Current through 2021 Legislative Session

Section 559.955 - Home-based businesses; local government restrictions**(1)** Local governments may not enact or enforce any ordinance, regulation, or policy or take any action to license or otherwise regulate a home-based business in violation of this section.**(2)** A home-based business that operates from a residential property as provided in subsection (3):**(a)** May operate in an area zoned for residential use.**(b)** May not be prohibited, restricted, regulated, or licensed in a manner that is different from other businesses in a local government's jurisdiction, except as otherwise provided in this section.**(c)** Is only subject to applicable business taxes under chapter 205 in the county and municipality in which the home-based business is located.**(3)** For purposes of this section, a business is considered a home-based business if it operates, in whole or in part, from a residential property and meets the following criteria:**(a)** The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.**(b)** Parking related to the business activities of the home-based business complies with local zoning requirements and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Local governments may regulate the use of vehicles or trailers operated or parked at the business or on a street right-of-way, provided that such regulations are not more stringent than those for a residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence. Local governments may regulate the parking or storage of heavy equipment at the business which is visible from the street or neighboring property. For purposes of this paragraph, the term "heavy equipment" means commercial, industrial, or agricultural vehicles, equipment, or machinery.**(c)** As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.**(d)** The

activities of the home-based business are secondary to the property's use as a residential dwelling. **(e)** The business activities comply with any relevant local or state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors. Any local regulations on a business with respect to noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors may not be more stringent than those that apply to a residence where no business is conducted. **(f)** All business activities comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids. Any local regulations on a business with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids may not be more stringent than those that apply to a residence where no business is conducted. **(4)** Any adversely affected current or prospective home-based business owner may challenge any local government action in violation of this section. The prevailing party in a challenge may recover reasonable attorney fees and costs incurred in challenging or defending the action, including reasonable appellate attorney fees and costs. **(5)** The application of this section does not supersede: **(a)** Any current or future declaration or declaration of condominium adopted pursuant to chapter 718, cooperative document adopted pursuant to chapter 719, or declaration or declaration of covenant adopted pursuant to chapter 720. **(b)** Local laws, ordinances, or regulations related to transient public lodging establishments, as defined in s. 509.013(4)(a)1., that are not otherwise preempted under chapter 509.

Fla. Stat. § 559.955

Added by 2021 Fla. Laws, ch. 202, s 1, eff. 7/1/2021.

ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 TO PROVIDE A DEFINITION FOR HOME-BASED BUSINESS; AMENDING CODE SECTIONS 28-161, 28-162, 28-163, 28-164, 28-165, 28-166, 28-167, 28-183, 28-184, 28-185, 28-187, 28-206, 28-207, 28-208, 28-209, 28-226, 28-246 TO ALLOW FOR HOME-BASED BUSINESS AS A PERMITTED USE; AMENDING SECTION 28-347 TO MODIFY SUPPLEMENTAL REGULATIONS; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Florida legislature has expanded the types of permitting opportunities for Florida home-based businesses; and

WHEREAS, the City of St. Augustine in order to clarify the intent of the regulations, the City wishes to adopt an amendment of terms to clearly define the zoning regulations in accordance with Florida Statute 559.955; and

WHEREAS, in order to clarify the intent of the regulations, the City wishes to adopt an amendment of terms to clearly define the applicable law as it relates to zoning districts for home-based businesses; and

WHEREAS, on March 1, 2022 the Planning and Zoning Board acting as the designated land planning agency for the City of St. Augustine recommended the included additions and revisions to Chapter 28, the Zoning Code to the City Commission; and

WHEREAS, the City Commission for the City of St. Augustine 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.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending the Code of the City of St. Augustine. Sections 28-2, 28-161, 28-162, 28-163, 28-164, 28-165, 28-166, 28-167, 28-183, 28-184, 28-185, 28-187, 28-206,

28-207, 28-208, 28-209, 28-226, 28-246, and 28-347 of the Zoning Code of the City of St. Augustine are hereby amended, as follows:

"Sec. 28-2. - Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word 'shall' is mandatory; the word 'may' is permissive. The word 'used' or 'occupied' includes the words 'intended, designed or arranged to be used or occupied.' The word 'lot' includes the word 'plot' or 'parcel.' The word 'structure' includes the word 'building' as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word 'land' includes the word 'marsh,' 'water' or 'swamp.' The word 'map' shall mean the 'Zoning Maps of the City of St. Augustine, Florida' and the 'city' shall mean the City of St. Augustine, Florida, a corporation of the State of Florida.

...

Home-based business means a business that operates, in whole or in part, from a residential property and meeting all the criteria as established in Florida Statute 559.955, as may be amended.

Home for the aged means a facility for the care of the aged with routine nursing or medical care provided.

Home occupation means a home-based business as that term is defined in Chapter 559.955, Florida Statutes. ~~business, profession, occupation or trade conducted for gain or support and located entirely within a residential building, or a structure accessory thereto, which use is accessory, incidental and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building.~~

Home office, private, means a home-based business as that term is defined in Chapter 559.955, Florida Statutes. ~~home occupation consisting of the office of a practitioner of a recognized profession or business which does not involve office contact with clients or the public.~~

... "

" Sec. 28-161. – Residential, single-family-one: RS-1.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwelling; ~~home-office, private,~~ Home-based business.

... "

"Sec. 28-162. - Residential, single-family-two: RS-2.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses, so as to create and maintain a low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwellings; ~~home-office;~~
~~private;~~ Home-based business.

... "

"Sec. 28-163. Residential, general-one: RG-1.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a medium intensity residential character.

- (1) *Permitted uses and structures:*
- a. Single-family dwellings.
 - b. Multiple-family dwellings.
 - c. Housing for the elderly.
 - d. Roominghouses and boardinghouses.
 - ~~e. Home-office, private.~~
 - ~~fe.~~ Tourist homes and bed and breakfast inns.
 - ~~gf.~~ Neighborhood recreational facility.
 - ~~hg.~~ Accessory apartments.
 - h. Home-based business.

... "

"Sec. 28-164. Residential, general-two: RG-2.

Intent. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a diverse medium intensity residential character.

- (1) *Permitted uses and structures:*
- a. Multifamily dwellings.
 - b. Accessory apartments.
 - c. Single-family dwellings.
 - d. Tourist homes and bed and breakfast inns.
 - e. Rooming and boarding houses.
 - f. Hotel or motel, thirty (30) units maximum.

- g. Housing for the elderly.
- ~~h. Home office, private.~~
- ~~ih.~~ Neighborhood recreation facility.
- ~~i.~~ Home-based business.

... "

"Sec. 28-165. Residential and general office: RGO.

Intent. This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) *Permitted uses and structures:*

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- ~~i. Home office, private.~~
- ~~ji.~~ Hotels, motels, conference centers, convention centers and spas.
- ~~kj.~~ Craft alcohol industry.
- ~~k.~~ Home-based business.

... "

"Sec. 28-166. Residential, low-one: RL-1.

Intent. This district is intended to apply to those neighborhoods designated for single and multiple-family dwellings and uses, as well as those nonresidential uses compatible with and complementary to low density residential uses, so as to create and maintain a mixed low density residential character.

(1) *Permitted uses and structures:*

- a. Single-family dwellings.
- b. Accessory apartments.
- c. Multiple-family dwellings.

~~d. Home office, private.~~

d. Home-based business.

... "

"Sec. 28-167. Residential and general office-A: RGO-A.

(a) *Intent.* This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) *Permitted uses and structures.*

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- ~~i. Home office, private.~~
- j-i. Hotels, motels, conference centers, convention centers and spas.
- ~~k-j.~~ Craft alcohol industry.
- l-k. Home-based business.

... "

"Sec. 28-183. - Historic preservation district: HP-1.

Intent. This district is intended to provide primarily residential uses that will encourage the preservation and restoration of historic structures in the district.

...

(2) *Permitted uses and structures:*

- a. Single-family. Owner occupied or rental dwelling unit. If a rental dwelling unit, rentals on a monthly or greater period of time.
- b. Accessory apartments, apartments and duplexes, rental dwellings being rented on a monthly or greater period of time.
- c. Home-based business.

... "

"Sec. 28-184. Historic preservation district: HP-2.

Intent. This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

...

(2) Permitted uses and structures:

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.
- d. Professional and business offices.
- e. Rooming and boarding houses.
- f. Banks and other financial institutions.
- g. Retail sales (excluding rental of motorized vehicles):
 1. New.
 2. Antique.
 3. Souvenir.
 4. Gift.
 5. Craft, such as specialty food stores (including beer and wine but not supermarkets), clothing, toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop, sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.
- h. Service:
 1. Barbershop or beauty shop.
 2. Shoe repair.
 3. Restaurant (but not drive-in).
 4. Interior decorator.
 5. Photographic, art, craft, dance or music studios, indoor theatres, tailoring, catering and clothing rental.
- i. Museums.
- j. Housing for the elderly.
- ~~k. Home office, private.~~
- k. Home-based business.

... "

"Sec. 28-185. Historic preservation district: HP-3.

Intent. This district is intended to provide a mix of commercial and residential uses that will encourage the restoration and reproduction of historic structures and maintain the historic and pedestrian scale of the neighborhood.

...

(2) *Permitted uses and structures:*

- a. Single-family.
- b. Multifamily.
- c. Tourist homes and bed and breakfast inns.
- d. Retail sales (excluding rental of motorized vehicles):
 1. New.
 2. Antique.
 3. Souvenir.
 4. Gift.
 5. Craft such as specialty food stores (including beer and wine but not supermarkets), clothing and toy and hobby shops, bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, cameras, florist or gift shop, sundries and notions, business office supplies, records and tapes, furniture, art supplies and similar uses.
- e. Service. Restaurants with lounges; interior decorator; hair salon; photographic, art, craft, dance or music studios; tailoring; catering and clothing rental.
- f. Museums.
- g. Professional and business offices.
- h. Rooming and boarding houses.
- i. Housing for the elderly.
- ~~j. Home office, private.~~
- j. Home-based business.

... "

" Sec. 28-187. - Historic preservation district: HP-5.

Intent. This district is intended to provide a mix of residential and nonresidential uses compatible with the existing historic structures and the district's relationship with surrounding neighborhoods and traffic circulation.

...

(2) *Permitted uses and structures:*

- a. Single-family.
- b. Professional and business offices.
- c. Banks and other financial institutions.
- d. Museums that relate to the history of St. Augustine.
- e. Housing for the elderly.
- ~~f. Home office, private.~~
- ~~g.~~ Hair salons, beauty shops and barber shops.
- ~~h.~~ Tattoo parlor or studio.

h. Home-based business.

... "

" Sec. 28-206. - Commercial low-one: CL-1.

Intent. This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The CL-1 district is not intended for use by medium intensity commercial uses such as service stations, vehicle repair and sales, etc. However, professional and business offices and similar uses are encouraged.

(1) *Permitted uses and structures:*

- a. Retail outlets such as specialty food stores and drugs (but not supermarkets); clothing, hardware, toy and hobby shops; pet shops (but not kennel or veterinarian); bookstore and newsstand; stationery and card shops; leather goods and luggage; jewelry (including repair but not pawn shops); art and photographic supplies; TV and stereo equipment (including incidental repairs); florist or gift shop; bake shop (but not wholesale bakery); sporting goods; sundries and notions; business office supplies; musical instruments, records and tapes; and similar products.
- b. Service establishments such as hair salons, shoe repair shop, restaurant (up to one hundred (100) seats, but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises and similar activities.
- c. Tourist homes and bed and breakfast inns.
- d. All types of professional and business offices.
- e. Churches (except temporary revival establishments).
- f. Libraries and museums.
- g. Single-family dwellings as for RG-1 (section 28-163).
- h. Multiple-family housing.
- i. Rooming and boarding houses.
- j. Housing for the elderly.

~~k. Home office, private.~~

~~lk.~~ Antique shops.

~~ml.~~ Stables, provided, however, that property shall have been utilized as of the date of the adoption of this subsection [December 23, 1991,] as a stable for more than two (2) years preceding such adoption, and no other.

~~nm.~~ Tattoo parlor or studio.

~~on.~~ The above uses are subject to the following limitations:

1. Sale, display, preparation and storage to be conducted within a completely enclosed building, and no more than twenty (20) percent of floor space to be devoted to storage.
2. Products to be sold only at retail.
3. No sale, display or storage of secondhand merchandise except as incidental to sale of new merchandise.

o. Home-based business.

... "

" Sec. 28-207. - Commercial low-two: CL-2.

Intent. This district is intended to apply to areas where low intensity commercial uses may be located to serve one (1) or more neighborhoods. The CL-2 district is not intended for use by medium intensity commercial uses but low traffic generating commercial uses are encouraged.

(1) Permitted uses and structures:

- a. Retail outlets such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, home furnishings and appliances (including incidental repairs), office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating and similar products.
- b. Service establishments such as hair salons, shoe repair shop, restaurant (but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises, radio and TV broadcasting office and studio, funeral home, marina, blueprinting, job printing and newspaper, electronic equipment repair shop, travel agencies, employment offices and similar activities.
- c. Banks, loan companies, mortgage brokers, stockbrokers and similar financial institutions.
- d. All types of professional and business offices, union hall and similar uses.
- e. Art gallery; museum; community center; vocational, trade or business school; colleges and universities; and similar uses.
- f. An establishment or facility for the retail sale or service of all alcoholic beverages either for on-premises or off-premises consumption, or both (but not drive-in).

- g. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on premises.
- h. Commercial parking lots, automobile parking garages.
- i. Hotels and motels without kitchenettes (maximum of fifty (50) units).
- j. Single-family dwellings as for RG-1 (section 28-163).
- k. Shopping plaza.
- ~~l. Home office, private.~~
- ~~m.~~ Churches.
- ~~am.~~ Multiple-family dwellings as for RG-1.
- ~~en.~~ Tattoo parlor or studio.
- ~~po.~~ Micropigmentation clinic.
- ~~q-p.~~ Craft alcohol industry. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
- q. Home-based business.

... "

" Sec. 28-208. - Commercial medium-one: CM-1.

Intent. This district is intended to apply to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) Permitted principal uses and structures:

- a. Service station.
- b. Hotels and motels with or without kitchenettes.
- c. Shopping plaza and shopping center.
- d. Reception and information center.
- e. Museums.
- f. Outdoor recreational facilities.
- g. Service establishments such as hair salons, shoe repair shop, restaurant (including drive-in or fast food), service stations, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises, radio and TV broadcasting office and studio, funeral home, marina, blueprinting, job printing and newspaper, electronic equipment repair shop, travel agencies, employment offices, furniture reupholstering, video rental and similar activities.
- h. Banks and financial institutions.
- ~~i. Home office, private.~~
- ~~ji.~~ Multiple-family dwellings.

- kj. Retail outlets such as specialty food stores, pharmacy, supermarkets, clothing and toy and hobby shops, pet shops (but not kennel), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, sporting goods, TV and stereo equipment (including repairs), florist or gift shop, bake shop, sundries and notions, business office supplies, musical instruments, records and tapes, art gallery and antique shop, home furnishings and appliances (including repairs), office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating, plant nursery and garden center, alcohol sales and service (without drive-in) and similar products.
- lk. Business and professional offices.
- ml. Intermediate care facility.
- nm. Special event venue as per section 28-347(8).
- on. Tattoo parlor or studio.
- po. Micropigmentation clinic.
- p. Home-based business.

... "

" Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

- (1) *Permitted uses and structures.* As for CM-1 (section 28-208), and in addition:
- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
 - b. Service establishments of all kinds including automobile service station or truck stop (see section 28-338) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstery, furniture refinishing and similar establishments.

- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.
- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.
- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- ~~k. Home office, private.~~
- lk. Agricultural market, outdoor or indoor.
- ml. Special event venue as per section 28-347(8).
- am. Craft alcohol industry. See also Sec. 28-209 (1) d. for limitations on any type of wholesale, jobber or distributorship business.
- n. Home-based business.

... "

" Sec. 28-226. - Industrial and warehousing: IW.

Intent. This district is intended to allow light manufacturing and related service, storage and commercial uses.

(1) *Permitted uses and structures:*

...

n. Home-based business.

... "

" Sec. 28-246. - Open lands district: OL.

Intent. This district is intended to apply to areas which are sparsely developed and including uses as normally found in environmentally sensitive areas away from urban activity. It is intended that substantial residential, commercial or industrial development shall not be permitted in the OL district; but lands in such district may be rezoned to the proper district to accommodate such uses when conditions warrant rezoning.

(1) *Permitted uses and structures:*

- a. Marinas, bait and tackle shops.
- b. Intermediate care facilities.
- c. Outdoor market.

- d. Commercial recreational facilities.
- e. Game preserves, wildlife management areas, fish hatcheries and refuges, watershed, water reservoirs and wells.
- f. Churches, monasteries, convents, temporary revival establishments, cemeteries, columbariums, crematories, mausoleums and memorial structures and monuments.
- g. Schools, colleges and universities with conventional academic curriculums.
- h. Housing for the elderly.
- i. Single-family dwellings on individual lots provided that no subdivision plat shall be recorded for such use in this district.

~~j. Home office, private.~~

~~kj. Day nurseries and kindergartens (see section 28-347(2)).~~

~~lk. Governmental uses.~~

~~ml. Professional and business offices.~~

~~nm. Museums.~~

~~on. The sale of wine, vinous spirits or vinous liquors for religious or sacramental purposes; however, the sale of said wine, vinous spirits or vinous liquors shall be in compliance with F.S. § 564.03 and any rules or regulations of the Division of Alcoholic Beverages and Tobacco of the State of Florida Department of Business Regulation or its successor.~~

~~o. Home-based business.~~

... "

" Sec. 28-347. - Supplementary regulations for certain uses.

In addition to the permissible uses by exception listed in the schedule of district regulations, (article III), the following uses shall be permissible by exception in the districts indicated; and, unless specific provision is made otherwise in the grant of exception, such uses, whether permitted or permissible by exception, shall conform to all supplementary regulations listed under such use:

~~(1) Home occupations and Home office, private. Home occupations and Home office, private shall have the same meaning and comply with the same criteria as home-based businesses pursuant to Chapter 559.955, Florida Statutes, as may be amended from time to time. The intent of a home occupation is to allow those uses that may be conducted within a residential premises that will not affect the residential character of the structure or the neighborhood. Home occupations are a permissible use by exception in any district subject to all the following conditions:~~

- ~~a. No person other than members of the family residing on the premises shall be engaged in such occupation. No home occupation shall be conducted in any accessory building or structure or any open porch or carport which is attached to and a part of the principal structure.~~

- ~~b. The use of the premises shall be clearly incidental and subordinate to its use for residential purposes and shall under no circumstances change the residential character thereof.~~
- ~~c. There shall be no change in outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, except that one (1) sign may be permitted, not exceeding one (1) square foot in area, nonilluminated, mounted flat against the wall of the principal building at a position not more than two (2) feet from the main entrance to the residence.~~
- ~~d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements of this Code in other than the required front yard.~~
- ~~e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.~~
- ~~f. The giving of art, music or other instructions or lessons shall be limited to not more than four (4) persons at the same time.~~
- ~~g. Fabrication of articles such as are commonly classified under the terms of arts and handicraft may be deemed a home occupation, subject to other terms and conditions of this definition, and providing no retail sales are made at the dwelling unit.~~
- ~~h. The member of the family residing on the premises engaged in such occupation shall not employ more than one (1) person for the sole purpose of providing clerical and receptionist services.~~
- ~~i. No home occupation shall occupy more than twenty-five (25) percent of the floor area of the dwelling unit, exclusive of the area of any open porch or attached garage or similar space not suited or intended for living quarters.~~
- ~~j. Any professional or business office or studio that does not involve in-office contact with clients or the public and where all business is conducted by mail, phone or at other premises shall be determined to be a home office, private, and shall be a permitted use in any district subject to conditions stated above.~~

... "

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that repealed language shall be removed and that the sections of this ordinance may be re-numbered or re-lettered and that the word ordinance may be

changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. 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. Effective Date. This ordinance shall become effective upon passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: March 3, 2022

RE: Agenda Item for March 14, 2022 City Commission Meeting
Resolution 2022-08 - Florida Inland Navigation District (FIND) Cost Share for the
Avenida Menendez Seawall Connectivity Project

The Public Works department would like to present to Commission a Resolution with the Florida Inland Navigation District (FIND) for the 2022 Waterways Assistance Program. We will be applying for cost share funding for the Avenida Menendez Seawall Connectivity project. The Resolution is a requirement for the cost share application.

The project is currently cost-share funded between the City (local share) and FEMA's Hazard Mitigation Grant Program (federal share). We will be requesting the amount of \$550,000 from the Florida Inland Navigation District. This request will assist the City in its anticipated local cost share amount for the continuation of the Avenida Mendez Seawall Project.

Please let me know if you have any questions or concerns regarding this agenda item.



Reuben C. Franklin Jr., P.E.
Public Works Director

cc: City Attorney & Department Heads

Attachment: Resolution 2022-08

RESOLUTION NO. 2022-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA SUPPORTING THE GRANT APPLICATION FOR ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT'S WATERWAYS ASSISTANCE PROGRAM FOR THE AVENIDA MENENDEZ SEAWALL CONTINUATION PROJECT.

WHEREAS, the City of St. Augustine desires to complete the following project for the benefit of the citizens of the City of St. Augustine:

Project Title: Avenida Menendez Seawall Continuation Project

Total Estimated Cost of the Shoreline Project: \$1,500,000

Total Grant Request: \$550,000.00

Brief Description of the Shoreline Project ("PROJECT"): The proposed project, "Avenida Menendez Continuation Project" will raise the remaining portion of the Avenida Menendez seawall, that is located at the Municipal Marina between the south dock and the 2013 Avenida Menendez Seawall Project. This will effectively "close the gap" for flood control in addition to providing protection for the Marina administration building and fuel tanks. The project will also include increased public access for the Municipal Marina and adjacent bay front area. In addition to the elevated seawall which includes continuous concrete walkways, the proposed project will include installing tide check valves in the stormwater outfalls to prevent tidal flooding of Avenida Menendez and rehabilitation of the existing seawall so that it can support the elevated portion to complete the elevation gap.

WHEREAS, the Florida Inland Navigation District ("FIND") provides grant funding through its Waterways Assistance Program to local governments for waterway

related projects located on natural, navigable waterways within the boundaries of the District; and

WHEREAS, the City requires the assistance of FIND for funding the project described above;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

1. That the City Commission hereby authorizes the Project described above.

2. That the City Commission hereby authorizes the City Manager to apply to FIND for a grant of funds not to exceed \$550,000.00. The City Commission further authorizes the City Manager to complete and execute all documents necessary to seek and receive the described grant funds and all construction and other contracts necessary to complete the project.

3. That the City Commission hereby certifies that the City will accept and abide by the terms and conditions as provided in Rule 66B-2, F.A.C., and agrees to incorporate said terms and conditions into any agreement for construction and completion of the Project.

4. That the City Commission agrees to complete the Shoreline Project in the manner described in the description of the Shoreline Project and in accord with the plans and specifications contained in that description.

5. That the City possesses the administrative and financial ability to complete the shoreline Project in a satisfactory manner provided the City receives from the Florida Inland Navigation District (FIND) funds in an amount not to exceed \$550,000.00 needed to satisfy the estimated \$1,500,000.00 cost of the Project.

6. That the City will not discriminate against any person on the basis of race, sex, age, creed or national origin in the use of any property or facility acquired or developed pursuant to this proposal, will comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964), will design and construct all facilities in full compliance with applicable statutes relating to accessibility by handicapped persons and shall comply with other applicable federal, state and local laws, rules and requirements.

7. That the City will maintain adequate financial records on the proposed Project to substantiate claims for reimbursement.

8. That the City will make available to the FIND, if requested, a post-audit of expenses incurred on the Project prior to, or in conjunction with, the request by the City for final payment of the grant funding provided by the FIND.

ADOPTED by the City Commission of the City of St. Augustine, Florida in regular session, this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice Mayor, and Commissioners

DATE: March 14, 2022

RE: **LEGISLATIVE SESSION UPDATE**

❖ HB 323/SB 494 (Hutson) – Fish and Wildlife Conservation Commission

HB 323 - Current Status – Special order calendar 3/3/22

SB 494 – Current Status – Passed on 2/10/22 – 39 Yeas 0 Nays

- This bill expands the type of vessels that an FWC or law enforcement officer can deem to be at risk of becoming derelict if it is tied to an unlawful or unpermitted structure or mooring.

1. Abandoned Property – vessels that have been declared to be public nuisances- this allows the City to treat public nuisance vessels as abandoned property.
2. This means the owner or responsible party of the public nuisance vessel must remove the vessel within 21 days. If they fail to do so, they will be liable for all costs of removal, storage, destruction, and disposal of the vessel.
3. Requires notice to the owner or responsible party.
4. Once the vessel is disposed of, the City must notify the owner or responsible party the amount they are legally responsible for.
5. To issue a certificate of title to another party, the City will have to put it in writing that it is no longer a public nuisance.
6. The bill also allows for funds from the Florida Coastal Protection Fund to be used to remove public nuisance vessels. FWC is required to adopt rule procedures for local governments to apply for grant funding.

The City takes this action already regarding derelict vessels and will only need to incorporate the portion requiring that the vessel is no longer a public nuisance as well as utilizing the Florida Coastal Protection Fund.

The Bill provides for protection of Gopher tortoises.

This bill also allows for a person to operate a human-powered vessel within the boundaries of the marked channel of the Florida Intracoastal Waterway while participating in a sporting event.

Nothing else in the bill appears to be directly applicable to the City.

There is no financial burden on the City with regards to this bill.

Effective Date of 7/1/22

❖ HB 569 (McClure)/SB 620 (Hutson) – Business Damages/Local Government

Current Status – SB 620 Passed as amended in the Senate with a vote of 22-14

HB 569 Added to 2nd Reading Calendar on 2/23/22 but hasn't been heard yet

Any business that has been engaged in lawful business for at least three (3) years may claim business damages from the City IF the City enacts or amends an ordinance or charter that will cause a reduction of at least 15 percent of the business' revenue or profit.

1. The City is not liable for damages if:
 - a. an ordinance is required to comply with State or federal law;
 - b. the ordinance is temporary and on an emergency basis not to exceed 90 days.
 - c. The ordinance is implemented under part II, chapter 163 for land development, zoning, municipal planning and development orders and permits
 - d. Section 553.73 Building Code
 - e. Section 633.202 Fire Prevention Code
 - f. Adoption of a budget, procurement, contract with financial assistance
 - g. Promotes economic competition

The business has pre-suit requirements before they can file.

1. Businesses must present a written offer within 180 days to settle the business' claim for damages to the City before filing a suit
2. Settlement offers must be made in good faith to include:
 - a. Explanation of the nature, extent, and monetary amount of damages.
 - b. Must be prepared by the owner, a certified accountant or business damage expert familiar with the operations of the business.
 - c. Must provide copies of business records that substantiate the offer.
3. After the settlement offer is received and within 120 days, the City must accept, reject, or counteroffer by certified mail. If the City fails to respond this will be deemed as a counteroffer of zero dollars.
4. **The court may award attorney fees to the prevailing party.**
5. The city has an opportunity to cure by repealing the ordinance, amend the ordinance to its previous state, publish a notice of intent to repeal and repeal within 30 days
6. The city may grant a waiver of the ordinance to the business

Takes effect upon becoming law.

❖ **HB 403 (Giallombardo)/SB280(Hutson) – Local Ordinances**

Current Status- SB 280 Passed in the Senate with a vote of 28-8

The bill would require the City to prepare a "business impact statement" before adopting a proposed regular ordinance.

The statement must include the following:

1. Statement of public purpose -serving public health, safety or welfare.
2. Statement showing a reasonable connection between the public purpose and the expected effects of the ordinance.
3. Estimated economic impact on business considering both adverse and beneficial effects.
4. Good faith estimate on the number of businesses affected by the ordinance.
5. Analysis as to whether the ordinance will deter or encourage new business formations in the City.
6. Analysis to the extent the ordinance will impede the ability of businesses to compete with businesses outside the jurisdiction of the City.

7. Scientific basis of the ordinance if applicable.
8. Alternatives considered by the City that would reduce the impact of the proposed ordinance on businesses.
9. Any other information that is deemed useful.

The statement must be published on the City website the same day the notice of proposed enactment of the ordinance is published.

EXEMPTED LOCAL ORDINANCES

Part II of Chapter 163 (Community Planning Act, i.e. land development code changes); Section 553.73; Section 633.202; Sections 190.005 and 190.046

Ordinances required to comply with federal or state law, adoption of budget, refinancing of debt, contractual ordinances and emergency ordinances

Any new ordinance that is being challenged in litigation, which **challenges the ordinance's validity on the grounds that it is preempted by the Florida Constitution, state law, or is arbitrary or unreasonable** will be **SUSPENDED** until litigation is complete and a finding in the City's favor is made. If a court rules in favor of the City, the City can enforce the ordinance 30 days after the entry of the order unless the plaintiff files a motion for a stay.

Courts with pending challenges to ordinances are to give those cases priority over other pending cases (Rocket Docket)

Reasonable attorney fees and costs shall be assessed to the prevailing party with a cap of \$50,000.

This bill takes effect on October 1, 2022.

❖ HB 691(Slosberg)/SB690(Rodriguez) Resilience-related Advisory Committees

Currently in the Rules Committee (1/31/22)

- Adds to 286.011, Florida Statutes – Public Meetings and records; public inspection; criminal and civil penalties

This would permit resiliency-related committees that are geographically spread to meet remotely via communications media technology (CMT). The CMT must allow for all attendees to be able to audibly communicate, as would be allowed if they were physically present. The bill provides for the public notice of such meetings to detail how interested members of the public may participate. All persons attending the public meeting or workshop must be allowed to audibly communicate.

The notice of such meeting must state whether it will be conducted using communications media technology, how a person may communicate and where the technology is available.

The Florida League of Cities formally supports this Bill.

❖ HB 325 (Fischer) / SB 512 (Burgess) – Vacation Rentals – In Regulatory Reform Subcommittee

HB 325 Currently in Ways and Means Committee 2/2/22

SB512 In appropriations

Both Bills appear to be dead as neither went any further in the committees and have not been placed on special calendar readings. However, language could still make it's way into a larger more general bill but is unlikely.

The bills maintain the current preemption on local governments from adopting zoning ordinances specific to short-term rentals, as well as regulating the duration of stays and the frequency in which the properties are rented. The bills expand this preemption to include local regulations on advertising platforms. For cities that adopted ordinances prior to June 1, 2011, the bills maintain the "grandfathering" currently in place but clarify that those cities may amend their ordinances to be less restrictive or to comply with a local registration program. For cities that do not have "grandfathered" protections, the bills preempt cities from licensing short-term rentals; however, they authorize local governments to have a local registration program.

This new bill preempts to the state the licensing and registration program and our parking requirements, not all other ordinances that were passed post 2011 as discussed below.

The City may impose a fine for failure to register the vacation rental. **It does not specify the amount of the fine.**

1. Requires a 15-day time period for the City to accept an application for a vacation rental or provide notice of deficiencies. Time frames can be extended by mutual agreement. If the City fails to approve or provide notice of deficiencies within the 15-day time frame, the application is deemed approved. **This will change the current process as once the application is received; the approval or denial comes after the inspection. The inspection will need to take place within 15 days of receipt, or a letter of deficiencies provided to require that inspection prior to approval.**

- **Currently per Resolution 2020-27, The City currently charges registration fees starting at \$294.48 plus \$73.81 per every additional bedroom and goes to \$663.54 maximum. Pursuant to HB325 because the fees have been previously adopted, they are grandfathered in. The City may not increase the fees after the bill goes into effect.**

HOWEVER, HB 325 and SB 512 is substantively different right now as SB 512 does not allow the City to continue charging current amounts but imposes a \$50 maximum registration fee. HB 325 does allow us to keep our current rates.

2. The City may only require the owner or operator of a vacation rental to:
 - Renew their registration no more than once per year unless the property has a change in ownership.
 - Submit identifying information about the owner or the property manager and the short-term rental being registered.
 - Obtain a license as a transient public lodging establishment by the Department of Business and Professional Regulation (DBPR) within 60 days of local registration.
 - Obtain all required tax registration, receipts or certificates issued by the Department of Revenue, a county or a municipal government.
 - Maintain all registration information on a continuing basis so it is current.
 - Comply with parking and solid waste handling requirements. These requirements cannot be imposed solely on short-term rentals.
 - Designate and maintain a property designee who can respond to complaints and other immediate problems related to the property, including being available by phone.
 - Pay in full all municipal or county code liens against the property being registered.

Sen. Burgess (SB512) passed through its second committee (Community Affairs) barely with a 6-3 vote in part because the committee members expressed faith that he would improve the bill before it can reach the Senate floor.

Effective date would be upon becoming law.

❖ **HB 6025 (Eskamani) / SB 316 (Stewart) – Preemption of Tree Trimming, Pruning, Removal**

Currently in Local Administration & Veteran Affairs Subcommittee 09/21/21

This bill effectively repeals 163.045, Florida Statutes which limits the City in requiring a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property.

These Bills will not pass as SB 518/ HB 1555 have been pushed forward.

SB518 (Brodeur)/ HB1555 (McClain) Private property rights to prune, trim and remove trees

SB 518 has been passed as of 3/1/22

HB 1555 has been added to the Second Reading Calendar

Bills are identical

Before a residential property owner may trim, prune or remove a tree pursuant to 163.045 F.S., the bill requires an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect to certify that a tree poses an “unacceptable risk” to persons or property. Does not allow the City to require a notice, application, approval, permit fee or mitigation for such if the property owner obtains documentation as above.

Takes effect 7/1/22

❖ **SB 994 (Diaz)/ HB 849 (Fernandez-Barquin) – Pet Protection**

First reading in Regulated Industries 1/18/22 No further action at this point

Sets licensure of Retail Pet Stores. Preempts the City from prohibiting or regulating the breeding, purchasing or sale of specific types of dogs – hunting dogs, field trial dogs, sporting dogs, conformation dogs, cattle dogs, police dogs or service dogs.

❖ **HB 495 (Rodriguez)/ SB 1150 (Rodriguez) - Taxation of Affordable Housing**

Currently in Appropriations 1/27/22 – No action at this point and appears will not make the cut this session

Authorizes the City to adopt ordinances to grant ad valorem tax exemptions to property owners whose properties are used for governmental or public purpose of providing affordable housing; provides conditions for such exemptions; specifies procedures that apply if property is transferred to a person for other purposes; specifies exemption improperly granted by property appraiser will not be assessed penalty or interest. The property must be multifamily and contain at least 50 or more residences and at least 10 % must be used for affordable housing.

❖ **SB 886 (Jones) / HB 515 (Robinson) - Municipal Water and Sewer Utility Rates**

Has been introduced but has not been in any committees and appear dead.

Requires the City to charge customers receiving its utility services in another municipality the same rates, fees, and charges as it charges consumers within its municipal boundaries under certain circumstances. It is unclear whether this bill would require the City to charge the same rates to those in St. Johns County receiving utility services at this time. Currently it allows for up to a 25% surcharge to those outside the City.

Watch list. Opposed by League of Cities.

❖ **SB 1940 (Brodeur) - Statewide Flooding and Sea Level Rise Resilience**

Passed on 2/24/22

Creates the Statewide Office of Resiliency which will be headed by a Chief Resilience Officer to oversee the Resilient Florida Grant Program and Statewide Flooding and Sea level Rise plans pursuant to the Department of Environmental Protection.

❖ **SB 974 (Gruters) / HB 985 (Beltran)- Sovereign Immunity**

SB 974 currently in Appropriations 2/28/22

HB 985 favorable by Judiciary Committee 2/28/22

Revises the statutory limits on liability for tort claims against the state and its agencies and subdivisions (which include cities).

- SB 974 seeks to increase the current statutory limits for claims from \$200,000 per injured person and from \$300,000 per incident for cities less than 50,000 people.
- HB 985 seeks to increase the cap for damages to \$400,000 per person and up to \$600,000 per incident.
- Beginning July 1, 2023, the legislation would tie the revised limit to a consumer price index to automatically increase with inflation every year. CS/HB 985 was amended to shorten the timeframe for a government entity to make final disposition of a claim from six months to three months. The bills will retroactively apply these new limits to any pending claims that have not been settled by the effective date of the bill (July 1, 2022)
- **The city may experience an increase in insurance premiums for liability coverage in response to the increase in liability limits.** There is typically a significant time lag from injury to case resolution that will delay the fiscal impact of the bill in the short term

Bill would take effect October 1, 2022.

❖ **SB 1824 (Brodeur) / HB 1415 (Robinson, W) - Mobility Funding System**

Currently has been introduced in Tourism, Infrastructure & Energy Subcommittee 1/16/22

No further action at this point in the House or Senate

Revises the requirements and best practices for local governments applying mobility plans rather than impact fees. The bills require the City adopting a mobility plan to evaluate appropriate levels of service and potential impacts of development by using the elements of its comprehensive plan. Local governments that adopt mobility plans must adopt the mobility plan and a mobility fee system into its comprehensive plan.

Being Watched by the League of Cities.

❖ HB 7 (Avila) / SB 148 (Diaz) - Individual Freedom

Placed on Calendar for 2nd Reading – 3/2/22

The bill expands the Florida Civil Rights Act to provide that subjecting a person, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels such individual to believe certain concepts constitutes discrimination based on race, color, sex, or national origin under the Act. Has been extended to locker room practices, etc.

The bill expands the potential of the City's civil liability exposure if it commits a discriminatory practice involving a prohibited concept outlined in the bill.

Being watched for now.

❖ HB 105 (Fine) / SB 224 (Gruters)- Regulation of Smoking by Counties and Municipalities

HB 105 passed on 2/24/22 Yeas 105 Nays 10

SB 224 placed on special order calendar 3/2/22

Authorizes cities and counties to restrict smoking within the boundaries of any public beach or park they own. It provides an exception for unfiltered cigars. Also allows the City to restrict smoking or vaping within 25 feet of a public entrance or exit of a business located within the City's jurisdiction. The bills specify that municipalities can restrict smoking within the boundaries of a beach or park that is owned by the county but located within the city, as long as it does not conflict with any county ordinance. The issue for the City are open air recreational facilities, such as the Gallimore pool, that otherwise currently prohibits the City from implementing a no smoking regulation.

Takes effect on 7/1/22

❖ SB 1696 & SB 1698 (Farmer) / HB 467 (Hinson) among other similar bills Legalization of Adult recreational use Marijuana and taxes of such

Currently introduced but HB 1471 is in Professions & Public Health Subcommittee 1/16/22

No further action taken and has not been through any committees

Would legalize adult (age 21) use of recreational marijuana in a non-public location. Sets out restrictions that a Medical Marijuana Treatment Center must comply with as well as daily uses. Makes it a civil infraction with set penalties for minors gaining access to marijuana. Marijuana establishments must be over 500 feet from a school.

- Allows for a locality to prohibit the operation of a marijuana establishment.
- Allows for expunction of certain cannabis offenses.
- Taxes marijuana sales

Watch list.

❖ SB 1664 (Perry)- Unlawful Assemblies / HB 1571 Residential Picketing

SB 1664 Currently in Criminal Justice 2/8/22

HB 1571 Passed 76 Yeas 41 Nays

This bill makes it a criminal offense for a person to commit a breach of peace by making it unlawful to target picket or protest in front of a residence or dwelling of any person with the intent to harass or disturb that person in their home.

Specified that a person only commits an offense of residential picketing if he or she intends to harass or disturb the specific person who's dwelling the picketing or protesting takes place before or about, rather than any person; • Provided a definition of the term "dwelling"; • Provided that any violation for residential picketing is a second degree misdemeanor; • Required a law enforcement officer to provide a warning to any person picketing or protesting outside of a person's dwelling to immediately and peaceably disperse; and • Authorized a law enforcement officer to arrest a person for residential picketing only if the person fails to peaceably disperse after the required warning.

Would take effect on October 1, 2022.

❖ **HB 247(Salzman) / SB 1310 (Rodriguez) Florida Main Street Program/Tax Credit**

Was supposed to be on the Ways and Means Committee but appears to be dead.

Sets out requirements for an Accredited Main Street Program; Specifies eligibility requirements for receiving special tax credits for taxpayers that rehabilitate certified historic structures.

Watch List.

❖ **SB 1472 (Stewart) - Public Records**

Currently has been introduced 1/18/21 but no action taken yet

Requires agencies to respond to a public records request within 5 business days by:

- a. Making the records available
- b. Denying the request
- c. Providing a statement of how long the request will take and the reason for the delay.

Puts unreasonable time limits on records requests for the City.

Opposed by Florida League of Cities.

❖ **HB 773 (Willhite) /SB 1046 (Hooper) – Public Records/Law Enforcement GIS**

HB 773 currently set for special order calendar on 3/4/22

SB1046 passed on 3/1/22

Exempt from public records requirements law enforcement officers and law enforcement vehicle geolocation information. The bills specify that the exemption would be applied retroactively.

Would keep officers safer as the locations of officers could not be tracked under a public records request.

❖ **HB 303 (Truenow) /SB 608 (Brodeur) – Sanitary Sewer Lateral Inspection Programs**

HB 303 1st reading on 1/11/22

SB 608 Currently in Appropriations (2/2/22)

-Has not been added to any regular calendars and appears to be dead.

Authorizes counties and municipalities to access sanitary sewer laterals within their jurisdiction to investigate, repair or replace the lateral. A sanitary sewer lateral is a privately-owned pipeline connecting a property to the main sewer line. The bills require municipalities and counties to notify private property owners within a specified timeframe if the government intends to access the owner's sanitary sewer lateral and an anticipated timeframe for the work. The bills specify that local governments who establish sanitary sewer lateral programs are legally and financially responsible for all work that is performed and authorize such programs to use specified state or local funds to evaluate and rehabilitate impaired laterals.

Being Watched by the League of Cities.

❖ **HB301 (Roach)/ SB 510 (Brodeur) Financial Disclosures**

HB 301 Added to Calendar for Second Reading 2/28/22

SB 510 – Passed on 2/23/22 Yeas 30 Nays 7

Requires local officers to file full and public disclosure of financial interests – Mayor, City Commissioners, Elected members, City Managers. Must file CE Form 6 prior to running for office.

Takes effect immediately upon signing.

❖ **SB 1954 Code and Traffic Enforcement (Wright) / HB 1435 (LeeK)**

HB 1435 passed on 3/2/22 Yeas 90 Nays 26

SB 1954 Placed on second reading 2/16/22

Authorizes the City to designate a special event zone under certain circumstances where the City has jurisdiction. The event is of temporary nature without permit and/or promoted via a social media platform. The event is attended by 200 or more persons and substantially increases or disrupts the normal flow of traffic. Requires a warning sign to be posted at least 254 hours in advance. Requires the State Fire Marshal be notified to enforce occupancy limits on private or public property. This authorizes officers to require individuals who commit noncriminal traffic infractions to pay double the fine provided in statute. Also allows officers to impose enhanced penalties and to impound a vehicle for criminal or noncriminal violations that occur inside the special event zone. Allows for the City to recover costs and fees from the promoter for designating and enforcing a special event zone.

The bill expands on the noise statute and the types of sound-making devices in a motor vehicle and provides that a person violates the excessive noise prohibition by amplifying a sound louder than necessary for convenient hearing by a person inside the vehicle in an area adjoining private residences.

Takes effect 7/1/22

❖ **HB 1177 Grease Waste Removal and Disposal (Chaney) / SB 1110 (Rouson)**

SB 1110 Passed on 3/1/22 Yeas 38 Nays 0

BB 1177 set for second reading

Allows for the City to collect and retain fines from haulers who removes grease waste who violate regulations on disposal of grease. Requires haulers to retain a service manifest containing specific information regarding the collection and disposal of grease waste. Also requires compliance inspections as well as penalties for violations of the Bill.

Potentially a positive fiscal impact for the City.

Effective date of July 1, 2022.

❖ HB 4681 (Stevenson) St. Augustine West Augustine Septic to Sewer

Currently in Appropriations Committee 1/19/22 -No action since.

❖ HB 4967 (McClure) St. Augustine Fire Station 2 Design

Currently in Appropriations Committee 1/18/22 – No action since.

❖ HB 621 (Fine) /SB 1162 (Broxson) - Infrastructure Project Funding

Has not been furthered in any committee and appears to be dead.

HB 621 (Fine) and SB 1162 (Broxson) prohibit specified state agencies and water management districts from disbursing state funds (including grants) for local government infrastructure, water and resiliency projects if the local government transfers its utility revenues (other than the costs of administrative and support services under a cost allocation plan) for use in providing general government functions and services.

The fiscal impact is under review.

❖ SB 1670 Cybersecurity (Hutson) / HB 7055 Cybersecurity (Giallombardo)

Pending Reference Review after passing appropriations on 2/28/22

SB 1670 requires the City to conduct cybersecurity trainings within the first 30 days of employment for employees with access to highly sensitive information access.

HB 7055 would require the City to report cybersecurity incident reporting process that includes procedures and tiered reporting timeframes for notification of cybersecurity incidents.

The Bills do not clearly define which entities with the City are covered by the requirements.

Effective date July 1, 2022.

❖ HB 7057 Pub. Rec. and Meetings/Cybersecurity or Ransomware Incident (Giallombardo)

Special Calendar on 3/3/22

Provides exemption from public records requirements for certain information related to cybersecurity or ransomware incidents held by the City. It provides that any information that

relates to a cybersecurity or ransomware incident can be withheld from public records as it may facilitate unauthorized access or unauthorized modification, disclosure, or destruction of data. This protects from the unauthorized identification of vulnerabilities and breaches of the City's information systems and prevent the potential of highly sensitive information regarding the cybersecurity of the City's system.

Effective date July 1, 2022

Please place this item on the agenda for the March 14, 2022 City Commission meeting under 11.A - City Attorney items, for information only, no presentation necessary.

Thank you,

/s/ Richard K. Thibault

Richard K. Thibault
Assistant City Attorney

xc: John Regan, City Manager
Isabelle Lopez, City Attorney

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 105	Regulation of Smoking by Counties and Municipalities	Fine; Altman	Authorizes counties & municipalities to further restrict smoking within boundaries of public beaches & public parks under certain circumstances.	Filed 09/15/21. Referred to Professions & Public Health Subcommittee; Referred to Environment, Agriculture & Flooding Subcommittee; Referred to Health & Human Services Committee; Now in Professions & Public Health Subcommittee 09/22/21; First Reading 01/11/22; Added to Professions & Public Health Subcommittee agenda 01/21/22; Reported out of Professions & Public Health Subcommittee; In Environment, Agriculture & Flooding Subcommittee 01/26/22; Added to Environment, Agriculture & Flooding Subcommittee agenda, 02/01/22; Reported out of Environment, Agriculture & Flooding Subcommittee; In Health & Human Services Committee, 02/03/22; PCS added to Health & Human Services Committee agenda, 02/15/22; Reported out of Health & Human Services Committee; Laid on Table under Rule 7.18(a); CS Filed; Bill referred to House Calendar; Bill added to Special Order Calendar; 1st Reading (Committee Substitute 1), 02/17/22; Read 2nd time; Amendment 840831 adopted; Amendment 559021 superseded by substitute; Placed on 3rd reading; Added to Third Reading Calendar; Read 3rd time; Immediately certified; In Messages; Referred to Rules -SJ 459, 02/24/22; Received -SJ 459, 02/28/22; Withdrawn from Rules; Placed on Calendar, on 2nd reading; Substituted for CS/CS/SB 224; Read 2nd time; Read 3rd time; In Messages; Ordered enrolled 03/02/22.	Favorable by Professions & Public Health Subcommittee; Favorable by Environment, Agriculture & Flooding Subcommittee; Favorable with CS by Health & Human Services Committee; CS passed as amended; YEAS 105, NAYS 10; CS passed; YEAS 30 NAYS 7.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 224	Regulation of Smoking in Public Places	Gruters	Authorizing counties and municipalities to further restrict smoking within the boundaries of public beaches and public parks under certain circumstances; prohibiting smoking within the boundaries of a state park, etc.	Filed 09/15/21. Referred to Community Affairs; Environment and Natural Resources; Rules 09/21/21; On Committee agenda-- Community Affairs 11/03/21; In Environment and Natural Resources 11/03/21; Introduced -SJ 13 01/11/22; On Committee agenda-Environment and Natural Resources, 02/07/22; Pending reference review under Rule 4.7(2) - (Committee Substitute), 02/08/22; CS by Environment and Natural Resources read 1st time -SJ 345, 02/09/22; In Rules; On Committee agenda-Rules, 02/15/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2nd reading; CS/CS by Rules read 1st time -SJ 375, 02/16/22; Placed on Special Order Calendar, 02/17/22; Retained on Calendar, 02/23/22; Placed on Special Order Calendar, 02/28/22; Read 2nd time; Substituted CS/HB 105; Laid on Table, refer to CS/HB 105, 03/02/22.	Favorable by Community Affairs; YEAS 8 NAYS 0; CS by Environment and Natural Resources; YEAS 6 NAYS 0 -SJ 344.
SB 280	Local Ordinances	Hutson	Requires the City to prepare a business impact statement before the adoption of a proposed ordinance, etc. If challenged by litigation, the ordinance is suspended until the end of the litigation, Allows for an award of attorney fees to the prevailing party; Limits attorney fees and costs to \$50,000 for prevailing plaintiff.	Filed 09/21/21; Referred to Community Affairs; Judiciary; Rules 10/13/21; On Committee agenda - Community Affairs, 01/12/22; CS by Community Affairs; Pending reference review under Rule 4.7(2) - (CS) 01/12/22; Original reference(s) removed: Judiciary; Remaining references corrected to Rules -SJ 175; In Rules 01/13/22; On Committee agenda-- Rules 01/14/22; CS by Community Affairs read 1st time -SJ 172 01/18/22; Pending reference review -under Rule 4.7(2) - (CS); Placed on Calendar, on 2nd reading 01/21/22; Placed on Special Order Calendar, 01/27/22 - SJ 236; CS/CS by Rules read 1st time -SJ 220, 01/26/2022; Read 2nd time -SJ 231; Amendment(s) adopted (349788) -SJ 235; Read 3rd time -SJ 235; Immediately certified - SJ 236; In Messages, 01/27/2022.	YEAS 6 NAYS 2 -SJ 116 by Community Affairs; CS/CS by- Rules; YEAS 14 NAYS 2; CS passed as amended; YEAS 28 NAYS 8 - SJ 235.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 403	Local Ordinances	Giallombardo	Authorizes courts to assess & award attorney fees & costs & damages in certain civil actions filed against local governments; requires local governments to prepare business impact statement before adoption of proposed ordinances; specifies requirements for posting & content of statement; requires counties & municipalities to suspend enforcement of certain ordinances subject of certain legal actions; requires courts to give priority to certain cases; specifies factors court must consider in determining whether ordinance is arbitrary or unreasonable provides declaration of important state interest.	Filed 10/25/21; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Civil Justice & Property Rights Subcommittee; Referred to State Affairs Committee; In Local Administration & Veterans Affairs Subcommittee 11/05/21; Added to Local Administration & Veterans Affairs Subcommittee agenda 11/23/21; Favorable by Local Administration & Veterans Affairs Subcommittee; Reported out of Local Administration & Veterans Affairs Subcommittee; In Civil Justice & Property Rights Subcommittee 12/01/21; 1st Reading (Original Filed Version), 01/11/22; Added to Civil Justice & Property Rights Subcommittee agenda, 02/14/22; Reported out of Civil Justice & Property Rights Subcommittee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 02/16/22; Referred to State Affairs Committee; In State Affairs Committee, 02/18/22; Added to State Affairs Committee agenda, 02/27/22; Reported out of State Affairs Committee; Bill released to House Calendar; Added to Second Reading Calendar, 02/28/22.	Favorable with CS by Civil Justice & Property Rights Subcommittee, 02/16/22; Favorable by State Affairs Committee.
HB 303	Sanitary Sewer Lateral Inspection Programs	Truenow	Authorizes counties & municipalities to access sanitary sewer laterals within their jurisdiction for specified purposes; requires counties & municipalities to notify private property owners within specified timeframe if county or municipality intends to access owner's sanitary sewer lateral; provides that counties & municipalities that establish programs are legally & financially responsible for all work done; requires counties & municipalities that establish programs to consider economical methods for counties & municipalities; authorizes program established by county or municipality to evaluate & rehabilitate sanitary sewer laterals on residential & commercial properties to use state or local funds allocated for environmental preservation or protection of water quality.	Filed 10/14/21; Referred to Environment, Agriculture & Flooding Subcommittee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to State Affairs Committee; In Environment, Agriculture & Flooding Subcommittee 10/26/21; 1st Reading (Original Filed Version), 01/11/22.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 608	Sanitary Sewer Lateral Inspection Programs	Brodeur	Defining the term “continuous monolithic pipe system”; authorizing counties and municipalities, respectively, to access sanitary sewer laterals within their jurisdiction for specified purposes; requiring counties and municipalities to notify private property owners within a specified timeframe if the county or municipality intends to access the owner’s sanitary sewer lateral; authorizing a program established by a county or a municipality to evaluate and rehabilitate sanitary sewer laterals on residential and commercial properties to use state or local funds allocated for environmental preservation or the protection of water quality, etc.	Filed 10/25/21; Referred to Environment and Natural Resources; Community Affairs; Appropriations 11/03/21; On Committee agenda-- Environment and Natural Resources, 11/30/21; Pending reference review under Rule 4.7(2) - (Committee Substitute) 11/30/21; In Community Affairs 12/06/21; Introduced -SJ 38; CS by Environment and Natural Resources read 1st time -SJ 92, 01/11/22; On Committee agenda-Community Affairs; In Appropriations 02/02/22.	CS by Environment and Natural Resources; YEAS 6 NAYS 0; Favorable by Community Affairs; YEAS 9 NAYS 0 -SJ 242.
HB 323	Fish and Wildlife Conservation Commission	Sirois	Revises vessel conditions that may be used to determine that vessel is at risk of becoming derelict; requires specified evidence to establish vessel restriction rules for protection zones for springs; prohibits municipalities & counties from designating public bathing beach areas or swim areas within specified areas; repeals provisions relating to derelict vessels & relocation & removal of such vessels from waters of this state; authorizes commission to establish program to provide grants to local governments; authorizes commission to use funds not awarded as grants for certain purposes; requires commission to adopt rules; provides that employees of commission or Florida Forest Service may operate drones for specified purposes.	Filed 10/15/21; Referred to Environment, Agriculture & Flooding Subcommittee; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to State Affairs Committee; In Environment, Agriculture & Flooding Subcommittee 11/05/21; Added to Environment, Agriculture & Flooding Subcommittee agenda 11/23/21; Favorable with CS by Environment, Agriculture & Flooding Subcommittee 12/01/21; Reported out of Environment, Agriculture & Flooding Subcommittee; Laid on Table under Rule 7.18(a); CS Filed 12/03/21; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to State Affairs Committee; In Agriculture & Natural Resources Appropriations Subcommittee 12/07/21; 1st Reading (Original Filed Version); 1st Reading (Committee Substitute 1), 01/11/22; Added to Agriculture & Natural Resources Appropriations Subcommittee agenda, 02/10/22; Reported out of Agriculture & Natural Resources Appropriations Subcommittee; In State Affairs Committee, 02/14/22; Added to State Affairs Committee agenda, 02/21/22; Reported out of State Affairs Committee, 02/25/22; Laid on Table under Rule 7.18(a); CS Filed, 02/26/22; Bill referred to House Calendar; Bill added to	Favorable by Agriculture & Natural Resources Appropriations Subcommittee; Favorable with CS by State Affairs Committee.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
				Special Order Calendar; 1st Reading (Committee Substitute 2), 02/28/22.	
SB 494	Fish and Wildlife Conservation Commission	Hutson	Revising the vessel conditions that an officer of the Fish and Wildlife Conservation Commission or a law enforcement agency may use to determine that a vessel is at risk of becoming derelict; prohibiting municipalities and counties from designating public bathing beach areas or swim areas within their jurisdictions which are within the marked channel portion of the Florida Intracoastal Waterway or within a specified distance from any portion of the marked channel; authorizing the commission to establish a program to provide grants to local governments for certain actions regarding derelict vessels and those declared to be a public nuisance; providing that all employees of the commission or the Florida Forest Service may operate drones for specified purposes, etc.	Filed 10/13/21; Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations 10/21/21; On Committee agenda--Environment and Natural Resources, 11/30/21; Pending reference review under Rule 4.7(2) - (Committee Substitute) 12/02/21; In Appropriations Subcommittee on Agriculture, Environment, and General Government 12/06/21; On Committee agenda--Appropriations Subcommittee on Agriculture, Environment, and General Government, 01/12/22; Introduced -SJ 28; CS by Environment and Natural Resources read 1st time -SJ 91, 01/11/22; In Appropriations 01/14/22; On Committee agenda--Appropriations, 01/27/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2nd reading; Placed on Special Order Calendar, 02/03/22 -SJ 337; CS/CS by Appropriations read 1st time -SJ 245, 02/02/22; Retained on Special Order Calendar -SJ 336, 02/03/22; Read 2nd time -SJ 361; Amendment(s) adopted (289912) -SJ 361; Read 3rd time -SJ 363, Immediately certified -SJ 364; In Messages, 02/10/22; Bill referred to House Calendar; Bill added to Special Order Calendar; 1st Reading (Engrossed 1), 02/28/22.	CS by Environment and Natural Resources; YEAS 6 NAYS 0; Subcommittee Recommendation: CS/CS by Appropriations Subcommittee on Agriculture, Environment, and General Government YEAS 9 NAYS 0 - SJ 116; CS/CS by- Appropriations; YEAS 18 NAYS 0; CS/CS by- Appropriations; YEAS 18 NAYS 0 -SJ 244; CS passed as amended; YEAS 39 NAYS 0 -SJ 363.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 325	Vacation Rentals	Fischer	The bill maintains the current preemption on local governments from adopting zoning ordinances specific to short-term rentals, as well as regulating the duration of stays and the frequency in which the properties are rented. The bills expand this preemption to include local regulations on advertising platforms. For cities that adopted ordinances prior to June 1, 2011, the bills maintain the "grandfather" currently in place but clarify that those cities may amend their ordinances to be less restrictive or to comply with a local registration program. Will allow the City to maintain its fee structure but does not allow for increases in fees. The Bill preempts parking requirements. Authorizes the City to have a local registration program and to fine for registration non-compliance.	Filed 10/18/21; Referred to Regulatory Reform Subcommittee; Referred to Ways & Means Committee; Referred to Commerce Committee; Now in Regulatory Reform Subcommittee, 11/05/21; 1st Reading (Original Filed Version), 01/11/22; Added to Regulatory Reform Subcommittee agenda, 01/25/22; Reported out of Regulatory Reform Subcommittee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 01/28/22; Referred to Ways & Means Committee; Referred to Commerce Committee; In Ways & Means Committee, 02/01/22.	Favorable with CS by Regulatory Reform Subcommittee.
SB 512	Vacation Rentals	Burgess	The bills maintain the current preemption on local governments from adopting zoning ordinances specific to short-term rentals, as well as regulating the duration of stays and the frequency in which the properties are rented. The bills expand this preemption to include local regulations on advertising platforms. For cities that adopted ordinances prior to June 1, 2011, the bills maintain the "grandfather" currently in place but clarify that those cities may amend their ordinances to be less restrictive or to comply with a local registration program. Preempts parking requirements and limits City registration fees to \$50.	Filed 10/15/21; Referred to Regulated Industries; Community Affairs; Rules 11/03/21; On Committee agenda - Regulated Industries; Introduced -SJ 30, 01/11/22; On Committee agenda-Community Affairs, 02/02/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); Original reference(s) removed: Rules; Remaining references corrected to Appropriations -SJ 351; In Appropriations; 02/04/22; CS by Community Affairs read 1st time -SJ 346, 02/09/22.	Favorable by Regulated Industries; YEAS 8 NAYS 0 -SJ 114; CS by Community Affairs; YEAS 6 NAYS 3 -SJ 344.
HB 515	Municipal Water and Sewer Utility Rates	Robinson, F.	Requiring a municipality to charge customers receiving its utility services outside the boundaries of the municipality the same rates, fees, & charges as it charges consumers within its municipal boundaries.	Filed 11/04/21; Referred to Tourism, Infrastructure & Energy Subcommittee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Commerce Committee; In Tourism, Infrastructure & Energy Subcommittee 11/19/21; 1st Reading (Original Filed Version), 01/11/22.	
SB 886	Municipal Water and Sewer Utility Rates	Jones	Requiring a municipality to charge customers receiving its utility services outside the boundaries of the municipality the same rates, fees, and charges as it charges consumers within its municipal boundaries under certain circumstances, etc.	Filed 11/09/21; Referred to Community Affairs; Regulated Industries; Rules 11/30/21; Introduced -SJ 59, 01/11/22.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 518	Residential Home Protection	Brodeur	Revising conditions under which a local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property; specifying when a tree poses an unacceptable risk, etc.	Filed 10/15/21; Referred to Community Affairs; Governmental Oversight and Accountability; Rules 11/03/21; Introduced -SJ 30, 01/11/22; On Committee agenda-- Community Affairs, 01/13/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); CS by Community Affairs read 1st time -SJ 216; In Governmental Oversight and Accountability, 01/20/22; On Committee agenda- Governmental Oversight and Accountability, 02/07/22; In Rules, 02/10/22; On Committee agenda-Rules; 02/18/22; Placed on Calendar, on 2nd reading, 02/23/22; Placed on Special Order Calendar, 02/24/22; Read 2nd time -SJ 473; Read 3rd time -SJ 473; In Messages, 03/01/22.	CS by Community Affairs; YEAS 7 NAYS 0 - SJ 215; Favorable by Governmental Oversight and Accountability; YEAS 6 NAYS 0 -SJ 364; Favorable by- Rules; YEAS 16 NAYS 0 -SJ 451; CS passed; YEAS 38 NAYS 0 -SJ 473.
HB 569	Business Damages Caused by Local Governments	McClure	Authorizes certain businesses to claim business damages from the City if the City enacts or amends certain ordinances or charter provisions; provides exceptions; requires presuit procedures; authorizes recovery of costs & fees; specifies that certain evidence relating to mediations & negotiations is inadmissible; requires courts to consider certain factors & follow specified guidance.	Filed 11/10/21; Referred to Civil Justice & Property Rights Subcommittee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Judiciary Committee; In Civil Justice & Property Rights Subcommittee 11/19/21.Reporteed out of Local Administration & Veteran affairs 2/2/22; CS Filed; 1st Reading (Committee Substitute 2), 02/03/22; Referred to Judiciary Committee; In Judiciary Committee, 02/07/22; Added to Judiciary Committee agenda, 02/21/22; Reported out of Judiciary Committee; Bill released to House Calendar; Added to Second Reading Calendar, 02/23/22.	Laid on table 2/3/22; Favorable by Judiciary Committee.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 620	Local Government	Hutson	Authorizing certain businesses to claim business damages from a county or municipality if the county or municipality enacts or amends certain ordinances or charter provisions; authorizing businesses to recover costs and fees in a specified manner and if certain requirements are met; requiring courts to consider certain factors and follow specified guidance when assessing costs; specifying requirements for the courts in determining and awarding attorney fees; requiring attorneys and businesses to submit certain documentation relating to attorney fees, etc.	Filed 10/25/21; Referred to Judiciary; Rules; Appropriations 11/03/21; In Rules 11/30/21; Original reference(s) - removed: Rules; Remaining references corrected to Appropriations; In Appropriations 01/10/22; Introduced -SJ 38, 01/11/22; On Committee agenda-Appropriations, 01/14/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2nd reading; Placed on Special Order Calendar, 01/24/22; CS by Appropriations read 1st time -SJ 221, 01/26/22; Read 2nd time -SJ 229; Amendment(s) adopted (507868, 609228) -SJ 231; Read 3rd time -SJ 231; Immediately certified -SJ 236; In Messages, 01/27/22.	Favorable by Judiciary; YEAS 7 NAYS 4; CS by- Appropriations; YEAS 11 NAYS 7 -SJ 219; CS passed as amended; YEAS 22 NAYS 14 -SJ 231.
HB 691	Resilience-Related Advisory Committees	Slosberg	Authorizes resilience-related advisory committees to conduct public meetings & workshops by means of communications media technology; provides that use of technology by committee member constitutes member's presence at meeting or workshop; provides notice requirements for public meetings or workshops conducted by means of communications media technology.	Filed 11/22/21; Referred to Government Operations Subcommittee; Referred to Public Integrity & Elections Committee; Referred to State Affairs Committee; In Government Operations Subcommittee, 12/13/21; 1st Reading (Original Filed Version), 01/11/22.	
SB 690	Resilience-Related Advisory Committees	Rodriguez	Authorizing specified resilience-related advisory committees to conduct public meetings and workshops by means of communications media technology; providing that use of such technology by a committee member constitutes that member's presence at such meeting or workshop; requiring that such technology allow the public to audibly communicate, etc.	Filed 10/27/21; Referred to Community Affairs; Environment and Natural Resources; Rules 11/16/21; Introduced -SJ 43, 01/11/22; On Committee agenda-Community Affairs, 01/13/22; In Environment and Natural Resources, 01/19/22; On Committee agenda-Environment and Natural Resources, 01/26/22; In Rules, 01/31/22.	Favorable by Community Affairs; YEAS 7 NAYS 0 -SJ 210; Favorable by Environment and Natural Resources; YEAS 6 NAYS 0 -SJ 243.
HB 6025	Preemption of Tree Pruning, Trimming, and Removal	Eskamani	Repeals provisions relating to tree pruning, trimming, & removal on residential property.	Filed 09/13/21; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Commerce Committee; Referred to State Affairs Committee; Now in Local Administration & Veterans Affairs Subcommittee 09/22/21; 1st Reading (Original Filed Version), 01/11/22.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 316	Preemption of Tree Pruning, Trimming, and Removal	Stewart	Repealing a provision relating to tree pruning, trimming, or removal on residential property, etc.	Filed 09/22/21; Referred to Community Affairs; Judiciary; Rules 10/13/21; Introduced -SJ 18, 01/11/22.	
HB 4681	St. Augustine West Augustine Septic to Sewer	Stevenson	Provides an appropriation for the St. Augustine West Augustine Septic to Sewer. APPROPRIATION: \$2,000,000.	Filed 12/01/21; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to Appropriations Committee; In Agriculture & Natural Resources Appropriations Subcommittee 12/16/21; 1st Reading (Original Filed Version), 01/11/22; Added to Agriculture & Natural Resources Appropriations Subcommittee Consent Agenda, 01/14/22; Reported out of Agriculture & Natural Resources Appropriations Subcommittee; In Appropriations Committee, 01/19/22.	Favorable by Agriculture & Natural Resources Appropriations Subcommittee.
HB 4967	St. Augustine Fire Station 2 Design	McClure	Provides an appropriation for the St. Augustine Fire Station 2 Design. APPROPRIATION: \$500,000.	Filed 12/08/21; Referred to State Administration & Technology Appropriations Subcommittee; Referred to Appropriations Committee; In State Administration & Technology Appropriations Subcommittee 12/22/21; 1st Reading (Original Filed Version), 01/11/22; Added to State Administration & Technology Appropriations Subcommittee Consent Agenda, 01/13/22; Reported out of State Administration & Technology Appropriations Subcommittee; In Appropriations Committee, 01/18/22.	Favorable by State Administration & Technology Appropriations Subcommittee.
HB 1415	Alternative Mobility Funding Systems	Robinson, W.	Provides definitions related to alternative mobility funding systems; specifies procedures and requirements for use by local governments in adopting or updating mobility plans, mobility fee systems, and mobility fees; specifies that local governments have burden of proving that imposition or amount of fee or exaction meets certain criteria; prohibits courts from using deferential standard for specified purpose.	Filed 01/08/22; 1st Reading (Original Filed Version), 01/11/22; Referred to Tourism, Infrastructure & Energy Subcommittee; Referred to Ways & Means Committee; Referred to Commerce Committee; In Tourism, Infrastructure & Energy Subcommittee, 01/16/22.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1824	Mobility Funding Systems	Brodeur	Revising requirements and best practices for local governments applying concurrency to transportation facilities; specifying prohibited uses of, and requirements and best practices for, mobility plans by local governments; providing requirements for a local government electing to adopt a mobility plan and mobility fee; specifying requirements for, and restrictions on, mobility fees, fee updates, and fee increases, etc.	Filed 01/07/22; Referred to Community Affairs; Transportation; Appropriations -SJ 156, 01/12/22; Introduced -SJ 156, 01/18/22.	
SB 1696	Adult Use Marijuana Legalization	Farmer	Establishing the Division of Cannabis Management within the Department of Agriculture and Consumer Services; prohibiting the use of false identification by persons under 21 years of age for specified activities relating to recreational marijuana; exempting certain activities involving marijuana from use and possession offenses; authorizing persons 21 years of age or older to engage in certain activities involving the personal use, possession, transport, and cultivation of marijuana in limited amounts; providing that marijuana establishments that sell food containing marijuana are considered food establishments for the purposes of specified regulations; authorizing an individual convicted of certain crimes to petition the court for expunction of his or her criminal history record under certain circumstances, etc.	Filed 01/07/22; Referred to Health Policy; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations -SJ 146, 01/12/22; Introduced -SJ 145, 01/18/22.	
SB 1698	Taxes/Marijuana	Farmer	Imposing a sales tax on marijuana; requiring certain entities to file a monthly return that includes sales tax payments and to keep specified records; authorizing the Division of Cannabis Management to revoke a marijuana cultivation facility's license under certain circumstances; authorizing counties and municipalities to establish additional sales taxes on the sale of marijuana; exempting certain purchases of marijuana for medical use from specified state and local sales taxes, etc.	Filed 01/07/22; Referred to Health Policy; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations -SJ 146, 01/12/22; Introduced -SJ 146, 01/18/22.	
HB 247	Florida Main Street Program and Historic Preservation Tax Credits	Salzman	Specifies eligibility requirements for receiving specified tax credits for taxpayers that rehabilitate certified historic structures; specifies amount of tax credits; authorizes carryforward, sale, & transfer of tax credits; provides DOR audit & examination powers; requires return of forfeited tax credits; requires DOR to provide annual reports to Legislature.	Filed 10/11/21; Referred to Tourism, Infrastructure & Energy Subcommittee; Referred to Ways & Means Committee; Referred to Commerce Committee; In Tourism, Infrastructure & Energy Subcommittee 10/22/21; 1st Reading (Original Filed Version), 01/11/22; Added to Tourism, Infrastructure & Energy Subcommittee agenda, 02/11/22; Reported out of Tourism, Infrastructure & Energy Subcommittee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 02/16/22; Original reference removed: Commerce Committee; Referred to Ways & Means Committee; In Ways & Means Committee, 02/18/22.	Favorable with CS by Tourism, Infrastructure & Energy Subcommittee.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1310	Florida Main Street Program and Historic Preservation Tax Credits	Rodriguez	Citing this act as the "Main Street Historic Tourism and Revitalization Act"; specifying eligibility requirements for receiving specified tax credits for taxpayers that rehabilitate certified historic structures; authorizing the carryforward, sale, and transfer of tax credits; providing the Department of Revenue audit and examination powers for specified purposes related to certified rehabilitation expenses; requiring the return of forfeited tax credits under certain circumstances, etc.	Filed 12/20/21; Referred to Commerce and Tourism; Finance and Tax; Appropriations 01/05/22; Introduced 01/11/2; On Committee agenda-Commerce and Tourism, 01/18/22; In Finance and Tax, 01/19/2022; On Committee agenda-Finance and Tax, 01/31/22; Pending reference review under Rule 4.7(2) - (Committee Substitute), 02/03/22; In Appropriations, 02/04/22; CS by Finance and Tax read 1st time -SJ 350, 02/09/22.	Favorable by Commerce and Tourism; YEAS 9 NAYS 0 -SJ 210; CS by Finance and Tax; YEAS 8 NAYS 0 -SJ 343.
HB 621	Infrastructure Project Funding	Fine	Prohibits administering agency from disbursing funds from any category of General Appropriations Act for infrastructure projects under certain conditions; requires grantee to use revenues for infrastructure projects for certain activities only; prohibits water management districts from disbursing funds to grantees for water-related projects unless certain conditions are met; prohibits potential grantees from seeking funds for water-related projects under certain conditions; provides criteria under which applicants may apply for water project grant funding; prohibits applicants from seeking water project grant funding under certain conditions.	Filed 11/16/21; Referred to Tourism, Infrastructure & Energy Subcommittee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Appropriations Committee; Referred to Commerce Committee; In Tourism, Infrastructure & Energy Subcommittee 12/06/21; 1st Reading (Original Filed Version) 01/11/22.	
SB 1162	Infrastructure Project Funding	Broxson	Prohibiting an administering agency from disbursing funds from any category of the General Appropriations Act for infrastructure projects under certain conditions; requiring a grantee to use the revenues for infrastructure projects for certain activities; prohibiting water management districts from appropriating or disbursing funds to grantees for water-related projects unless certain conditions are met; prohibiting certain entities from applying for water project grant funding, etc.	Filed 12/06/21; Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations -SJ 77, 01/05/22; Introduced -SJ 77 01/11/22.	

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 773	Pub. Rec./Law Enforcement Geolocation Information	Willhite	Provides exemption from public records requirements for law enforcement geolocation information held by law enforcement agency; provides retroactive applicability; provides for future legislative review & repeal of exemption; provides statement of public necessity.	Filed 11/30/21; Referred to Criminal Justice & Public Safety Subcommittee; Referred to Government Operations Subcommittee; Referred to Judiciary Committee; In Criminal Justice & Public Safety Subcommittee 12/13/21; 1st Reading (Original Filed Version) 01/11/22; PCS added to Criminal Justice & Public Safety Subcommittee agenda, 02/01/22; Reported out of Criminal Justice & Public Safety Subcommittee; Laid on Table under Rule 7.18(a); CS Filed, 02/03/22; Referred to Government Operations Subcommittee; Referred to Judiciary Committee; In Government Operations Subcommittee; Added to Government Operations Subcommittee agenda; 1st Reading (Committee Substitute 1), 02/04/22; Reported out of Government Operations Subcommittee, 02/08/22; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 2), 02/09/22; Referred to Judiciary Committee; In Judiciary Committee, 02/11/22; Added to Judiciary Committee agenda, 02/21/22; Reported out of Judiciary Committee, 02/23/22; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 3), 02/24/22; Bill referred to House Calendar; Added to Second Reading Calendar, 02/25/22; Bill added to Special Order Calendar, 03/01/22.	Favorable with CS by Criminal Justice & Public Safety Subcommittee; Favorable with CS by Government Operations Subcommittee; Favorable with CS by Judiciary Committee.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1046	Public Records/Law Enforcement Geolocation Information	Hooper	Defining the term “law enforcement geolocation information”; providing an exemption from public records requirements for law enforcement geolocation information held by a law enforcement agency; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	Filed 11/24/21; Referred to Criminal Justice; Governmental Oversight and Accountability; Rules -SJ 70, 12/13/21; Introduced -SJ 70, 01/11/22; On Committee agenda-- Criminal Justice, 01/25/22; On Committee agenda-Governmental Oversight and Accountability, 01/28/22; Pending reference review under Rule 4.7(2) - (Committee Substitute), 02/02/22; In Rules; CS by Governmental Oversight and Accountability read 1st time -SJ 340, 02/03/22;On Committee agenda-Rules, 02/10/22; Placed on Calendar, on 2nd reading, 02/16/22; Placed on Special Order Calendar, 02/17/22; Read 2nd time -SJ 448; Amendment(s) adopted (366794) -SJ 449; Read 3rd time -SJ 450; Immediately certified -SJ 451; In Messages, 02/23/22; Bill referred to House Calendar; Bill added to Special Order Calendar; 1st Reading (Engrossed 1), 03/01/22.	CS by Governmental Oversight and Accountability; YEAS 5 NAYS 0 -SJ 338; Favorable by- Rules; YEAS 17 NAYS 0 -SJ 370; CS passed as amended; YEAS 37 NAYS 1 -SJ 450.
SB 1472	Public Records	Stewart	Requiring an agency or a public body that receives a request to inspect or copy a record to make, within a specified timeframe, such record available, deny the request, or provide a certain statement in writing, etc.	Filed 01/05/22; Referred to Governmental Oversight and Accountability; Community Affairs; Rules -SJ 129, 01/12/22; Introduced -SJ 129, 01/18/22.	
HB 495	Tax Exemption for Affordable Housing	Rodriguez	Authorizes the City to adopt ordinances to grant ad valorem tax exemptions to property owners whose properties are used for governmental or public purpose of providing affordable housing; provides conditions for such exemptions; specifies procedures that apply if property is transferred to a person for other purposes; specifies exemption improperly granted by property appraiser will not be assessed penalty or interest.	Filed 11/03/21; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Ways & Means Committee; Referred to State Affairs Committee; In Local Administration & Veterans Affairs Subcommittee, 11/19/21; 1st Reading (Original Filed Version), 01/11/22.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1150	Taxation of Affordable Housing	Rodriguez & Rodrigues	Authorizing the City to adopt ordinances to grant partial ad valorem tax exemptions to property owners whose properties are used to provide affordable housing; specifying requirements for eligibility for such exemptions; specifying duties of boards of county commissioners and municipal governing authorities adopting ordinances granting such exemptions; requiring property owners improperly granted such exemptions to pay owed taxes, penalties, and interest, etc.	Filed 12/02/21; Referred to Community Affairs; Finance and Tax; Appropriations -SJ 77, 01/05/22; Introduced -SJ 77, 01/11/22; On Committee agenda-Community Affairs, 01/18/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); CS by Community Affairs read 1st time -SJ 216; In Finance and Tax, 01/20/22; On Committee agenda-- Finance and Tax; In Appropriations 01/27/22.	CS by Community Affairs; YEAS 7 NAYS 0 - SJ 215; Favorable by Finance and Tax; YEAS 8 NAYS 0 -SJ 236.
HB 7	Individual Freedom	Avila	Provides that subjecting individuals to specified concepts under certain circumstances constitutes discrimination based on race, color, sex, or national origin; revises provisions relating to required instruction; prohibits instructional materials reviewers from recommending instructional materials that contain any matter that contradicts certain principles; requires DOE to review school district professional development systems for compliance with certain provisions of law.	Filed; 1st Reading (Original Filed Version), 01/11/22; Referred to Judiciary Committee; Referred to State Affairs Committee; Referred to Education & Employment Committee; In Judiciary Committee, 01/12/22; Added to Judiciary Committee agenda, 01/24/22; Reported out of Judiciary Committee; In State Affairs Committee, 01/26/22; Added to State Affairs Committee agenda, 01/28/22; Reported out of State Affairs Committee; In Education & Employment Committee, 02/01/22; Added to Education & Employment Committee agenda, 02/04/22; Reported out of Education & Employment Committee; Laid on Table under Rule 7.18(a); CS Filed, 02/11/22; 1st Reading (Committee Substitute 1); Bill referred to House Calendar; Added to Second Reading Calendar, 02/14/22; Bill added to Special Order Calendar , 02/17/22; Read 2nd time; Amendment 982331 Failed; Amendment 158369 Failed; Amendment 728883 Failed; Amendment 135269 Failed; Amendment 258705 Failed; Amendment 886553 Failed; Amendment 161453 Failed; Amendment 626959 adopted; Amendment 849027 adopted; Amendment 413091 superseded by substitute; Amendment 744731 adopted; Amendment 174391 superseded by substitute; Amendment 501213 Failed;	Favorable by Judiciary Committee; Favorable by State Affairs Committee; Favorable with CS by Education & Employment Committee; CS passed as amended; YEAS 74, NAYS 41; Favorable by- Rules; YEAS 12 NAYS 5.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
				Amendment 872065 Failed; Amendment 406807 Failed; Amendment 333285 Failed; Amendment 017987 Failed; Amendment 487075 Failed; Placed on 3rd reading; Added to Third Reading Calendar, 02/22/22; Read 3rd time; Amendment 567941 Failed; Amendment 751037 adopted; Immediately certified; In Messages; Referred to Rules -SJ 459 02/24/22; On Committee agenda-Rules, 02/25/22; Received -SJ 458, 02/28/22; Placed on Calendar, on 2nd reading, 03/02/22.	
SB 148	Individual Freedom	Diaz & Rodrigues	Providing that subjecting any individual, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels such individual to believe specified concepts constitutes discrimination based on race, color, sex, or national origin; revising the requirements for required instruction on health education; prohibiting instructional materials reviewers from recommending instructional materials that contain any matter that contradicts certain principles, etc.	Filed 01/11/22; Referred to Education; Rules -SJ 117, 01/12/22; On Committee agenda-Education; In Rules -SJ 117; Introduced 01/18/22.	Favorable by Education; YEAS 6 NAYS 3 - SJ 115.
HB 849	Pet Protection	Fernandez-Barquin	Requires licensure of pet stores; requires DBPR to adopt procedures for such licensure; regulates sale or transfer of household pets by pet stores; limits sources from which pet stores may acquire pets for sale; requires DBPR to conduct periodic inspections of pet stores & audit sales records; revises importation, sterilization, & reporting requirements of certain public or private entities.	Filed 12/03/21; Referred to Regulatory Reform Subcommittee; Referred to State Administration & Technology Appropriations Subcommittee; Referred to Commerce Committee; In Regulatory Reform Subcommittee, 12/16/21; 1st Reading (Original Filed Version), 01/11/22.	
SB 994	Pet Protection	Diaz & Powell	Creating the "Florida Pet Protection Act"; requiring the licensure of retail pet stores; limiting the sources from which retail pet stores may acquire household pets for specified purposes; requiring the Department of Business and Professional Regulation to conduct periodic inspections of retail pet stores and to audit sales records; requiring the department to deny a retail pet store license under certain circumstances; prohibiting county and municipal ordinances and regulations from prohibiting or regulating the breeding, purchase, or sale of certain working dogs, etc.	Filed 11/18/21; Referred to Regulated Industries; Community Affairs; Appropriations -SJ 67, 12/13/21; On Committee agenda-Regulated Industries; Introduced -SJ 66, 01/11/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); In Community Affairs, 01/13/22; CS by Regulated Industries read 1st time -SJ 174, 01/18/22.	CS by Regulated Industries; YEAS 5 NAYS 2 -SJ 115.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 985	Sovereign Immunity	Beltran	Revises statutory limits on liability for tort claims against state & its subdivisions; revises requirements to agree to settle claim; prohibits insurance policy from conditioning payment of benefits on enactment of claim bill; specifies limitations in effect on date final judgment is entered apply to that claim; requires DFS to adjust limitations on tort liability; revises timeframe within which agency must make final disposition of claim to prevent claim from being deemed denied; revises exceptions relating to instituting actions on claims against state & to statute of limitations for such claim.	Filed 12/20/21; Referred to Civil Justice & Property Rights Subcommittee; Referred to Appropriations Committee; Referred to Judiciary Committee; In Civil Justice & Property Rights Subcommittee, 01/07/22; 1st Reading (Original Filed Version), 01/11/22; Added to Civil Justice & Property Rights Subcommittee agenda, 01/14/22; Reported out of Civil Justice & Property Rights Subcommittee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 01/20/22; Referred to Appropriations Committee; Referred to Judiciary Committee; In Appropriations Committee, 01/21/22; Added to Appropriations Committee agenda, 01/27/22; Reported out of Appropriations Committee; In Judiciary Committee, 02/01/22; Added to Judiciary Committee agenda, 02/21/22; PCS added to Judiciary Committee agenda, 02/27/22; Reported out of Judiciary Committee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 2), 02/28/22; Bill referred to House Calendar; Added to Second Reading Calendar, 03/03/22.	Favorable with CS by Civil Justice & Property Rights Subcommittee; Favorable by Appropriations Committee; Favorable with CS by Judiciary Committee.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 974	Sovereign Immunity	Gruters	Revising the statutory limits on liability for tort claims against the state and its agencies and subdivisions; revising requirements for the state or an agency or a subdivision of the state to agree to settle a claim or judgment; prohibiting an insurance policy from conditioning the payment of benefits on the enactment of a claim bill; requiring the Department of Financial Services to adjust the limitations on tort liability every year after a specified date, etc.	Filed 11/18/21; Referred to Judiciary; Community Affairs; Appropriations -SJ 65, 12/13/21; Introduced -SJ 65, 01/11/22; On Committee agenda-Judiciary, 01/31/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); In Community Affairs; CS by Judiciary read 1st time -SJ 247, 02/02/22; On Committee agenda-- Community Affairs, 02/03/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); CS/CS by Community Affairs read 1st time -SJ 365, 02/10/22; Remaining references corrected to Rules; Appropriations -SJ 382; In Rules, 02/11/22; On Committee agenda-- Rules, 02/18/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); In Appropriations, 02/24/22; CS/CS/CS by Rules read 1st time -SJ 456, 02/28/22.	CS/CS by Community Affairs; YEAS 6 NAYS 3 -SJ 364; CS/CS/CS by Rules; YEAS 16 NAYS 1 -SJ 454.
HB 7055	Cybersecurity	Giallombardo	Requires political subdivision, state agency, & local government to report cybersecurity & ransomware incidents; provides cybersecurity training requirements; requires after-action reports; prohibits certain entities from paying or otherwise complying with ransom demand; provides criminal penalties; requires person convicted of certain offenses to pay certain fine; requires deposit of certain moneys in General Revenue Fund.	Filed 02/03/22; 1st Reading (Original Filed Version), 02/04/22; Referred to State Affairs Committee; In State Affairs Committee, 02/07/22; PCS added to State Affairs Committee agenda, 02/21/22; Reported out of State Affairs Committee, 02/23/22; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 02/24/22; Bill referred to House Calendar; Added to Second Reading Calendar, 02/25/22; Bill added to Special Order Calendar, 02/28/22; Read 2nd time; Placed on 3rd reading, 03/03/22.	Favorable with CS by State Affairs Committee.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1670	Cybersecurity	Hutson	Requiring specified entities to report certain computer attacks to the State Watch Office within the Division of Emergency Management; requiring local governments to adopt certain cybersecurity standards by a specified date; requiring the Florida Digital Service and the Florida Cybersecurity Advisory Council to develop training requirements and conduct training at certain intervals; prohibiting specified offenses concerning ransomware; providing criminal penalties; providing for disposition of fines for such offenses, etc. APPROPRIATION: \$1,000,000.	Filed 01/06/22; Referred to Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations -SJ 143, 01/12/22; Introduced -SJ 143, 01/18/22; On Committee agenda-Military and Veterans Affairs, Space, and Domestic Security, 02/08/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); CS by Military and Veterans Affairs, Space, and Domestic Security read 1st time -SJ 351, 02/09/22; Original reference(s) removed: Appropriations Subcommittee on Agriculture, Environment, and General Government; Remaining references corrected to Appropriations -SJ 382; In Appropriations, 02/11/22; On Committee agenda--Appropriations, 02/23/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2nd reading; CS/CS by Appropriations read 1st time, 03/02/22.	CS/CS by- Appropriations; YEAS 20 NAYS 0.
HB 7057	Public Records and Meetings / Cybersecurity or Ransomware Incident	Giallombardo	Provides exemption from public records requirements for certain information related to cybersecurity or ransomware incident held by local government, state agency, or sheriff; authorizes disclosure of confidential & exempt information under certain circumstances; provides exemption from public meetings requirements for portions of meeting that would reveal certain information related to cybersecurity or ransomware incident held by local government, state agency, or sheriff; requires recording & transcription of exempt portions of such meetings; provides exemption from public records requirements for such recordings & transcripts; provides for future legislative review & repeal of exemptions; provides statement of public necessity.	Filed 02/03/22; 1st Reading (Original Filed Version), 02/04/22; Referred to State Affairs Committee; In State Affairs Committee, 02/07/22; PCS added to State Affairs Committee agenda, 02/21/22; Reported out of State Affairs Committee, 02/23/22; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 02/24/22; Bill referred to House Calendar; Added to Second Reading Calendar, 02/25/22; Bill added to Special Order Calendar, 02/28/22; Read 2nd time; Amendment 783281 adopted; Amendment 902431 adopted; Placed on 3rd reading, 03/03/22.	Favorable with CS by State Affairs Committee.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1694	Public Records/Criminal Intelligence Information or Criminal Investigative Information	Hutson	Providing an exemption from public records requirements for criminal intelligence information or criminal investigative information that reveals means or methods that could allow unauthorized access to any electronic device, software, or network; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	Filed 01/07/22; Referred to Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations -SJ 145, 01/12/22; Introduced -SJ 145, 01/18/22; On Committee agenda-Military and Veterans Affairs, Space, and Domestic Security, 02/08/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); CS by Military and Veterans Affairs, Space, and Domestic Security read 1st time -SJ 351, 02/09/22; Original reference(s) removed: Appropriations Subcommittee on Agriculture, Environment, and General Government; Remaining references corrected to Appropriations -SJ 382; In Appropriations, 02/11/22; On Committee agenda--Appropriations, 02/23/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2nd reading; CS/CS by Appropriations read 1st time, 03/02/22.	CS/CS by- Appropriations; YEAS 20 NAYS 0.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 1241	Local Government Solid Waste and Recycling Collection Services	Hawkins	Prohibits local governments from seeking liquidated damages or other charges against public or private solid waste management or recycling entities under specified conditions.	Filed 01/06/22; 1st Reading (Original Filed Version), 01/11/22; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Civil Justice & Property Rights Subcommittee; Referred to State Affairs Committee; In Local Administration & Veterans Affairs Subcommittee, 01/12/22; Added to Local Administration & Veterans Affairs Subcommittee agenda, 01/31/22; Reported out of Local Administration & Veterans Affairs Subcommittee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 02/03/22; Referred to Civil Justice & Property Rights Subcommittee; Referred to State Affairs Committee; In Civil Justice & Property Rights Subcommittee, 02/07/22; Added to Civil Justice & Property Rights Subcommittee agenda, 02/14/22; Reported out of Civil Justice & Property Rights Subcommittee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 2), 02/16/22; Referred to State Affairs Committee; In State Affairs Committee, 02/17/22.	Favorable with CS by Local Administration & Veterans Affairs Subcommittee; Favorable with CS by Civil Justice & Property Rights Subcommittee.
SB 1944	Local Governmental Actions Against Public or Private Waste Entities	Baxley	Prohibiting counties and municipalities from seeking liquidated damages, administrative fees, or other similar charges against certain waste entities during certain declared emergencies; providing for the administration of such damages, fees, or other similar charges against certain waste entities during other times, etc.	Filed 01/10/22; Referred to Environment and Natural Resources; Community Affairs; Rules -SJ 170; 01/12/22; Introduced -SJ 170, 01/18/22.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1940	Statewide Flooding and Sea Level Rise Resilience	Brodeur	Establishing the Statewide Office of Resiliency within the Executive Office of the Governor; providing for the appointment of a Chief Resilience Officer, etc.	Filed 01/10/22; Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations -SJ 169, 01/12/22; Introduced -SJ 169, 01/18/22; On Committee agenda-- Environment and Natural Resources, 01/31/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); 02/01/22; In Appropriations Subcommittee on Agriculture, Environment, and General Government; CS by Environment and Natural Resources read 1st time -SJ 250, 02/02/22; On Committee agenda-- Appropriations Subcommittee on Agriculture, Environment, and General Government, 02/17/22; In Appropriations, 02/22/22; On Committee agenda-- Appropriations, 02/23/22; Placed on Calendar, on 2nd reading, 03/01/22.	CS by Environment and Natural Resources; YEAS 5 NAYS 0; Subcommittee Recommendation: Favorable by Appropriations Subcommittee on Agriculture, Environment, and General Government; YEAS 10 NAYS 0 -SJ 451; Favorable by Appropriations; YEAS 18 NAYS 0.
SB 1664	Unlawful Assemblies	Perry & Boyd	Prohibiting a person or persons from picketing or protesting before or about the residence or dwelling of any person with specified intent; defining the term "dwelling"; providing criminal penalties, etc.	Filed 01/06/22; Referred to Judiciary; Criminal Justice; Rules -SJ 143, 01/12/22; Introduced -SJ 143, 01/18/22; On Committee agenda-Judiciary, 01/31/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); In Criminal Justice; CS by Judiciary read 1st time -SJ 249, 02/02/22; On Committee agenda--Criminal Justice, 02/08/22; On Committee agenda-Rules, 02/18/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2nd reading, 02/24/22; CS/CS by Rules read 1st time -SJ 457, 02/28/22; Placed on Special Order Calendar, 03/02/22.	CS by Judiciary; YEAS 10 NAYS 0 -SJ 243; CS/CS by- Rules; YEAS 13 NAYS 4 -SJ 454.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 1177	Grease Waste Removal and Disposal	Chaney	Provides requirements for removal & disposal of grease waste & kitchen waste; requires grease waste service manifests; requires specified compliance inspections; provides penalties; authorizes regulation by local governments; provides opt out for certain counties; requires DEP to adopt rules.	Filed 01/04/22; Referred to Environment, Agriculture & Flooding Subcommittee; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to State Affairs Committee; In Environment, Agriculture & Flooding Subcommittee, 01/10/22, 1st Reading (Original Filed Version), 01/11/22; Added to Environment, Agriculture & Flooding Subcommittee agenda, 01/21/22; Reported out of Environment, Agriculture & Flooding Subcommittee; Laid on Table under Rule 7.18(a); CS Filed, 01/26/22; 1st Reading (Committee Substitute 1), 01/27/22; Referred to Agriculture & Natural Resources Appropriations Subcommittee, Referred to State Affairs Committee; In Agriculture & Natural Resources Appropriations Subcommittee, 01/28/22; Added to Agriculture & Natural Resources Appropriations Subcommittee agenda, 02/03/22; Reported out of Agriculture & Natural Resources Appropriations Subcommittee; In State Affairs Committee, 02/07/22; Added to State Affairs Committee agenda, 02/17/22; Reported out of State Affairs Committee; Bill released to House Calendar; Added to Second Reading Calendar, 02/21/22.	Favorable with CS by Environment, Agriculture & Flooding Subcommittee; Favorable by Agriculture & Natural Resources Appropriations Subcommittee; Favorable by State Affairs Committee.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 1110	Grease Waste Removal and Disposal	Rouson	Requiring grease waste haulers to dispose of grease waste at disposal facilities; prohibiting grease waste haulers from returning grease waste and graywater to certain grease interceptors and traps and from disposing of grease waste at locations other than disposal facilities; requiring haulers to document grease waste removal and disposal with service manifests; requiring inspecting entities to verify certain contracts and service manifests, etc.	Filed 12/01/21; Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations -SJ 74, 01/05/22; Introduced -SJ 74, 01/11/22; On Committee agenda-- Environment and Natural Resources; In Appropriations Subcommittee on Agriculture, Environment, and General Government, 01/24/22; On Committee agenda-- Appropriations Subcommittee on Agriculture, Environment, and General Government, 02/02/22; In Appropriations, 02/04/22; On Committee agenda-Appropriations, 02/24/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2nd reading; Placed on Special Order Calendar, 02/25/22; CS by Appropriations read 1st time -SJ 456, 02/28/22; Read 2nd time -SJ 477; Read 3rd time -SJ 477; In Messages, 03/01/22.	Favorable by Environment and Natural Resources; YEAS 6 NAYS 0 -SJ 217; Subcommittee Recommendation: CS by Appropriations Subcommittee on Agriculture, Environment, and General Government; YEAS 9 NAYS 0; CS by- Appropriations; YEAS 19 NAYS 0 -SJ 454; CS passed; YEAS 38 NAYS 0 -SJ 477.

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 1435	Code and Traffic Enforcement	Leek	Authorizes sheriff or chief administrative officer to designate special event zone; provides requirements; provides enhanced penalties for person who commits certain infraction; authorizes impound of motor vehicle of person who commits certain infraction or violation; provides for payment of impound costs & fees; authorizes sheriff or chief administrative officer to grant certain temporary authority to law enforcement officer; provides for recovery of costs & fees associated with designating & enforcing special event zone; revises types of soundmaking devices or instruments subject to prohibition against operating or amplifying sound from within motor vehicle; applies prohibition to sound emanating from motor vehicle; prohibits operation or amplification in areas adjoining private residences; revises exemptions; provides penalty.	Filed 01/10/22; 1st Reading (Original Filed Version), 01/11/22; Referred to Criminal Justice & Public Safety Subcommittee; Referred to Tourism, Infrastructure & Energy Subcommittee; Referred to Judiciary Committee; In Criminal Justice & Public Safety Subcommittee, 01/16/22; Added to Criminal Justice & Public Safety Subcommittee agenda, 01/21/22; Reported out of Criminal Justice & Public Safety Subcommittee; In Tourism, Infrastructure & Energy Subcommittee, 01/25/22; Added to Tourism, Infrastructure & Energy Subcommittee agenda, 02/04/22; Reported out of Tourism, Infrastructure & Energy Subcommittee; In Judiciary Committee, 02/08/22; Added to Judiciary Committee agenda, 02/21/22; Reported out of Judiciary Committee, 02/23/22; Laid on Table under Rule 7.18(a); CS Filed; Bill referred to House Calendar; Bill added to Special Order Calendar (3/1/2022); 1st Reading (Committee Substitute 1), 02/24/22; Read 2nd time; Placed on 3rd reading; Added to Third Reading Calendar, 03/01/22; Read 3rd time; In Messages; Referred to Rules; Received, 03/02/22.	Favorable by Criminal Justice & Public Safety Subcommittee; Favorable by Tourism, Infrastructure & Energy Subcommittee; Favorable with CS by Judiciary Committee; CS passed; YEAS 90, NAYS 26.
SB 1954	Code and Traffic Enforcement	Wright	Authorizing a sheriff or chief administrative officer of a county or municipality to designate a special event zone under certain circumstances on a roadway, street, or highway; authorizing a law enforcement officer to impound the motor vehicle of a person who commits a noncriminal traffic infraction or a criminal traffic violation in a special event zone; revising the types of soundmaking devices or instruments subject to the prohibition against operating or amplifying sound from within a motor vehicle in a certain manner; prohibiting such operation or amplification in areas adjoining private residences, etc.	Filed 01/11/22; Referred to Transportation; Community Affairs; Rules -SJ 171, 01/12/22; Introduced -SJ 171, 01/18/22; On Committee agenda-Transportation, 02/02/22; Pending reference review under Rule 4.7(2) - (Committee Substitute); In Community Affairs; On Committee agenda-Community Affairs; CS by Transportation read 1st time -SJ 341, 02/E117, 02/03/22; In Rules, 02/09/22; On Committee agenda-Rules, 02/10/22; Placed on Calendar, on 2nd reading, 02/16/22; Placed on Special Order Calendar, 03/02/22.	CS by Transportation; YEAS 7 NAYS 0 -SJ 337; Favorable by Community Affairs; YEAS 8 NAYS 0 -SJ 343; Favorable by- Rules; YEAS 11 NAYS 6 -SJ 370.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 301	Financial Disclosures	Roach & Caruso	Revises qualification requirements for certain candidates for office; requires specified local officers to file full & public disclosure of financial interests; exempts specified local officers from certain financial disclosure requirements; provides that certain local officers must file their statements of financial interests with specified supervisor until specified date; revises documents that must be filed electronically; provides that certain delinquency notices may not be sent by certified mail.	Filed 10/14/21; Referred to Public Integrity & Elections Committee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to State Affairs Committee; In Public Integrity & Elections Committee 10/26/21; Added to Public Integrity & Elections Committee agenda, 01/10/22; 1st Reading (Original Filed Version), 01/11/22; PCS added to Public Integrity & Elections Committee agenda, 01/13/22; Reported out of Public Integrity & Elections Committee; Laid on Table under Rule 7.18(a); CS Filed; 1st Reading (Committee Substitute 1), 01/19/22; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to State Affairs Committee; In Local Administration & Veterans Affairs Subcommittee, 01/20/22; Added to Local Administration & Veterans Affairs Subcommittee agenda, 02/03/22; Reported out of Local Administration & Veterans Affairs Subcommittee; In State Affairs Committee, 02/07/22; Added to State Affairs Committee agenda, 02/27/22; Reported out of State Affairs Committee; Bill released to House Calendar; Added to Second Reading Calendar, 02/28/22.	Favorable with CS by Public Integrity & Elections Committee; Favorable by Local Administration & Veterans Affairs Subcommittee; Favorable by State Affairs Committee.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2022 SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 510	Financial Disclosures for Local Officers	Brodeur & Rodrigues	Revising the date by which full and public disclosure of financial interests must be filed electronically; requiring the Commission on Ethics to accept only disclosures in paper form through a specified date; requiring the commission to accept federal income tax returns, financial statements, and other forms or attachments showing sources of income for a specified purpose; requiring members of the Commission on Ethics and the Florida Elections Commission to file a full and public disclosure of financial interests; authorizing the commission to dismiss financial disclosure complaints alleging de minimis violations, etc.	Filed 10/14/21; Referred to Ethics and Elections; Community Affairs; Rules -SJ 30, 11/03/21; On Committee agenda-Ethics and Elections, 11/30/21; Pending reference review under Rule 4.7(2) - (Committee Substitute), 12/01/21; In Community Affairs, 12/06/21; On Committee agenda-Community Affairs, 01/12/22; Introduced -SJ 30; CS by Ethics and Elections read 1st time -SJ 91, 01/11/22; On Committee agenda-Community Affairs, 01/18/22, In Rules, 01/19/22; On Committee agenda-Rules, 02/10/22; Pending reference review -under Rule 4.7(2) - (Committee Substitute), 02/14/22; CS/CS by Rules read 1st time -SJ 376, 02/16/22; Placed on Special Order Calendar, 02/17/22; Read 2nd time -SJ 445; Amendment(s) adopted (431710) -SJ 446; Read 3rd time -SJ 446; Immediately certified -SJ 451; In Messages, 02/23/22.	CS by Ethics and Elections; YEAS 9 NAYS 0 -SJ 96; Favorable by Community Affairs; YEAS 7 NAYS 0 -SJ 210; CS/CS by- Rules; YEAS 11 NAYS 5; CS passed as amended; YEAS 30 NAYS 7 -SJ 446.
CS = Committee Substitute filed.					
* Bills with no counterpart in Senate or House have minimal chance of passage.					

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: March 2, 2022

RE: Request for One (1) appointment for the Corridor Review Committee (CRC)

Notification was previously given regarding the term expiration of one (1) position on the CRC which will expire March 28, 2022.

Advertising requesting applications was placed in the St. Augustine Record and posted on the City's website.

Attached is an application received from Lorna MacDonald, who is a current member and eligible for re-appointment, in addition to the current roster, board profile and responsibilities.

I respectfully request that consideration be given to this applicant.

Sincerely,

A handwritten signature in blue ink, reading "Darlene Salambos", is written over a horizontal line.

City Clerk

Attachments: Applications

xc: CRC Clerk's File

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee.

1. APPLICANT NAME LORNA MACDONALD
2. BOARD/COMMITTEE DESIRED CORRIDOR REVIEW COMMITTEE
3. RESIDENCE (Address) 398 MARSH POINT CIRCLE ST AUGUSTINE FL 32080
4. PHONE 904 501-1990 E-MAIL raintreeemail@aol.com
5. BUSINESS OWNED (Address) RAINTREE RESTAURANT, 102 SAN MARCO AVE, ST AUG FL 32084
6. BUSINESS PHONE 904 824-7211 E-MAIL raintreeemail@aol.com
7. PROPERTY OWNED (Address) 102 SAN MARCO AVE ST AUGUSTINE FL 32084
8. PREFERRED MAILING ADDRESS ABOVE
9. OCCUPATION (include resume if available) RESTAURANT OWNER
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) I have been in business 40+ years at this location.
11. OTHER COMMENTS OR INFORMATION looking for improvements within city guidelines for our corridors.
12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.

Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) Yes | ☒ **No**

Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box.

RACIAL CATEGORY (Check as many as apply)

☐ American Indian or Alaska Native	☐ Asian	☐ Native Hawaiian or Other Pacific Islander
☐ Black or African American	☒ White	

13. SIGNATURE OF APPLICANT



DATE 2-3-2022

14. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to: Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, Florida 32085.


Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 2.

Qualifications: All members of the Planning and Zoning Board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida registered | ☐ Preservation Organization Officer |
| ☐ Planner, member APA or AICP | ☐ Environmental or Land Use Organization Officer |
| ☐ Real Estate Broker, w/ County occupational license | ☐ Attorney, Florida Bar |
| ☐ Educator, college level | ☐ Landscape Architect, Florida registered |
| ☐ Engineer, Florida registered | ☐ Contractor, City contractor's license |
| ☐ Merchant/Businessperson, City occupational license | |

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3.

Qualifications: All members of the Historic Architectural Review Board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- | | |
|--|---|
| ☐ History or related fields | ☐ Art History |
| ☐ Archaeology | ☐ Former HARB Member |
| ☐ Architectural History | ☐ Other |
| ☐ Historic Architecture | |

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 5.

Qualifications: All members of the Corridor Review Committee shall hold no government office nor receive any salary or compensation for their services to the board herein created. The initial appointment of members shall be as follows: two (2) members of the board as established herein shall be appointed for a term of three (3) years; two (2) members for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter all members shall be appointed for a three (3) year term. Two (2) seats on the board shall be designated for a licensed, or retired, architect or landscape architect with preference given to those who are city residents or whose business is located within the city; and three (3) seats for property owners or tenants of properties located within the respective entry corridors: Anastasia Boulevard, San Marco Avenue, and King Street. The members of the CRC shall meet as needed, as an ad hoc committee meeting noticed by the City Clerk and shall meet at least annually to elect one (1) of its members as chairperson and one (1) as vice-chair.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida licensed or retired | ☒ Owner of property located within Entry Corridor |
| ☐ Landscape Architect, Florida licensed or retired | ☐ Tenant of property located within Entry Corridor |

CORRIDOR REVIEW COMMITTEE

Meets April, Second Wednesday - 2:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Michael Dixon Chair-person Architect	32 Grant Street 32084 847-502-3136 madixon1166@gmail.com	6/8/2020	3/28/2023
Vaughn Cochran Business owner/Anastasia	6310 Solano Creek Rd, Elkton, 32033 904-540-3183 blackfly.v Vaughn@gmail.com	6/8/2020	3/28/2023
Lorna MacDonald Vice Chair Business owner/San Marco	102 San Marco Ave, 32084 904-501-1990 raintreeemail@aol.com	6/8/2020	3/28/2022

CORRIDOR REVIEW COMMITTEE

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 5, Sections 28-126 through 28-134 and Ordinance 2019-45. Modified by Ordinance 2020-15 and Ordinance 2020-21
Number of Members:	Three (3) Regular Members
Terms of Office:	Corridor Review Committee (CRC) consisting of three (3) members to be appointed by the City Commission from applications submitted on forms as from time to time promulgated by the City Manager and approved by the City Commission and shall serve at the pleasure of the City Commission. The initial appointment of members shall be as follows: one (1) member of the board as established herein shall be appointed for a term of three (3) years; one (1) member for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter all members shall be appointed for a three (3) year term.
Appointment:	By City Commission.
Reappointment:	Normal appointments expire March 28th of each year. Members may serve two 2 consecutive full terms only.
Qualifications:	One (1) seat on the board shall be designated for a licensed, or retired, architect or landscape architect with preference given to those who are city residents or whose business is located within the city; and two (2) seats for property owners or tenants of properties located within the respective entry corridors as defined in the City's adopted design standards for entry corridors. If insufficient qualified applicants for the property owner or tenant seats are received by the Clerk, the City Commission may appoint another licensed or retired architect or landscape architect to be seated in order to maintain the three (3) person board. The City Commission shall have final authority over the evaluation of qualifications received and appointment of board members.
Duties:	The administrative review and decision of a development permit application shall be as prescribed in the adopted DSEC. The CRC review and decision of a development permit or appeal of an Administration decision shall comply with the process and review criteria as prescribed in the adopted DSEC and this code.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-128
Meetings:	Meets second Wednesday of April for annual reorganization; thereafter meets on call.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: March 2, 2022

RE: Request for Two (2) appointments for the Historic Architectural Review Board (HARB)

Notification was previously given regarding the term expirations of two positions on HARB which will expire March 28, 2022.

Advertising requesting applications was placed in the St. Augustine Record and posted on the City's website. Applications were received from the following qualified applicants:

- Ian Gaere MacDonald (Current HARB Member)
- Brad Beach (Current Member on Code Enforcement, Adjustment and Appeals Board)

Based on the application and resume provided, the following applicant does not appear to be qualified:

- Joseph Barnhart

Attached are the applications received, in addition to the current HARB roster, Board profile and responsibilities.

Sincerely,



City Clerk

Attachments: Applications
xc: HARB Clerk's File

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee.

1. APPLICANT NAME Ian G MacDonald
2. BOARD/COMMITTEE DESIRED Historic Architectural Review Board
3. RESIDENCE (Address) 23 Water St, St Augustine, FL 32084
4. PHONE (904) 814 7799 E-MAIL gmacconstruction@aol.com
5. BUSINESS OWNED (Address) Gaere MacDonald Construction Inc
6. BUSINESS PHONE (904) 814 7799 E-MAIL gmacconstruction@aol.com
7. PROPERTY OWNED (Address) As above
8. PREFERRED MAILING ADDRESS As above
9. OCCUPATION (include resume if available) General building Contractor CGC1504717
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) Executive Chef, Building Contractor
11. OTHER COMMENTS OR INFORMATION _____
12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.		
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☐ No		
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box.		
RACIAL CATEGORY (Check as many as apply)		
☐ American Indian or Alaska Native	☐ Asian	☐ Native Hawaiian or Other Pacific Islander
☐ Black or African American	☒ White	

13. SIGNATURE OF APPLICANT  DATE 2/3/22
14. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to: Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, Florida 32085.

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 2.

Qualifications: All members of the Planning and Zoning Board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida registered | ☐ Preservation Organization Officer |
| ☐ Planner, member APA or AICP | ☐ Environmental or Land Use Organization Officer |
| ☐ Real Estate Broker, w/ County occupational license | ☐ Attorney, Florida Bar |
| ☐ Educator, college level | ☐ Landscape Architect, Florida registered |
| ☐ Engineer, Florida registered | ☐ Contractor, City contractor's license |
| ☐ Merchant/Businessperson, City occupational license | |
-

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3.

Qualifications: All members of the Historic Architectural Review Board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- | | |
|---|--|
| ☒ History or related fields | ☐ Art History |
| ☒ Archaeology | ☒ Former HARB Member |
| ☒ Architectural History | ☐ Other |
| ☒ Historic Architecture | |
-

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 5.

Qualifications: All members of the Corridor Review Committee shall hold no government office nor receive any salary or compensation for their services to the board herein created. The initial appointment of members shall be as follows: two (2) members of the board as established herein shall be appointed for a term of three (3) years; two (2) members for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter all members shall be appointed for a three (3) year term. Two (2) seats on the board shall be designated for a licensed, or retired, architect or landscape architect with preference given to those who are city residents or whose business is located within the city; and three (3) seats for property owners or tenants of properties located within the respective entry corridors: Anastasia Boulevard, San Marco Avenue, and King Street. The members of the CRC shall meet as needed, as an ad hoc committee meeting noticed by the City Clerk and shall meet at least annually to elect one (1) of its members as chairperson and one (1) as vice-chair.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida licensed or retired | ☐ Owner of property located within Entry Corridor |
| ☐ Landscape Architect, Florida licensed or retired | ☐ Tenant of property located within Entry Corridor |

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee

1. APPLICANT Brad Beach
2. RESIDENCE
(address) 5 Hope Street St. Augustine, FL 32084 PHONE 904.521.3470
3. BUSINESS OWNED (Address) 5 Hope Street St. PHONE 904.521.3470
4. PROPERTY OWNED (Address) 5 Hope Street St. Augustine, FL 32084
5. MAILING ADDRESS PREFERRED 5 Hope Street St. Augustine, FL 32084
6. E-mail Address brad@itsanewday.co
7. BOARD DESIRED Historic Architecture Review Board - HARB
8. OCCUPATION (include resume if available) Architect
9. PROFESSIONAL QUALIFICATIONS: (you are encouraged to submit a cover letter)
I am a life-long resident of St. Augustine, FL and have been in the architecture profession for 18 years
after getting a masters degree in architecture from the University of Florida. I am a LEED accredited
professional and its my desire to preserve the historic value of this beautiful city.
10. OTHER COMMENTS OR INFORMATION

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) <u>Yes</u> <u>X</u> No	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT

James B. Beach DATE January 31, 2022

13. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085

JBB

Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57
Amended 4.14.2003, Ordinance 2003-14.

Qualifications: All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- ☒ Architect, Florida registered
- ☐ Planner, member APA or AICP
- ☐ Real Estate broker, with County occupational license
- ☐ Educator, college level
- ☐ Engineer, Florida registered
- ☐ Landscape architect Florida registered
- ☐ Preservation organization officer
- ☐ Environmental or land use organization officer
- ☐ Attorney, Florida Bar
- ☐ Merchant/business person, City occupational license
- ☐ Contractor, City contractor's license

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.

Qualifications: All members of the historic architectural review board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- ☐ History or related fields
- ☐ Archaeology
- ☒ Architectural history
- ☒ Historic architecture
- ☒ Art history
- ☐ Former HARB member
- ☐ Other

Joseph Barnhart
St. Augustine, FL
(706) 844-1680
jbarnhart@mailfence.com

Objective:

To provide an outstanding set of multi-talented abilities and a motivated self achiever who knows how to set goals and make them happen. Understanding that the customer is the priority and to treat each individual with the utmost respect and concern on a personal level.

Summary of Qualifications:

A business oriented mindset with past experience in retaining customer loyalty and satisfaction. Previous experience in a call centers and well versed in various types of computer related technology and software.

Professional Achievements:

Provided excellent service support to customers as a call center agent and business to business. Build computer systems and networks utilizing various types of operating systems and programs.

Overcome difficult situations dealing with various types of business interactions. Experienced with accomplishing related goals include marketing, sales, and product distribution.

Experience:

Communications: Interacting with various media outlets to provide digital content and news events.
Business Consulting: Helping to grow brands through research, product design, marketing, and social media.

Current: Documentary Filmmaker
Previous: Columnist for my local Newspaper
Previous: Call Center Specialist

Maintain positive relations with the media including news, businesses, and locations nationwide.

Education:

Some College: Computer Support Specialist Technical Based Classes.

Personal: Self achieving, highly motivated, accomplished, proven track record.

Experienced: Computer Support Specialist
Experienced: Media/News Outlets
Experienced: Marketing/Sales
Certified: Web Developer
Certified: Video Production

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission.

1. APPLICANT Joseph Barnhart
2. RESIDENCE
(address) 52 Sunrise Blvd Apt 11 St. Augustine FL 32084 PHONE 706 844 1680
3. BUSINESS OWNED (Address) _____ PHONE _____
4. PROPERTY OWNED (Address) _____
5. MAILING ADDRESS PREFERRED _____
6. E-mail Address jbarnhart@mailfence.com
7. BOARD DESIRED Historic Architectural Review Board and Corridor Review Committee
8. OCCUPATION (include resume if available) I have an interest in history and the build out of my community.
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
I am physically disabled and wish to be more involved in my community.
I had the privilege of being an honorary police officer in my previous community.
Email is the best way to reach me initially.
10. OTHER COMMENTS OR INFORMATION

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☐ No	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native ☐	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☐ White	

12. SIGNATURE OF APPLICANT

Joseph Barnhart _____ DATE _____

12. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085.

JB

Initial

HISTORIC ARCHITECTURAL REVIEW BOARD

Meets Monthly, 3rd Thursday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Gaere MacDonald VICE-CHAIR Contractor	23 Water Street, 32084 904-814-7799 gmdconstruction@aol.com	03/25/19 1 st full term	3/28/2022
Jon Benoit Contractor	900-D Anastasia Blvd, 32080 904-540-3065 jonbenoit@behstbuilders.com	03/26/18 1 st full term 03/08/21 2 nd full term	3/28/2024
Catherine Duncan CHAIR Architect	1942 Holly Oaks Lake Rd E. Jacksonville, FL 32225 904-377-2852 catherine@lociarchitects.com	11/09/15 fill vacancy 3/26/18 1 st full term 03/08/21 2 nd full term	3/28/2024
Barbara Wingo Attorney/Historian	17 Saragossa St. 32084 PO Box 497, 32085 (preferred) 824-5146; cell 352-214-1214 bcwingo@gmail.com	02/22/16 1 st full term 03/25/19 2 nd full term	3/28/2022
Paul Weaver, III Professional Preservation Consultant	5 Milton St, 32084 160 Vilano Rd, Ste 7 824-5178 – 347-6090 hpa007@aol.com	06/25/18 1 st full term 04/27/20 2 nd full term	3/28/2023
VACANT <u>Alternate</u>			3/28/2023
VACANT <u>Alternate</u>			03/28/2022

HISTORIC ARCHITECTURAL REVIEW BOARD

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.
Number of Members:	Five (5) Regular Members and Two (2) Alternates
Terms of Office:	Three (3) years, expiring on March 28 th - Original terms staggered; no member appointed for more than two full consecutive terms.
Appointment:	By City Commission.
Qualifications:	While preference shall be given to current City residents, City Commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. All members of the historic architectural review board shall have either thorough training and/or experience in: 1 history or related fields; 2 archaeology; 3 architectural history; 4 historic architecture; and 5 art history. Alternates shall be appointed for a three (3) year term, and shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members. See Section 28-82 for the criteria required in order to be appointed to the Board.
Duties:	Act on applications for Certificates of Appropriateness in HP-1 through HP-5; act on applications for building permits on property abutting HP-1 through HP-3; act on all applications for demolition permits for structures 50 years old or older within the City limits; cooperate with governments in planning proposed and future projects reflecting concerns and policies and assist as a consultant in development of future land use plans; advise property owners & government agencies concerning maintenance, protection, enhancement and preservation of historic resources; advise the City Commission concerning effects of local governmental actions on resources designated under the ordinance; recommend issuance of stop work order when not in compliance; develop rules and procedures necessary to implement powers and duties of the HARB consistent with ordinance; conduct regular public meetings and call special meetings; and designate historical landmarks.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-85
Meetings:	Third Thursday of each month, 1 P.M. the Alcazar Room, City Hall.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: March 3, 2022

RE: Request for appointment to fill one (1) Alternate position – Historic Architectural Review Board (HARB)

Notification was previously given regarding two (2) vacancies for Alternate positions on HARB.

According to Ordinance 2016-08, Alternates shall have previously served as regular members and will only be called to participate and vote at meetings in the event of an anticipated lack of quorum, or bare minimum quorum, of the regular members.

One qualified application was received from Barbara C. Wingo, current HARB member, whose term is set to expire March 28, 2022. Ms. Wingo meets the eligibility criteria and may be appointed should the Commission choose to do so. The new term will expire on March 28, 2023.

Attached is Ms. Wingo's application, in addition to the current HARB roster, Board profile and responsibilities.



Darlene Galambos
City Clerk

Attachments: Application

xc: Clerk's Office

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee.

1. APPLICANT NAME Barbara C. Wingo
2. BOARD/COMMITTEE DESIRED Alternate - H. A. R. B.
3. RESIDENCE (Address) 17 Saragossa Street
4. PHONE 904-824-5146 E-MAIL bcwingo@gmail.com
5. BUSINESS OWNED (Address) Time Zones Antiques + Collectibles
6. BUSINESS PHONE — E-MAIL antiques@atlantic.net
7. PROPERTY OWNED (Address) 17 Saragossa Street
8. PREFERRED MAILING ADDRESS P.O. Box 697, St. Augustine, FL
9. OCCUPATION (include resume if available) historian + attorney 32085
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) historian (U.S.) Resume provided.
11. OTHER COMMENTS OR INFORMATION —

12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status; but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.		
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☒ No		
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box.		
RACIAL CATEGORY (Check as many as apply)		
☐ American Indian or Alaska Native	☒ Asian	☐ Native Hawaiian or Other Pacific Islander
☐ Black or African American	☒ White	

13. SIGNATURE OF APPLICANT

Barbara C. Wingo

DATE 3-2-22

14. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to: Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, Florida 32085.

BW
Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 2.

Qualifications: All members of the Planning and Zoning Board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida registered | ☐ Preservation Organization Officer |
| ☐ Planner, member APA or AICP | ☐ Environmental or Land Use Organization Officer |
| ☐ Real Estate Broker, w/ County occupational license | ☐ Attorney, Florida Bar |
| ☐ Educator, college level | ☐ Landscape Architect, Florida registered |
| ☐ Engineer, Florida registered | ☐ Contractor, City contractor's license |
| ☐ Merchant/Businessperson, City occupational license | |

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3.

Qualifications: All members of the Historic Architectural Review Board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- | | |
|---|--|
| ☒ History or related fields | ☐ Art History |
| ☐ Archaeology | ☒ Former HARB Member |
| ☐ Architectural History | ☐ Other |
| ☐ Historic Architecture | |

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 5.

Qualifications: All members of the Corridor Review Committee shall hold no government office nor receive any salary or compensation for their services to the board herein created. The initial appointment of members shall be as follows: two (2) members of the board as established herein shall be appointed for a term of three (3) years; two (2) members for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter all members shall be appointed for a three (3) year term. Two (2) seats on the board shall be designated for a licensed, or retired, architect or landscape architect with preference given to those who are city residents or whose business is located within the city; and three (3) seats for property owners or tenants of properties located within the respective entry corridors: Anastasia Boulevard, San Marco Avenue, and King Street. The members of the CRC shall meet as needed, as an ad hoc committee meeting noticed by the City Clerk and shall meet at least annually to elect one (1) of its members as chairperson and one (1) as vice-chair.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida licensed or retired | ☐ Owner of property located within Entry Corridor |
| ☐ Landscape Architect, Florida licensed or retired | ☐ Tenant of property located within Entry Corridor |

CURRICULUM VITAE

Barbara C. Wingo

6613 NW 81st Blvd., Gainesville, FL 32653
17 Saragossa Street, St. Augustine, FL 32084
Home telephone: 352-373-8885; 904-824-5146
Cell phone: 352-214-1214
Email: bcwingo@gmail.com

Attorney and Historian

Law Office of Barbara C. Wingo, PLLC, 4720 Salisbury Road, Jacksonville, Florida

Proprietor, Time Zones Antiques and Collectibles

Courtesy Professor of History, University of Florida

Other Current Activities:

City of St. Augustine, *Historic Architectural Review Board (HARB)*, Board Member (appointed by the City Council), 2016-present.

Florida Supreme Court Historical Society, Member, Board of Trustees, 2014-present.

Friends of the Marjorie Kinnan Rawlings Farm, Inc., Cross Creek, Florida, Member, Board of Directors, 2009-present (President, 2017-present; Secretary, 2010-2016).

Friends of Music at the University of Florida, Member, Board of Directors, 2015-present (President, 2018-2019).

Gainesville Women's Forum, 2019-present (Treasurer, 2020-present).

Matheson History Museum, Gainesville, Florida, Member, Advisory Board, 2018-present.

Norman Silent Film Studios Museum, Inc., Jacksonville, Florida, Member, Board of Directors, 2016-present (Vice President and Curator, 2018-present; Secretary, 2016-2018).

Tolomato Cemetery Preservation Association, Inc., St. Augustine, Florida, Member, Board of Directors, 2015-present.

Degrees Earned:

J.D. cum laude, Order of the Coif, December 1980, Southern Methodist University, Dallas, Texas.

Ph.D., May 1976, Tulane University, New Orleans, Louisiana.

Fields of concentration: 1) United States history, with specialization in colonial, revolutionary, and early national periods. 2) British history. 3) European history.

M.A. (history), December 1972, Tulane University, New Orleans, Louisiana

A.B. with great distinction (major: history; minor: music), April 1970, Phi Beta Kappa, Stanford University, Stanford, California

Bar Admissions and Board Certifications:

State Bar of Texas, admitted 1981.

The Florida Bar, admitted 1982.

Board Certified, State and Federal Government and Administrative Practice

United States District Court for the Middle District of Florida, admitted 1983.

United States District Court for the Northern District of Florida, admitted 1990.

United States Court of Appeals for the Eleventh Circuit, admitted 1983.

United States Supreme Court, admitted 2000.

Previous Professional Positions:

Associate Vice President (March 2005 to August 2015) *and Deputy General Counsel* (July 1990 to 2015).

Associate General Counsel (January 1985 through June 1990)

Assistant to the University Attorney (March 1983 through December 1984)

University of Florida, Gainesville, Florida

Adjunct Professor (adjunct faculty member, 1982 to 2015).

Department of History, University of Florida

Taught United State survey courses and upper division courses in the American Revolutionary Era, the Early National Period, and the United States Constitution.

Adjunct Professor (Spring 1980; Fall 1979)

Department of History, Southern Methodist University

Lecturer (Fall 1977; Spring 1977; Summer 1976)

Department of History, University of Houston, Downtown College

Visiting Assistant Professor (Fall 1976)

Department of History, University of Houston

Adjunct Instructor (Spring 1976)

Division of Social Sciences, Houston Community College

Publications:

“Marjorie Kinnan Rawlings and St. Augustine.” The Marjorie Kinnan Rawlings Journal of Florida Literature, XXVIII (2020), 111-123.

“Divulging School Records: What is Confidential, What is Not,” in School Law in Florida, National Business Institute, 2003.

“The Presidential Election of 1928 in Louisiana,” Louisiana History, XVIII (Fall 1977), 405-435.

Invited Presentations at National and International Meetings:

Marjorie Kinnan Rawlings at Home in Florida, XXXI Annual Marjorie Kinnan Rawlings Society Conference, Mt. Dora, Florida, April 21, 2018.

Open Access: Opportunities and Challenges, National Association of College and University Attorneys (NACUA), November 2014 CLE Workshop: Sponsored Research and Technology Transfer, Washington, D.C., November 7, 2014.

Top Ten Issues for Research Universities: Current Issues of Note and Key Ongoing Issues, National Association of College and University Attorneys (NACUA), Annual Conference, Philadelphia, Pennsylvania, June 19, 2013.

Building Collaborative Relationships with Your Legal Affairs Office, National Council of University Research Administrators (NCURA) Pre-award Research Administration Conference, Hilton Head Island, South Carolina, August 12, 2008.

Disclosure and Monitoring of Conflicts of Interest in Creating and Managing Conflicts of Interest in Faculty Start-Ups: A How-To Guide. National Association of College and University Attorneys (NACUA) Annual Conference. New York, New York, June 25, 2008.

What is Shared Governance? Why a Good Relationship with Your Academic Senate Is Important: How to Be Part of the Campus Conversation. National Association of College and University Attorneys (NACUA) Annual Conference, New York, New York, June 23, 2008.

Research Foundations: Establishment, Activities, and Affiliated Entities, National Association of College and University Attorneys (NACUA) Workshop on Higher Education Research Compliance and Technology Transfer, Arlington, Virginia, November 11, 2004.

Corporate and Transactional Issues: Needs of a Research University, University of Florida, Third Annual Law & Technology Conference, Orlando, Florida, February 20, 2003.

Establishment and Activities of Affiliated Research Foundations, National Association of College and University Attorneys (NACUA) Workshop on University Research and Technology Transfer, Arlington, Virginia, October 31, 2002.

Conflicts of Interest: Individual and Institutional, Society of Research Administrators International (SRAI) Annual Conference, Orlando, Florida, October 27, 2002.

Launching a Successful Start-Up: The University's Perspective, National Council of University Research Administrators (NCURA) Workshop, University/Industry Collaboration: Partners in the Research Enterprise, Keystone, Colorado, August 20, 2002.

The Entrepreneurial Professorate, Faculty Start-ups and Other Entrepreneurial Activity for the Employment Lawyer: Special Considerations in dealing with Faculty Start-up Companies, National Association of College and University Attorneys (NACUA) Faculty Employment Law Workshop, New Orleans, Louisiana, March 23, 2002.

Advanced Conflict of Interest, Technology Transfer and Security Issues: Negotiating Conflicts of Interest in Faculty Start-ups, National Association of College and University Attorneys (NACUA) Annual Conference, San Diego, California, June 26, 2000.

Risk Management and Other Legal Considerations in a Crisis involving Students, Institute for Crisis Management in Higher Education, Gainesville, Florida, May 25, 1999.

The Institutional Response to Alcohol on Campus: Developing and Enforcing Campus Alcohol Policies, National Association of College and University Attorneys (NACUA) Workshop on Alcohol on Campus, Orlando, Florida, March 11, 1999.

Issues in Research Misconduct Cases: Confidentiality and Records, Workshop on Research Integrity Issues presented by the Office of Research Integrity, U.S. Department of Health and Human Services, and the Office of Research, Technology and Graduate Education, University of Florida, Gainesville, Florida, April 15, 1997.

Managing Your Crisis: Some Legal Considerations in Student Emergencies, National Association of College and University Attorneys (NACUA) Workshop on Current Legal Issues in Student Affairs, San Diego, California, October 21, 1993.

Outside Employment of College and University Faculty Members and Other Employees, National Association of College and University Attorneys (NACUA), Workshop on Employment Law on a Changing Campus, Dallas, Texas, March 13, 1992.

Copyright Issues and Other Legal Issues Affecting Faculty Members, Conference on Interactive Telecommunications in Higher Education: Implementation and Academic Issues, sponsored by the University of Alabama System and University of Missouri System, Tuscaloosa, Alabama, March 25, 1991.

Conflicts of Interest in Faculty Involvement in Sponsoring Organization: Overview of State Laws and Institutional Policies, National Association of College and University Attorneys (NACUA) Annual Conference, Baltimore, Maryland, June 25, 1986.

State Conflict of Interest Law and College and University Faculty Members, Society of University Patent Administrators Conference (now AUTM), Stanford University, Stanford, California, June 20, 1985.

Invited Participation at National and International Meetings:

Facilitator, *Working with the General Counsel's Office and ORI/NSF Legal Counsel*, Research Integrity Officers Conference, Baltimore, Maryland, October 2, 2013.

Moderator, *Research and Social Media*, National Association of College and University Attorneys (NACUA), Fall CLE Workshop, Washington, D.C., November 12, 2010.

Moderator, *After St. Augustine*, Why St. Augustine Symposium, St. Augustine, Florida, February 22-23, 2008.

Panelist, *Leadership Training for the Professional Woman*, SAI International Music Fraternity Triennial Convention, Orlando, Florida, July 29, 2006.

Moderator, *Researching for the Federal Government: Contracts*, National Association of College and University Attorneys (NACUA) Annual Conference, Orlando, Florida, June 28, 2005.

Discussion Leader, *Role of Research Foundations*, National Association of College and University Attorneys (NACUA) Workshop on Higher Education Research Compliance and Technology Transfer, Arlington, Virginia, November 11, 2004.

Moderator, *Faculty Employment Outside of the University: Conflict of Commitment*, National Association of College and University Attorneys (NACUA) Workshop, "From Handshakes to Headaches: Key Issues in Higher Education Employment Law," Atlanta, Georgia, March 5, 2004.

Moderator, *Copyright and On-Line Education: Ownership, Fair Use and Faculty Conflicts of Interest and Commitment*, National Association of College and University Attorneys (NACUA), Annual Conference, Baltimore, Maryland, June 20 and 24, 2001.

Moderator, *Intellectual Property Primer: What You Need to Know*, and *Software and Technology Licensing Issues*, National Association of College and University Attorneys (NACUA) Annual Conference, Washington, D.C., June 21 and 22, 1998.

Recorder, *Do the Models (those presented as well as those developed at other institutions) Meet the Expectations? Creating a "Robust" University Environment to Support Research and Technology Transfer in a Changing World*, National Workshop sponsored by the Council on Research Policy & Graduate Education, National Association of State Universities and Land-Grant Colleges (NASULGC), Gainesville, Florida, April 7, 1998.

Moderator and Chair of Conference Committee, *Hot Legal (and Other) Issues Involving Informational and Instructional Technology*, National Association of College and University Attorneys (NACUA) Workshop "Lost in Cyberspace," Albuquerque, New Mexico, February 29, 1996.

Moderator, *Conflicts of Interest*, National Association of College and University Attorneys (NACUA) Annual Conference, Marco Island, Florida, June 27, 1994.

Moderator, *Indecent Proposal? The Debate over Consensual Relationships Heats Up*, National Association of College and University Attorneys (NACUA) Workshop on Current Legal Issues in Student Affairs, San Diego, California, October 23, 1993.

Panelist, *Case Study -- Conflicts of Interest*, National Association of College and University Attorneys (NACUA) Workshop, Clearwater Beach, Florida, February 9, 1992.

Discussion Leader, *Academic/Administrative Affairs*, Conference on Law and Higher Education, Stetson University College of Law, Clearwater Beach, Florida, January 23, 1991.

Moderator, *The Law of Unfair Competition in the University Setting*, Conference on Law and Higher Education, Stetson University College of Law, Clearwater Beach, Florida, January 17, 1989.

Commentator, *Early American Religious History*, Society of Historians of the Early American Republic (SHEAR) Annual Meeting, Bentley College, Waltham, Massachusetts, June 1983.

Presentations at Regional Meetings:

Past, Present and Future of Norman Studios: *Norman Studios: The History and Regeneration of a Silent Film Studios Complex*, Modern Woodmen presentation, Jacksonville, Florida, October 9, 2021.

The Regeneration of a Silent Film Studios Complex and *The Flying Ace*, University of Florida Libraries, Gainesville, Florida, February 17 and 21, 2021.

Marjorie Kinnnan Rawlings and St. Augustine, Lightner Museum, St. Augustine, Florida, February 1, 2018; St. Augustine Public Library, March 13, 2019.

Academic Freedom: An Overview, Seminar on Academic Freedom, University of Florida Faculty Senate, Gainesville, Florida, March 28, 2017.

Distance Learning, Florida Bar Education Law Committee, Jacksonville, Florida, June 15, 2012.

Eleventh Amendment Immunity, Florida Bar Continuing Legal Education Program, Tallahassee, Florida, April 27, 2012.

Sovereign Immunity in Florida, Florida Bar Continuing Legal Education Program, Tallahassee, Florida, April 9, 2010.

Sovereign Immunity: State and Federal, Florida Bar Continuing Legal Education Program, Orlando, Florida, June 30, 2007.

An Intellectual Property Primer: Fair Use and Intellectual Property Policies, Florida Bar General Meeting, Tampa, Florida, September 15, 2006.

An Introduction to Selected Intellectual Property Issues at State Universities in Florida, State University System Inspector General Spring Conference, Ft. Lauderdale, Florida, April 17, 2001.

An Introduction to Conflict of Interest and the Florida Code of Ethics for Public Officers and Employees, State University System Inspector General Spring Conference, Gainesville, Florida, April 6, 2000.

Legal Issues Facing Higher Education Administrators (panelist), 2000 Florida Leadership Summit (Educational Leadership Enhancement Grant Program), Live Oak, Florida, February 24, 2000.

Institutional Conflict, with Catherine Longstreth, State University System Employment Conference, Tampa, Florida, June 3, 1998.

The Administrator's Right and Responsibility to Manage, with Catherine Longstreth, Institute for Academic Leadership, Florida State University, Department Chairpersons Workshop, Deans Workshop, Howey-in-the-Hills, Florida, June 11, 1995, June 10, 1996, May 18, 1998.

Selected Risk Management Issues for Faculty Members in Clinical Medicine, University of Florida and North Florida Medical Malpractice Claims Council, Risk Management Seminar, Jacksonville, Florida, October 2, 1993.

Sexual Harassment, with Catherine Longstreth and Jacquelyn Hart, Southeastern Association of Chief Academic Officers, Gainesville, Florida, February 17, 1992.

Sexual Harassment: Policy Development and Educational Programming, with Catherine Longstreth and Helen Mamarchev, 1992 Florida Association for Women Deans, Administrators

and Counselors -- American Council of Education/National Identification Program Conference, Tampa, Florida, January 24, 1992.

An Introduction to Copyright and Educational Technology, Southeastern Association of Learning Laboratories Conference, Gainesville, Florida, March 10, 1990.

Liability Concerns in College Union Programs, Association of College Unions International Region VI Conference, Gainesville, Florida, November 6, 1987.

Peer-Reviewed Presentations at National and International Meetings:

Norman Studios: History and Regeneration of a Silent Film Studios Complex and a National Historic Landmark, Mostly Lost 7 (Library of Congress), Culpeper, Virginia, June 14, 2018.

Fast, Fun and Efficient Business Meetings. SAI International Music Fraternity Triennial Convention, Chicago, Illinois, August 1, 2009.

Football! Physiology! Sports Stars! Marketing! The Gatorade Story, with J. Robert Cade, M.D., Association of University Technology Managers (AUTM) Annual Conference, Orlando, Florida, February 7, 2003.

Managing University Technology involving both Copyrights and Patents, Association of University Technology Managers (AUTM) Annual Conference, New Orleans, Louisiana, March 3, 2001.

Learning to Deal with Conflict in Academia, with Catherine Longstreth, American College Personnel Association 1996 Annual Conference, Baltimore, Maryland, March 9, 1996; *Dealing with Institutional Conflict*, with Catherine Longstreth, Florida Community College at Jacksonville, Eighth National Conference on College Teaching and Learning, Jacksonville, Florida, April 18, 1997; *Dealing with Institutional Conflict in Academic Affairs*, with Catherine Longstreth, College and University Personnel Association, 1998 National Conference, Indianapolis, Indiana, October 6, 1998.

Empowering a University Community to Combat Sexual Harassment (workshop) with Helen Mamarchev, Catherine Longstreth, Jacquelyn Hart, and Jacquelyn Resnick, 1995 Conference of the National Association for Women in Education, Washington, D.C., March 7, 1995.

Knotty Problems in Dealing with Sexual Harassment, with Catherine Longstreth, Eighth Annual Conference on Women in Higher Education Conference, sponsored by the Women's Studies Program, University of Texas at El Paso, San Francisco, California, January 6, 1995; Florida Community College at Jacksonville, Sixth National Conference on College Teaching and Learning, Jacksonville, Florida, April 8, 1995.

Enhancing the Classroom Environment: A Simulation of an Institutional Sexual Harassment Educational Program, with Catherine Longstreth and Helen Mamarchev, National Association for Women in Education 1994 Conference, Orlando, Florida, March 4, 1994; Florida Community College at Jacksonville, Fifth National Conference on College Teaching and Learning, Jacksonville, Florida, April 7, 1994.

Sexual Harassment: Policy Development and Educational Programming, with Catherine Longstreth and Helen Mamarchev, National Association for Women in Education 1992 Conference, San Antonio, Texas, March 8, 1992.

Sexual Harassment: Policy Development and Educational Programming, 5th Annual Conference on Women in Higher Education, sponsored by the Women's Studies Program, University of Texas at El Paso, San Diego, California, January 5, 1992.

The Treaty Power Under the Articles of Confederation: The Case of Article 4 of the Treaty of Peace and its Enforcement in Virginia, Triumph of the American Revolution Symposium, Keene State College, Keene, New Hampshire, April 9, 1983.

Curated Exhibits:

The Jacksonville Public Library Presents Norman Studios, Jacksonville Public Library, Jacksonville, Florida, September – December, 2019, designed all exhibits.

The Flying Ace at the Cade, Cade Museum for Creativity and Invention, Gainesville, Florida, June 14 – August 18, 2019, designed all exhibits and programs.

Other Presentations and Consulting:

Historical reviewer for the Education/Interpretation/Facilities Committee, University of Florida Historic St. Augustine, Inc., 2011-2014.

Consultant to: Eastern Washington University (Cheney, Washington) on faculty matters (1998); Florida Atlantic University (Boca Raton) on conflict of interest and faculty start-up company issues (2000); University of South Florida (Tampa) on conflict of interest, faculty start-up companies, and technology transfer issues (1999, 2008-2009); Broward County School District on the early American presidency (2009).

Separation of Powers, Checks and Balances and the Constitution, four presentations in the State of Florida, May and September 1987, for the Bicentennial of the United States Constitution.

During my employment by the University of Florida numerous presentations were made to University of Florida and University-related groups on legal issues, particularly on public records and open meetings, conflict of interest, patents and copyrights, intellectual property policies, sexual harassment, medical and psychological records, student records, research

compliance issues, medical risk management, technology transfer, parliamentary procedure, conflict resolution, volunteer activities, and tort liability.

Other Related Education, Activities and Honors:

Fellow, American Bar Foundation, 2020-present.

University of Florida President's Medallion, 2015.

Florida Trend's Florida Legal Elite, 2014.

Florida Bar Board Certified, Education Law, 2011-2021.

Florida Bar Board Certified, State and Federal Government and Administrative Practice, 2007-present.

Award for Outstanding Leadership and Service to the Division of Student Affairs, University of Florida, September 1999.

State of Florida Civil Mediation Training, December 1997.

National Association of College and University Attorneys (NACUA) Professional Development Institute at Harvard University, August 4-9, 1996.

National Association of College and University Attorneys (NACUA) Mediator Training Workshop for College and University Attorneys and Administrators, July 11-13, 1996.

Member, J. Wayne Reitz Union Board of Managers, University of Florida, 1993-1996.

Congressional intern, Johns Hopkins School of Advanced International Studies, Summer 1969.

Membership and Service in Professional Organizations (not otherwise noted above):

The Florida Bar

Inaugural Member, Federal Practice Committee, 1990-1993.

Government Lawyers Section, Member, Executive Council (served as chair, secretary and treasurer), 1996-2015; ex officio Executive Council member, 2015-present.

Inaugural Member, Education Law Certification Committee, 2009-2016 (served as chair and vice chair).

Board of Legal Specialization and Education, 2018-2021.

National Association of College and University Attorneys (NACUA):

Member, Continuing Legal Education Committee, 2014-2015, 2008-2011, 1992-1996; November 2014 CLE Workshop Planning Group, 2013-2014; Strategic Planning Committee, 2007-2008; Editorial Board of the *Journal of College and University Law*, 2005-2006; Annual Program Committee, 2000-2002, 2004-2005; Publications Committee, 1990-1992, 1998-2000; Honors and Awards Committee, 1996-1998.

American Bar Association; Administrative Law and Entertainment and Sports Law Sections, The Florida Bar; American Society for Legal History; Organization of American Historians; Southern Historical Association; Society for Historians of the Early Republic; Florida Historical Society; National Trust for Historic Preservation; Florida Trust for Historic Preservation; Costume Society of America; American Institute of Parliamentarians; National Association of Parliamentarians.

Other Current and Recent Volunteer Activities:

Gainesville Alumnae Chapter of Sigma Alpha Iota International Music Fraternity, President 2009-present.

Girl Scouts of Gateway Council volunteer, 1986-present: Leader, 1986-1999, 2001-2003 (Outstanding Leader Recognition awarded 1990; Exceptional Leader Recognition awarded 1999); Neighborhood Service Team member, 1987-1996 (Outstanding Volunteer Recognition awarded 1992); Association Chair, 2001-2008; Association Delegate, 2008-2010; National Council Member, 2008-2011; Gateway Girl Scout Council Endowment Committee (2011-2013), CEO Search Committee (2012-2013), Constituency Engagement Committee (2011-2014).

St. Augustine Historical Society, Inc., Member, Board of Trustees, 2003-2009 (President and Chair of Board of Trustees, 2007-2009).

HISTORIC ARCHITECTURAL REVIEW BOARD

Meets Monthly, 3rd Thursday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Gaere MacDonald VICE-CHAIR Contractor	23 Water Street, 32084 904-814-7799 gmdconstruction@aol.com	03/25/19 1 st full term	3/28/2022
Jon Benoit Contractor	900-D Anastasia Blvd, 32080 904-540-3065 jonbenoit@behstbuilders.com	03/26/18 1 st full term 03/08/21 2 nd full term	3/28/2024
Catherine Duncan CHAIR Architect	1942 Holly Oaks Lake Rd E. Jacksonville, FL 32225 904-377-2852 catherine@lociarchitects.com	11/09/15 fill vacancy 3/26/18 1 st full term 03/08/21 2 nd full term	3/28/2024
Barbara Wingo Attorney/Historian	17 Saragossa St. 32084 PO Box 497, 32085 (preferred) 824-5146; cell 352-214-1214 bcwingo@gmail.com	02/22/16 1 st full term 03/25/19 2 nd full term	3/28/2022
Paul Weaver, III Professional Preservation Consultant	5 Milton St, 32084 160 Vilano Rd, Ste 7 824-5178 – 347-6090 hpa007@aol.com	06/25/18 1 st full term 04/27/20 2 nd full term	3/28/2023
VACANT <u>Alternate</u>			3/28/2023
VACANT <u>Alternate</u>			03/28/2022

HISTORIC ARCHITECTURAL REVIEW BOARD

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.
Number of Members:	Five (5) Regular Members and Two (2) Alternates
Terms of Office:	Three (3) years, expiring on March 28 th - Original terms staggered; no member appointed for more than two full consecutive terms.
Appointment:	By City Commission.
Qualifications:	While preference shall be given to current City residents, City Commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. All members of the historic architectural review board shall have either thorough training and/or experience in: 1 history or related fields; 2 archaeology; 3 architectural history; 4 historic architecture; and 5 art history. Alternates shall be appointed for a three (3) year term, and shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members. See Section 28-82 for the criteria required in order to be appointed to the Board.
Duties:	Act on applications for Certificates of Appropriateness in HP-1 through HP-5; act on applications for building permits on property abutting HP-1 through HP-3; act on all applications for demolition permits for structures 50 years old or older within the City limits; cooperate with governments in planning proposed and future projects reflecting concerns and policies and assist as a consultant in development of future land use plans; advise property owners & government agencies concerning maintenance, protection, enhancement and preservation of historic resources; advise the City Commission concerning effects of local governmental actions on resources designated under the ordinance; recommend issuance of stop work order when not in compliance; develop rules and procedures necessary to implement powers and duties of the HARB consistent with ordinance; conduct regular public meetings and call special meetings; and designate historical landmarks.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-85
Meetings:	Third Thursday of each month, 1 P.M. the Alcazar Room, City Hall.

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, February 14, 2022

The City Commission met in formal session Monday, February 14, 2022, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner
Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Also Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
David Birchim, Assistant City Manager
Reuben Franklin, Director, Public Works
Corey Sakryd, Deputy Director, General Services
Melissa Wissel, Communications Director
Greg Johnson, Deputy Director, Financial Services
Jennifer Michaux, Police Chief
Anthony Cuthbert, Assistant Chief of Police
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Tim Fleming, Christ Church, delivered the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

(None)

MOTION

Commissioner Horvath **MOVED** to approve the Regular Agenda. The motion was **SECONDED** by Commissioner Sikes-Kline and **APPROVED BY UNANIMOUS VOICE VOTE.**

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

3.A. Proclamation 2022-05: Declares February 2022 as Black History Month.

Mayor Upchurch read the Proclamation which was received by Mr. James Jackson, whose personal story as a young man struggling for civil rights was recently published by the Washington Post. He commended Mr. Jackson's courage and commitment to the struggle for equality and said he was an inspiration to everyone.

Mr. Jackson stated an injustice to one man would carry over to the next man; therefore, he became involved with the Civil Rights' movement to seek justice and equality for African Americans and the United States. He said the word 'united' needed to return to the U.S.A. because divided we would fall.

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

The Commission heard from the following members of the public:

- John Grapsas
- Leslee Keys
- John Wooldridge
- Elizabeth Smith
- Wayne Sims
- Melinda Rakoncay
- Gregory von Hausch
- Blakely Hughes
- Ellen Walden
- Lauren Giber
- B.J. Kalaidi

Public comment was closed.

5. CONSENT AGENDA

John Regan, City Manager, reviewed the Consent Agenda.

CONSENT AGENDA FEBRUARY 14, 2022

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR 2ND READING ON DATE:

(None)

CA.3. Reminder of Upcoming Meetings:

- February 28, 2022, 3:30pm, Special City Commission Meeting (ARPA financing)
- February 28, 2022, 5:00pm, Regular City Commission Meeting
- March 14, 2022, 5:00pm, Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- January 24, 2022, Workshop Meeting
- January 24, 2022, Regular City Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- Lynn and Raymond Higgs - 414 Old Spanish Trail
- Barbara Williams - 866 Collier Boulevard
- Ardella, Kerry Layne and Sheryl Leanne Nelson - 94 Park Place

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION / RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

- Proclamation 2022-04: Proclaims March 2022 as Minorcan History and Culture Month. (*N. Sikes-Kline, Commissioner*)
- Proclamation 2022-06: Proclaims March 2022 as National Women's History Month. (*B. Blonder, Commissioner*)
- Proclamation 2022-07: Celebrates the 503rd birthday of the founder of the City of St. Augustine, Don Pedro Menendez de Aviles. (*T. Upchurch, Mayor*)

CA.7. NOTIFICATION OF PROCLAMATIONS / CERTIFICATES OF RECOGNITION ISSUED:

(None)

CA.8. Confirmation of David Birchim as Co-Assistant City Manager. (*J. Regan, City Manager*)

CA.9. Approval of the nomination of Margo Pope for the 2022 Adelaide Sanchez Award. (*J. Valdes, Commissioner*)

CA.10. Approval of a city park interlocal agreement whereby the City agrees to maintain passive areas of local active parks within the city's limits while the county maintains the active ball fields and courts.

(C. Sakryd, Deputy Director, General Services)

CA.11. Approval to allow the use of the city seal by the University of Florida for the St. Augustine History Festival from May 12 - 15, 2022. (J. Regan, City Manager)

CA.12. Approval of request to use City seal for the Fort Mose Jazz and Blues Series from February 18 - 26, 2022. (J. Regan, City Manager)

CA.13. Approval of invoice from Cavendish Partners, P.A. in the Marlowe v. City matter for \$2,430.00. (I. Lopez, City Attorney)

End of Consent Agenda

5.A. Additions, deletions or modifications to Consent Agenda

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Sikes-Kline MOVED to approve the Consent Agenda. The motion was **SECONDED** by Commissioner Horvath.

VOTE ON MOTION:

AYES: Sikes-Kline, Horvath, Valdes, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

6. APPEALS

(None)

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

8.A. Ordinances – Second Reading

(None)

8.B. Ordinances – First Reading (only if required by law)

(None)

8.C. Resolutions – Public Hearing (only if required by law)

(None)

9. ORDINANCES AND RESOLUTIONS - NO PUBLIC HEARING REQUIRED

9.A. Ordinances – First Reading

9.A.1. Ordinance 2022-01: Adopts a Citywide Mobility Plan and Mobility Fee.

Amy Skinner, Director, Planning and Building, reviewed the Ordinance which incorporated the comments and considerations from the Planning and Zoning Board (PZB), the City Attorney, and Jonathan Paul, Consultant with Urban Concepts. She said these included the establishment of one fee zone and one spending zone, simplifying the fee schedule, establishing a clear appeals process, and confirming transparency in the agreement process between the City and developers regarding mobility improvements. She advised that if adopted, the mobility fee would take effect May 17, 2022, after the 90-day notification period, and Reuben

Franklin, Director, Public Works, and Mr. Paul were present to answer questions.

Commissioner Valdes inquired about the following:

- Did PZB discuss granting breaks on mobility fees for affordable housing
- Did the mobility fee apply to new construction or an expanded footprint since many impacts were from increased traffic and parking and were related to change of use and not building expansion

Ms. Skinner stated the following:

- Residential mobility fee was based on square footage, affordable housing was assumed to be smaller and was scaled to the unit size which was approximately \$1.05 per square foot
- During a new use or change of use, if a building permit was required, then a potential fee would be calculated with the existing use and the assumed impact on the transportation network, and the fee would be the net difference between the existing and new use
- Technicalities existed such as getting a building permit to change the use from single family to a short-term rental (STR) and work done that required a building permit; there was a difference in the fee so potentially someone could pay a mobility fee, and a short-term rental determined more impact to the transportation network
- Main component was the building permit

Mayor Upchurch said it was possible to purchase a single-family home, convert it to an STR use with no renovations, then increase the bedrooms. He said this should be captured with an interface during the registration process; however, this would still require an amendment.

Isabelle Lopez, City Attorney, advised that State statute prohibited charging a mobility

fee prior to someone pulling a building permit; therefore, they were precluded even if a way to monitor this interface was devised.

Commissioner Blonder thanked City staff, PZB members, and Mr. Paul for their hard work. She stated the following:

- Mobility fee was consistent with the transportation and mobility element of the 2020 updated Comprehensive Plan
- It would assist with addressing the overburdened transportation system by connecting new development with mobility funding and improvements
- This was how new City developments could contribute their fair share of infrastructure costs
- Most emails received by the public were regarding transportation and flooding
- A mobility fee credit for workforce and affordable housing should be added while moving forward with a feasibility plan
- An established precedent existed, and City fees were similar or lower than the County, which broadened and replaced more traditional road impact fees or concurrency, and both were based entirely on motor vehicles
- Enhanced the safety and quality of life for citizens and visitors
- Huge step forward in sustainability goals and carbon footprint reduction

Commissioner Blonder was advised by Ms. Skinner that a change in use was affected when there was a trip change, such as the construction of a mother-in-law suite above a garage, but not for a permit to enlarge a living room. She requested clarification from page 51 of the technical report, which read "the City Council may wish to establish a maximum square footage for which a residential mobility fee would be assessed."

Mr. Paul explained that in some communities, the fee was based on square footage, which was to address affordability;

therefore, smaller homes paid lower fees and larger homes paid higher fees. He said some communities elected to establish a maximum threshold cap, and research showed as unit size increased, the trips increased; therefore, there was a connection between a higher fee and STRs.

Commissioner Blonder indicated she was not interested in establishing a maximum square footage.

Commissioner Sikes-Kline thanked Mr. Paul. She noted the challenges with the archaic street system and said they must promote walkability, reduce congestion where possible, improve reliable travel times, and make resident travel easier. She questioned the potential projects tied to the Comprehensive Plan (CP), recommended the "*Frequently Asked Questions*" handout to citizens, and questioned how the mobility fee projects were prioritized and connected to the Capital Improvement Plan (CIP).

Mr. Paul stated the following:

- City Commission was provided a framework to begin the process
- The first step was to identify projects and include them in the CP
- The list served as a guide throughout the annual processes, to see projection of fees and monies available from federal or State government
- They looked at past plans and selected projects most likely to get approved, and some with smaller dollar amounts showed in the first year
- The project list was included in the Transportation Planning Organization's (TPOs) long range transportation plan, which made it eligible for State and federal funding and several projects were earmarked for funding
- Jacksonville and the City were only two communities in northeast Florida with an adopted mobility plan which the Florida Department of Transportation (FDOT) looked at to fund annually

- Infrastructure bill just came out with much funding available
- Commission had ability to move projects up, or they could amend the Plan

Commissioner Sikes-Kline inquired how the CIP was matched to this framework.

Ms. Skinner advised the list of projects came from the CP process, they wanted a list that coincided with the Mobility Plan, there was low hanging fruit, and with the priority list programs could be expanded or started. She continued the CIP budget was reviewed annually but could be looked at into the future, and if the Ordinance was adopted this would be the first year they formally included the Mobility Plan with the Capital Improvements Five-year plan and project prioritization, and as they moved through the budget process these projects would be discussed.

Ms. Skinner replied to Commissioner Horvath's request to include safety improvements on Riberia Street by stating that a priority to move from concurrency and level of service to quality of service was to look at speed limits, street types, create safer spaces for all users, and to prioritize projects that slowed things down. She said as these were implemented, speed issues would slow because of bike paths, wider sidewalks, and right-of-way items which all made it safer with more choices for travelers.

Mr. Regan indicated that a report on Riberia Street was scheduled for the February 28th Commission meeting, and some improvements may or may not meet the definition of a capital project.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2022-01 on first reading and move to second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez, City Attorney, read the Ordinance:

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 21, ARTICLE I AND ARTICLE II, CREATING ARTICLE III, TO BE ENTITLED "MOBILITY PLAN AND MOBILITY FEES"; PROVIDING FOR AUTHORITY; SETTING FORTH GENERAL PROVISIONS FOR MOBILITY FEES, DEFINITIONS, PURPOSE, THE MOBILITY PLAN AND MOBILITY FEE TECHNICAL REPORT, AND RULES OF CONSTRUCTION; PROVIDING FOR IMPOSITION AND A MOBILITY FEE SCHEDULE; PROVIDING FOR THE PROCESS FOR REVIEW OF ALTERNATIVE & SPECIAL FEE DETERMINATIONS, CREDITS, ESTABLISHMENT OF MOBILITY FEE BENEFIT DISTRICTS, FUND ACCOUNTS, EXPENDITURES, REFUNDS, EFFECTS ON LAND DEVELOPMENT REGULATIONS, DEVELOPMENT OF AN ADMINISTRATIVE MANUAL AND SERVICE CHARGES, REQUIREMENTS FOR ANNUAL REPORTING, REVIEW AND UPDATES, AGREEMENTS, INTERLOCAL AGREEMENTS, VESTED RIGHTS, APPEALS AND PENALTIES FOR VIOLATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR MODIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Upchurch concurred with the Commissioner's comments and stated this was a very significant forward-thinking project, it was a tremendous amount of work, and they were grateful to City staff and Mr. Paul for their vision and hard work.

VOTE ON MOTION:

AYES: Blonder, Horvath, Valdes,
Sikes-Kline, Upchurch

NAYES: None
MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2022-03: Small Scale Land Use Plan Amendment to only the upland portion of the property referred to as Flagler Crossing from Residential Low Density Mixed Use to Residential Medium Density.

Ms. Skinner reviewed the Ordinance, PZB discussions, and the differences between land use categories. She said the allowable use changed from an eight unit maximum per developable acre, or 336 units, to a 16 unit per acre potential, or 510 units.

Ms. Lopez stated this item was not a typical 'rezoning' process, but a legislative policy making decision. She advised a court review would judge the item under the "fairly debatable" standard and would look at whether there was a rational decision-making process, or a difference of opinion with regards to choosing, from a public policy perspective, whether or not to amend the City's Comprehensive Plan.

Commissioner Blonder noted the following regarding the CP amendment:

- It came just after the request for City staff to develop a plan for Commission review to address critical needs with affordable and workforce housing
- If enacted, the proposed CP amendment was legislative and would set the stage for similar requests
- It would double the density of a parcel zoned as residential low density mixed use; therefore, she did not agree it was consistent with the CP, but it was "contrary to the public interest" and did not meet the bar of good public policy
- Property was rezoned from a Planned Unit Development (PUD) from a current low-density zoning through an applicant request dated March 3, 2020, with implications to "provide incentive for

workforce housing” and units costing no more than \$250,000

- The proposal indicated the units would be sold at market value with no built-in component of workforce or affordable housing
- Disagreed that applicant had a “disadvantage due to the reduction in developable area due to the existing rail line and conservation area” since nothing had changed on the railroad or conservation easement since 2020, and it was a reasonable assumption the applicant had full knowledge of both “disadvantages” all along
- Did not see how the requested changes were relevant to the City’s CP
- Quoted applicant as stating the City had a “high demand for workforce housing” as justification that lead several PZB members to note this as a positive element
- Applicant’s request did not include workforce housing, and the Ordinance, nor the proposed development were designed to address this need
- *The Landing* had short-term rental units, and who would enforce if these were prohibited
- 90 percent of the City was built-out and 42 acres was significant in terms of density and other measures

William “Billy” Zeits, Senior Project Manager of Corner Lot Development, was present and represented the owner. He said they were reviewing options to incorporate affordable housing, and the site was next to commercial and high density residential with a pending traffic signal; therefore, it was the right fit for increased density, and they intended to return with a presentation which addressed options at the March 28th meeting. He continued they were amenable to discussion and would review the critical needs City staff suggested on workforce housing, and he sought harmony with the project, PZB, and the Commission. He concluded there were 30 single family rental units in a three-story apartment building for

families, PZB was provided the lease which restricted STRs and had on-site parking restrictions to be managed by an on-site company, and the development would connect externally to City sidewalks and include a large internal trail.

Commissioner Valdes indicated this would be a significant increase in trips and people, and a solution was needed for workforce housing and parking to mitigate mobility problems. He said the location might be a good match for a public / private venture for a parking garage to be used by the development’s residents and the City, and he would not support the density increase without something in return.

Commissioner Horvath asked whether a developer was perpetually locked in to a ‘rental’ designation with a property, and she was advised by Ms. Lopez the only way to add conditions would be a development agreement, which was per State statute and would encompass density, uses, donations of land, and utility improvements. She continued that rezoning could not have conditions, and to amend the CP at the policy making legislative stage required a development agreement which necessitated public hearings and other terms.

Mayor Upchurch stated important concerns were voiced and heard by the developer, who was willing to work with and have serious conversations with the Commission and City staff.

MOTION

Mayor Upchurch MOVED to pass Ordinance 2022-03 on first reading read by title only and moved to second reading. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the Ordinance:

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE CITY OF ST. AUGUSTINE COMPREHENSIVE PLAN, FUTURE LAND USE MAP TO RECLASSIFY A PARCEL OF LAND CONTAINING APPROXIMATELY 42.36 UPLAND ACRES LOCATED WEST OF THE FEC RAILWAY, SOUTH OF SAN SEBASTIAN VIEW AND EAST OF THE SAN SEBASTIAN RIVER IN THE CITY OF ST. AUGUSTINE AND BEING MORE PARTICULARLY DESCRIBED HEREINAFTER FROM RESIDENTIAL LOW DENSITY MIXED USE TO RESIDENTIAL MEDIUM DENSITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS OF THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Blonder stated an amendment to the CP was premature, a month was not ample time for developing details, staff recommendations would trigger the development of a regulatory scheme for this type of housing, and adjustments to the CP could be holistically reviewed once this concluded. She requested an amendment to postpone the second reading until after staff recommendations regarding affordable workforce housing were received, and then they could review what the developer could offer.

Ms. Lopez advised the second date for the Ordinance's public hearing was set by staff, and the applicant had requested more time.

Mr. Zeits noted that a meeting was set with Health and Human Services housing department to determine the possibilities with rent to income ratios. He said the intersection would see more traffic, and all developers had entered into a cost share agreement for placement of a light at the intersection. He said the study was ongoing and related to the outcome of density changes or commercial development and was included in FDOT's control study which

was a six to nine-month process. He advised the Commission the study would be provided to them once received.

Mayor Upchurch reiterated the developer and staff would take the necessary time for the questions to be answered.

Commissioner Sikes-Kline requested community input, heard the support for multi-family, and asked the developer to discuss the benefits of density, as compact growth was environmentally friendly, and sidewalks impacted the Mobility Plan.

Commissioner Horvath added that density furthered mass transit.

VOTE ON MOTION:

AYES: Upchurch, Sikes-Kline, Blonder, Horvath, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.3. Ordinance 2022-04: Rezoning a portion of approximately 42.3 acres of land referred to as Flagler Crossing from Residential Low-One (RL-1) to Residential General-One (RG-1) on the upland portion of the property only.

Ms. Skinner reviewed the Ordinance.

At the direction of Ms. Lopez, the Commission disclosed they had no ex parte communication.

MOTION

Mayor Upchurch MOVED that Ordinance 2022-04 be read by title only and passed moving to second reading. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the Ordinance:

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING

APPROXIMATELY 42.36 UPLAND ACRES OF PROPERTY LOCATED WEST OF THE FEC RAILWAY, SOUTH OF SAN SEBASTIAN VIEW AND EAST OF THE SAN SEBASTIAN RIVER IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF RESIDENTIAL LOW-ONE (RL-1) TO THE CLASSIFICATION OF RESIDENTIAL GENERAL-ONE (RG-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Blonder requested clarification if this Ordinance moved to second reading was tied to the previous Ordinance, and Ms. Lopez said yes.

VOTE ON MOTION:

AYES: Upchurch, Sikes-Kline, Blonder, Horvath, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Resolution 2022-01 and Interlocal Agreement: Provides for the dredging of the entire channel in Salt Run to be done in multi-phases with the approval of a \$150,000 Florida Inland Navigational District (FIND) grant and a required Interlocal Agreement to provide for said dredging.

Corey Sakryd, Deputy Director, General Services, reviewed the Resolution and stated if it was approved by the Commission, he recommended they move forward with the Grant's other funding side which was 75/25 with the St. Augustine Port, Waterway and Beach District (SAPWBD) who contributed \$50,000 to the project.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2022-01. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

AYES: Sikes-Kline, Horvath, Valdes, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

Mr. Sakryd requested approval of the Interlocal Agreement with the SAPWBD.

MOTION

Mayor Upchurch MOVED approval of the Interlocal Agreement. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION:

AYES: Upchurch, Sikes-Kline, Blonder, Valdes, Horvath

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B.2. Resolution 2022-06: Requires all parades within the City to conclude by 11:00am.

Mr. Regan reviewed the Resolution which derived from a City Police Department request based on present higher traffic loads versus when the Ordinance was first created. He said the change affected three City parades: Easter, St. Patrick's Day, and Christmas.

Officer Jeff Truncellito, St. Augustine Police Department, stated this change applied specifically to the downtown area, and did not include parades or marathons on the Island.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2022-06. The motion

was **SECONDED** by Commissioner Horvath.

VOTE ON MOTION:

AYES: Sikes-Kline, Horvath, Blonder, Valdes, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

10. STAFF REPORTS AND PRESENTATIONS

10.A. Update regarding the City's efforts on homelessness.

Anthony Cuthbert, Assistant Chief of Police, St. Augustine Police Department, thanked the Commission and City staff for their active role in the homelessness effort. He delivered a presentation which included the topics of Budgeted Funds, Related Service Calls, Community Partners such as St. Francis House, Family Reunification Program, Habitual Misdemeanor Offender Program, Outreach Programs, Park Signage, and Point in Time Count. He stated the sign at Gibbs Park had been successful, and of the 419 in the Point in Time Count which included the County, 83 individuals were no longer homeless. He said the goals in moving forward included more local government participation, expansion of signage, and education.

Mayor Upchurch expressed appreciation for Assistant Chief Cuthbert and his presentation, the use of the word 'compassion', and the entire Police Department. He noted homelessness was not just a law enforcement problem, the officers took the brunt of the issue, and he received more email on the topic than any other.

Commissioner Valdes thanked Assistant Chief Cuthbert for his presentation and asked if the numbers could be broken down to address the reasons for homelessness, which included economics, medications, addiction, and habitualness. He continued the police officers acted as psychiatric

workers which kept them from other duties, and the City should look at staff expansion to address the homeless issue.

Commissioner Sikes-Kline suggested the following:

- Should continue bench marking
- Entry level shelter feasibility was a budgetary item and should be on the list
- Panhandling ordinance for tighter regulations could be started right away
- Requested an offline conversation on the topic with Assistant Chief Cuthbert
- Needed increased participation from local government
- Supported implementing a social worker into the budget
- Asked about consistency in prosecution which was more judicial
- Supported a budgetary item for an off-duty police officer at the Dining with Dignity location, based on the concerns and request of Ms. Waldon for more police presence
- Suggested the educational program include a 'Frequently Asked Questions' website section, and the brochure handed to visitors with a donation app which funded the homeless facilities

Assistant Chief Cuthbert stated the park signage and education program was during the revamp of the panhandling ordinance which had discussion and should come to fruition. He said the expansion of park signage at Gibbs Park was successful and other signs under the Ordinance would be welcomed. He stated he worked with the Chief of Police and the Dining with Dignity members; however, they were unable to consistently dedicate an officer at the location since calls for service and public safety took priority. He advised they should be cautious with HIPPA issues when determining the breakdown numbers of women, men, and children.

Commissioner Blonder echoed Commissioner Sikes-Kline's comments and

questioned the County's increased participation and the feasibility of an entry level shelter. She asked for staff to explore a strategy development to address both needs.

Mr. Regan advised the following:

- Topic was not discussed at the time for safety reasons; however, the Police Department was previously understaffed 25% to 30% due to COVID, and resources had to be reallocated
- Homeless problem was being tackled one meeting at a time
- Approximately 15% of all homeless met the definition of chronic homelessness, which was who the complaints were about, and 85% of the homeless did not want to be
- The next steps were to look at the demand, existing capacities in housing which went from emergency sheltering, transitional housing, permanent and supportive housing, to affordable housing
- Optimistic that management would be able to show the inventory at each housing level at the February 28th meeting
- Should identify the need for a low barrier to entry facility
- Looked at facilities matching a point in time count, capacities, and demands
- Cost of homelessness was not measurable
- Commended the police discussion for necessary additional psychiatric resources

Ms. Lopez advised that a "Frequently Asked Questions" section was provided on the City Attorney's webpage to answer questions regarding legal parameters on homelessness and panhandling; however, there was no list indicating what the City did with other programs.

Mayor Upchurch asked Mr. Regan to review the suggested the list of ideas and to

respond in a formal matter at a future date. He asked to include the consideration of a dedicated website page which directed community members and visitors to the City's homelessness efforts. He said the story was important, and the community needed to understand the complicated nature of the problem.

10.B. Update on the short-term rental program within the City.

Ms. Skinner noted the total number of STRs was 448, and the majority were single family out of approximately 6,500 homes in the City. She reviewed the efforts with registration, monitoring, compliance, activity, Host Compliance and STR locations. She stated this was a difficult process for PZB and the community, and it had been an emotional learning process for all involved. She said this was the first year with renewals, there were issues with Host Compliance 'inactivating' people, and most complaints were for trash and parking; however, 25 parking spaces had been approved in the City garage for 13 applicants. She said Florida State legislature preempted the regulation of many things, such as in residential districts certain areas were limited to 7 days or longer, and in HP1 they were limited to 30 days or longer. She said that City staff was completely dedicated to the topic.

Ms. Skinner advised Mayor Upchurch there were less than the previously noted 600 STRs since many owners had not complied with the registration process, there was a noncompliance gap, and this presented challenges. She noted that Barry Fox, Code Enforcement Manager, was tenaciously tackling the issues since being hired to manage Code Enforcement.

Commissioner Blonder stated that public comment showed well intentioned owners, and the bad actors were not complying; therefore, she asked the 'good actors' to help identify those not complying.

Mayor Upchurch thanked Ms. Skinner and City staff for their hard work on the project.

11. ITEMS BY CITY ATTORNEY

11.A. Legislative update, for information only, no presentation.

(None)

12. ITEMS BY CITY CLERK

12.A. Request for appointment to the Code Enforcement Adjustment and Appeals Board.

Darlene Galambos, City Clerk, advised the Commission that Jan Marie Kelly had applied for the vacancy, and she recommended her appointment.

The Commission, Ms. Galambos, and Ms. Lopez discussed:

- Board applications should include a resume
- Applications should request more information on qualifications
- Racial category question was based on federal grants which requested as much information on underserved communities
- PZB and Historic Architectural Review Board (HARB) applications had a specific requirement to provide a cover letter and a resume, and the General Board had been changed to reflect the same language
- Tourist Development Council provided two lists which showed qualified and unqualified applicants
- Suggested a minimum standard checkoff for a cover letter, resume, and a richer application
- It was Commission policy to bring all applications forward and City staff could not hinder them

Ms. Galambos advised there was an existing Resolution requiring the City Clerk to provide all applications to the Commission.

Mayor Upchurch suggested an update to the Resolution, and that a list of complete and incomplete applications be utilized.

MOTION

Mayor Upchurch **MOVED** that based upon the information that Ms. Kelly provided that the Commission appoint her to the Code Enforcement Adjustment and Appeals Board. The motion was **SECONDED** by Commissioner Horvath and **APPROVED BY UNANIMOUS VOICE VOTE.**

12.B. Request for one appointment to the St. Augustine Police Officers' Retirement Board.

Ms. Galambos reviewed the request for appointment and noted an application was received from Mary Jane Liles. She said Ms. Liles was briefed on the responsibilities and duties of the Pension Board, and she was optimistic to serve in the capacity.

MOTION

Mayor Upchurch **MOVED** that Ms. Liles be approved. The motion was **SECONDED** by Commissioner Horvath and **APPROVED BY UNANIMOUS VOICE VOTE.**¹

12.C. Discussion regarding alternatives to advertising for board term expirations and vacancies.

Ms. Galambos reviewed the options for advertising board positions in the newspaper, including pricing for a display ad and a smaller ad. She said the City had an organizational resolution which stated a

¹ Commissioner Sikes-Kline stepped away and was absent for the vote

special advertisement was required in the St. Augustine Record; however, there were not any guidelines in the City Code or Florida statute for advertising these positions. She recommended the continuance of advertising board positions in the St. Augustine Record's classified section and assured the Commission that advertisements would continue through social media and other news outlets.

There was Commission consensus to use the smaller classified ad versus a display ad, as recommended by Ms. Galambos.

13. ITEMS BY CITY MANAGER

13.A. Review and approval of the lease of the City's Waterworks Building to the St. Johns County Cultural Council, Inc.

Mr. Regan advised that all Commissioner comments from January's meeting regarding the lease and options were reviewed and addressed to the best of staff's ability, and public outreach provided general non-negative feedback. He noted that David Birchim, Assistant City Manager, and Ms. Parrish-Stone, Executive Director, St. Johns County Cultural Council, were both present to answer specific questions.

Commissioner Sikes-Kline stated she was 100% in favor, heard only positive feedback, saw this as a great civic asset for the citizens, and it was a good fit for the organization and City goals.

MOTION

Commissioner Sikes-Kline MOVED to approve the lease of the City's Waterworks Building to the St. Johns County Cultural Council, Inc. The motion was SECONDED by Commissioner Valdes.

Commissioner Blonder noted that page 15 of the lease, Exhibit B, Section 3 'Fees for Use' was vague, and she requested inserting the word 'direct' before 'costs'.

There was Commission consensus to add 'direct cost' in the agreement without an amendment.

Commissioner Blonder said she supported the lease in principle; however, the updated lease addressed most, but not all, of her previously addressed concerns. She noted the one-third of renovated usable public space would remain office space for St. Johns Cultural Council staff, and this demand was not fully evidenced; therefore, she could not support it.

Commissioner Valdes indicated his initial skepticism, which changed based on his receipt of nothing but positive community feedback for the lease. He noted his appreciation for Commissioner Blonder's comments but suggested they move forward.

VOTE ON MOTION:

AYES: Sikes-Kline, Valdes, Horvath, Upchurch

NAYES: Blonder

MOTION APPROVED 4/1

Mr. Regan reviewed the status of the STR Bill:

- Commissioner Sikes-Kline and Mr. Birchim recently traveled to Tallahassee to fight the Bill currently in legislature
- Involved a concentrated strategy to flip Republican votes on the Ways and Means Committee, and it was reported that five votes were currently flipped, and it only took three to defeat the Bill
- If the Chair thought the votes were there to support the Bill, it would be placed onto the agenda produced by the Ways and Means Committee Tuesday, February 15th by 4:30
- If the Bill was not listed as of Thursday, February 17th this would be a good sign
- Representative Fischer sponsored the Bill, but told the Jacksonville Beach Council he did not believe the Bill would

survive and was not pushing it or making Committee phone calls

- An amendment was possible, but the weight was with the elected officials
- Another Tallahassee visit may be required to fight the issue
- Passage of the Bill would be devastating to the City's STR intentions
- Mr. Birchim's resources and background were very beneficial to the Tallahassee representatives
- Representative Paul Renner supported the Bill language 'as is', and could possibly promote the Bill onto the schedule at the last minute; therefore, the next few days were critical

Mr. Regan reviewed the status of other bills:

- SB 620 and SB 280 were through the Senate, and the remaining fight was in the House
- Mayor Upchurch successfully advocated for Senator Hutson to change the language in SB 620 regarding the ability for prevailing parties to seek fees in a lawsuit, which was an important issue based on the City being sued twice over the Burt Harris Act
- Appropriations were doing very well, West Augustine was sitting in the Senate budget at \$500,000, and at One million in the House budget and this was the first time a project funded on both sides went into budget reconciliation
- Governor DeSantis' office contacted the City looking for more information on the firehouse design appropriations which was a good sign

14. ITEMS BY MAYOR AND COMMISSIONERS

14.A. Discussion regarding approving utility funds of \$50,000 for the payment of a unit connection fee for a future medical clinic to be located in West Augustine.

Mayor Upchurch reviewed the medical clinic initiative in West Augustine which was outside City limits but within the water and sewer service area. He said this was seen as a City contribution, funding would come primarily from the County, and Flagler Hospital and the YMCA were pending tenants. He noted that folks in West Augustine saw this project as an anchor for re-development of the entire King Street Corridor which had a positive impact on the eastern portion of west King Street, and the ability to have a medical clinic in West Augustine provided essential health services to a historically underserved community. He concluded there were many things that demonstrated a substantial public purpose to make this allocation.

Mr. Regan noted the following:

- Clinic was the number one priority of the West Augustine CRA leadership, since there was a lack of medical care facilities other than the Wildfire Clinic
- Facility was integrated and would aid in veteran service, and the development of the commuter rail
- Federal participation would take place
- Clinic was highly supported by Congressman Rutherford
- Total construction was eight million
- City could participate through utility revenue connection fees
- The demise of the corridor occurred when Florida Memorial College vacated the area and went to Miami
- Project received much support from the private sector
- Mark Bailey Foundation donated all fees for the design concept and advocated private donations to close any gaps
- County sought to allocate a minimum of five million dollars from their American Rescue money, and they were trying to secure an additional Three million

MOTION

Mayor Upchurch MOVED to earmark the \$50,000 for the unit connection. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

Mayor Upchurch stated he was unhappy with the visual clutter of the “DO NOT ENTER” signs off San Marco which barricaded the Waterworks Building. He asked to reduce the signs to one and for Mr. Regan to look into the matter.

Commissioner Sikes-Kline indicated the Library appealed to the Commission to secure the site; therefore, the fencing needed to remain at the location.

14.B. Local land conservation initiatives.

Commissioner Blonder provided the background for her initiative with local land conservation. She noted the following:

- Toured the 80 acres and contemplated the best possible uses for the 33-acre parcel
- Listened to public comments regarding overdevelopment and the cultural possibilities with the Shell proposal
- Many competing issues existed with quality of life, flood initiatives and challenges, and the pace and extent of development in the County
- Fish Island project was a great example of working together with partners and what could be accomplished with a land acquisition strategy and this initiative should be expanded upon
- 90% of land within City boundaries was developed which placed City at a tipping point for all quality-of-life issues
- Comprehensive Plan, Strategic Action Plan, and others specifically identified open land conservation as an important strategy for flood resilience and the ecosystem services provided by capture and slow release of water

- Function of a wetland was similar to a sponge, which soaked up water that did not immediately leak out, and would not overwhelm storm management systems
- Acquiring land for long-term public benefit was one of the most recognized and important responsibilities of government
- Any land conservation acquisition done would only move forward with willing sellers
- Met with City staff and a representative from Trust for Public Land (TPL), which was a non-profit that looked at funding sources for land acquisition

Commissioner Blonder proposed land acquisition initiatives to acquire undeveloped land or land that would be considered “key puzzle pieces” with only willing sellers for the purpose of conservation and flood resiliency. She requested Commission approval to direct staff to work with the Trust for Public Land because of their experience with helping local governments to develop funding strategies for land acquisitions and technical assistance. She stated that her request included the following:

- Request technical assistance from the Trust for Public Land to work with City staff
- Analyze the feasibility of a land acquisition initiative
- Determine if there is adequate public support
- Develop a proposal for funding mechanisms
- Prepare a recommendation to the Commission for public input in order to make a decision as to whether to adopt the proposal

At the request of Commissioner Sikes-Kline, Commissioner Blonder clarified that she was referring to open land, or land that was essential as a jigsaw puzzle piece. She noted that she spoke with Dr. Leslee Keys at Flagler College, who indicated that a key

strategy for protecting these historic resources was the flood resilience package already being done, and this was a piece of that package.

Commissioner Sikes-Kline supported Commissioner Blonder's request if it included historical and archeological sites since they could not be separated.

Commissioner Blonder was not opposed to Commissioner Sikes-Kline's request; however, she would refer to the TPL experts and the City attorney to verify inclusion of those elements.

After a brief discussion, Mayor Upchurch stated Commissioner Blonder articulated a direction to begin exploring the idea and to include the possibility of adding historic preservation and archaeological sites.

There was unanimous consensus to move forward with the initiative.

Commissioner Sikes-Kline corrected her previous comment regarding 'information' cards passed through the City, and it was the United Way who had a system of collection; however, shop owners did not want to utilize them.

Commissioner Sikes-Kline raised the topic of undercarriage lighting for the Bridge of Lions, which was previously proposed by architect Don Crichlow. She said it was sensitive to the historic character of the bridge, and Mr. Crichlow proposed partially private and government funding which at the time was estimated around \$100,000; however, the cost had come way down. She asked Mr. Regan to search lighting costs, auctions, and who they could work with, and said they should talk with FDOT since the City paid for the conduit on the Bridge. She requested the Commission's support to move forward with the topic.

Commissioner Horvath supported the request and suggested consulting with the

lighting specialist that had performed work on the Jacksonville bridges.

Commissioner Valdes enjoyed the idea of lights projecting onto the water, and he questioned the generation of electricity with solar power or tide driven or wind generators. He requested an update on the Lake Maria Sanchez project and resolving the issues.

There was Commission consensus to return to the Commission with a proposal on undercarriage lighting for formal consideration.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:57 P.M.²

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

² Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

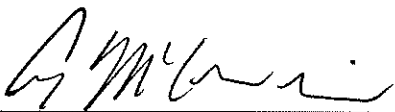
DATE: March 3, 2022

RE: **Consent Agenda Item – Madeira at St. Augustine Phase 1C Plat**

Find attached a copy of the plat for Madeira at St. Augustine Phase 1C. This plat has been reviewed by the Planning and Zoning Board (PZB), all relevant city departments, and the City Attorney's Office and has been found to meet city standards and requirements for a subdivision plat within the planned community of Madeira at St. Augustine. The roads are proposed to be privately maintained by the community.

This item may be placed on the Consent Agenda for review and approval by the City Commission. The City Clerk's Office has the original for the Mayor-Commissioner to sign upon approval.

Thank you for your attention to this matter, please place this item on the Consent Agenda for the March 14, 2022, City Commission meeting. If you have any questions, contact me at (904) 209-4320 or askinner@citystaug.com.



Amy McClure Skinner, AICP
Director
Planning and Building Department

Madeira At St. Augustine Phase 1C

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 28 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 43, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

MAP BOOK PAGE

SHEET 1 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

CERTIFICATE

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 28 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 43, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA. THIS IS TO CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED ABOVE. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA STATUTE, CHAPTER 177, PART 1, PLATING, THAT THE SURVEY BE MADE BY A LICENSED SURVEYOR OR UNDER HIS CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA STATUTE, CHAPTER 177, PART 1, PLATING, THAT PERMANENT CONTROL POINTS WILL BE PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA.

SIGNED THE 12TH DAY OF FEBRUARY, 2022, A.D.

ALL RIGHTS RESERVED
MICHAEL A. CLUGG
REGISTERED LAND SURVEYOR NO. 8788
CLUGG AND ASSOCIATES
L.L. NO. 373
3530 CHICK POINT ROAD JACKSONVILLE, FLORIDA 32227

CONTAINING 86.13 ACRES, MORE OR LESS

CERTIFICATE OF APPROVAL AND ACCEPTANCE
THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2022, THE FOREGOING PLAT WAS AS RECORDED AND ACCEPTED BY THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA. THIS ACCEPTANCE SHALL NOT BE DEEMED AS A GUARANTEE OF THE ACCURACY OF THE PLAT OR THE COMPLETION OF THE PROJECT BY THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

CITY OF ST. AUGUSTINE
BY: _____
MAYOR-COMMISSIONER
BY: _____
CITY CLERK

CERTIFICATE OF THE CLERK
THIS IS TO CERTIFY THAT THE PLAT HAS BEEN EXAMINED AND APPROVED AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF PART 1, CHAPTER 177, FLORIDA STATUTES, AND IS RECORDED IN MAP BOOK _____ PAGES _____ OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 2022.

BRANDON PATTY
ST. JOHNS COUNTY CLERK OF THE CIRCUIT COURT
BY: _____
CITY OF ST. AUGUSTINE, CITY ATTORNEY

CERTIFICATE OF CITY FINANCE DIRECTOR
THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY FINANCE DIRECTOR FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 2022.

CITY OF ST. AUGUSTINE, CITY FINANCE DIRECTOR
BY: _____
CITY OF ST. AUGUSTINE, CITY MANAGER

CERTIFICATE OF PLANNING AND BUILDING DEPARTMENT
THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CHIEF OF PLANNING AND BUILDING DEPARTMENT FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 2022.

CITY OF ST. AUGUSTINE, DIRECTOR OF PLANNING AND BUILDING
BY: _____
CITY OF ST. AUGUSTINE, DIRECTOR OF PUBLIC WORKS

CERTIFICATE OF PLAY REVIEW
THIS IS TO CERTIFY THAT THE PLAT HAS BEEN REVIEWED FOR CONFORMITY TO FLORIDA STATUTES CHAPTER 177, PART 1, BY THE PLAY REVIEW PROGRAM FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 2022.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED ABOVE. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA STATUTE, CHAPTER 177, PART 1, PLATING, THAT THE SURVEY BE MADE BY A LICENSED SURVEYOR OR UNDER HIS CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA STATUTE, CHAPTER 177, PART 1, PLATING, THAT PERMANENT CONTROL POINTS WILL BE PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA.

SIGNED THE 12TH DAY OF FEBRUARY, 2022, A.D.

ALL RIGHTS RESERVED
MICHAEL A. CLUGG
REGISTERED LAND SURVEYOR NO. 8788
CLUGG AND ASSOCIATES
L.L. NO. 373
3530 CHICK POINT ROAD JACKSONVILLE, FLORIDA 32227

REVIEWED: _____
OFFICE: _____
FIELD: _____
CHECKED BY: _____
DRAFTS: _____
CLOSURES/DATA: _____
COVER SHEET: _____
PANS: _____

5/10

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SHEET 2 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

JADPTRA COMMUNITY DEVELOPMENT DISTRICT

[illegible]

WITNESS: [Signature]
PRINT: SEAN BOWENSKI

WITNESS: [Signature]
PRINT: JEFF STEINFELD

NOTARY FOR MADEIRA COMMUNITY DEVELOPMENT DISTRICT

STATE OF FLORIDA
COUNTY OF DUNAL

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF [X] PHYSICAL PRESENCE OR [X] ONLINE NOTARIZATION, THIS 15th DAY OF Feb, 2022, BY [X] [Redacted], A.D. 1982, OF [Redacted] COUNTY, FLORIDA, A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT ESTABLISHED IN ACCORDANCE WITH CHAPTER 190, FLORIDA STATUTES ON BEHALF OF THE DISTRICT, WHO () IS PERSONALLY KNOWN TO ME, OR () PRODUCED AS IDENTIFICATION.



Joseph S. Sarnano
 NOTARY PUBLIC, STATE OF FLORIDA
 MY COM. EXPIRES: JUNE 11, 2024
 MY COMMISSION NUMBER IS: 114-0527

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☒ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS 15th DAY OF Feb A.D., 2022, BY DOUGLAS MAIER, VICE PRESIDENT OF PENCE ASSOCIATES, LLC, A FLORIDA UNITED LIABILITY COMPANY ON BEHALF OF THE COMPANY, WHO, OR ☐ IS PERSONALLY KNOWN TO ME, OR ☐ PRODUCED AS IDENTIFICATION.

JENNIFER SANCHEZ
 NOTARY PUBLIC, STATE OF FLORIDA
 NAME: JENNIFER SANCHEZ
 MY COMMISSION EXPIRES: JUNE 11, 2024
 MY COMMISSION NUMBER IS: 4409553

A Clary & Associates
PROFESSIONAL SURVEYORS & MAPPERS
18 W. 373
3520 ORION POST ROAD
SUITE 100
DOWNSVIEW, ONTARIO M3J 2T7
416-291-1111
www.clarymappers.com

[illegible][illegible]

POWER ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, HEREBY RESERVES THE RIGHT AND PRIVILEGE, AS TO THE PROPERTY HEREIN, TO GRANT TO PROVIDERS OF UTILITIES, CONTRACTORS AND OTHERS, WITHOUT CHARGE, ALL NECESSARY RIGHTS OF ACCESS, EASES AND INTERESTS IN THE PROPERTY HEREIN, INCLUDING BUT NOT LIMITED TO, THE RIGHT OF ACCESS, EASES AND INTERESTS IN THE PROPERTY HEREIN, FOR THE INSTALLATION AND MAINTENANCE (INCLUDING RIGHTS OF INGRESS AND EGRESS) OF SUCH UTILITY IMPROVEMENTS THAT ARE NECESSARY OR BENEFICIAL TO THE FUTURE OWNERS OF THE LANDS DESCRIBED HEREIN OR TO THE OWNERS OF THE ADJACENT LANDS.

PRACTICES 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 (OPEN SPACE) ARE HEREBY RESERVED TO THE PRIVATE USE OF PENCE ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND PENCE INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AS OWNERS OF THE PROPERTY, AND TO USE OF THEIR LEGAL SUCCESSORS-IN-INTEREST, PARTNERS AND ASSIGNS, INCLUDING BUT NOT LIMITED TO, THE DISTRICT, AS SUCH OWNERS MAY DETERMINE IN THEIR SOLE DISCRETION. ANY RIGHTS OR INTERESTS IN THE PROPERTY ESTABLISHED AND BORROW BY SEPARATE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF CLATSOP COUNTY, OREGON,

UNOBSTRUCTED UTILITY & ACCESS EXPENDITURES AND ALL WATER AND SEWER EXPENDITURES SHOWN HEREON ARE HEREBY IRREVOCABLY DEDICATED TO THE CITY OF ST. AUGUSTINE, FLORIDA. ITS SUCCESSORS AND ASSIGNS THE "CITY" FOR ITS NON-EXCLUSIVE USE IN CONNECTION WITH THE INSTALLATION, MAINTENANCE AND USE OF CITY UTILITY DEPARTMENT UTILITIES. TOGETHER WITH THE RIGHT OF EGRESS AND TO AND FROM SAID ROAD RIGHT-OF-WAY DESIGNATED ON THE PLAT AS PANTANO DRIVE, TERESA TERRACE AND VEGA COURT.

TRACT B (PUMP STATION) IS HEREBY IRREVOCABLY DEDICATED TO THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR ITS EXCLUSIVE USE IN CONNECTION WITH THE INSTALLATION, MAINTENANCE, AND USE OF CITY UTILITY DEPARTMENT UTILITIES.

TRACT 12 (25 FOOT UTILITY EASEMENT), IS HEREBY RESERVED TO THE PRIVATE USE OF POLICE ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND TO USE OF OWNER'S LEGAL SUCCESSORS-IN-INTEREST, GRANTEES AND ASSIGNS, INCLUDING, BUT NOT LIMITED TO, THE DISTRICT, AS SUCH INTERESTS MAY BE CREATED, CONVEYED, OR OTHERWISE ESTABLISHED AND SHOWN BY SEPARATE INSTRUMENT RECORDED IN THE PROPERTY RECORDS OF 31, ADAMS COUNTY, FLORIDA.

AN UNOBTSTRUCTED UTILITY & ACCESS EASEMENT TRACT 12 (25 FOOT UTILITY EASEMENT) IS HEREBY IRREVOCABLY DEDICATED TO THE CITY OF ST AUGUSTINE, FLORIDA, ITS SUCCESSORS AND ASSIGNS (THE "CITY"), FOR ITS NON-EXCLUSIVE USE IN CONJUNCTION WITH THE INSTALLATION, MAINTENANCE, AND USE OF CITY UTILITY DEPARTMENT UTILITIES.

MAHERIA COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS ARE DEDICATED TRACTS 1 AND 3 (STORMWATER MANAGEMENT FACILITY, AND THE STORMWATER MANAGEMENT FACILITY & DRAINAGE FACILITIES), AS REFERENCED ON AND ALONG ALL LOTS OF THIS PLAY WITH FULL OBLIGATION, LIABILITY, AND RESPONSIBILITY FOR THE CARE, CONSTRUCTION AND MAINTENANCE OF THE ABOVEMENTIONED TRACTS 1 AND 3 (STORMWATER MANAGEMENT FACILITY, AND THE STORMWATER MANAGEMENT FACILITY & DRAINAGE FACILITIES) LOCATED ON SAND MAHERIA AT ST. AUGUSTINE PHASE 1C.

MAJIDRA COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS SHALL HAVE THE RIGHT TO INTERFERE AND EXPRESS ON THIS PLAY AS STORAGE WATER MANAGEMENT FACILITY AND DRAINAGE EASEMENT, FOR THE PURPOSE OF CONSTRUCTING OR MAINTAINING TRACTS 1 AND 3 (STORAGE WATER MANAGEMENT FACILITY), AND THE PRIVATE DRAINAGE EASEMENTS AND UNOBSERVED DRAINAGE

THOSE EXHIBITS DESIGNATED AS "F. EXHIBENT" ARE HEREBY IRREVOCABLY DEDICATED TO THE FLORIDA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR ITS NON-EXCLUSIVE USE IN CONJUNCTION WITH ITS UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM, PROVIDED NO PARALLEL UTILITIES MAY BE INSTALLED WITHIN THOSE EXHIBENTS.

[illegible]

THE PROFITS RESERVED HEREBY FOR THE GRANT OF UTILITY EASEMENTS SHALL INCLUDE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES TO THE EXTENT REQUIRED BY AND IN A MANNER SUBJECT TO THE PROVISIONS OF SECTION 177.09(120) OF THE FLORIDA STATUTES (2000); PROVIDED, HOWEVER, TO THE EXTENT ALLOWABLE BY SAID SECTION 177.09(120).

WITNESS WHEREOF, THE ABOVE POLICE ASSOCIATES, HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS 15TH DAY OF FEBRUARY, 2022.

[Signature] _____
 WITNESS: Scott Edwards
 SCOTT EDWARDS, K1
 PONT: _____
 WITNESS: Jeff Steine
 JEFF STEINE
 [Signature] _____
 DOUGLAS WAGER
 VICE PRESIDENT
 PONT ASSOCIATES, LLC,
 A FLORIDA LIMITED LIABILITY COMPANY

NOTARY FOR POLICE ASSOCIATES, LLC A FLORIDA LIMITED LIABILITY COMPANY

STATE OF Florida
COUNTY OF Duval

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF PHYSICAL
PRESENCE OR () ONLINE NOTARIZATION, THIS 5th DAY OF Feb
A.D., 2022, BY DOUGLAS MAIER, VICE PRESIDENT OF PENCE ASSOCIATES, LLC, A FLORIDA
UNITED LIABILITY COMPANY ON BEHALF OF THE COMPANY, WHO () IS PERSONALLY KNOWN
TO ME OR () PRODUCED
AS IDENTIFICATION

JENNIFER SANCHEZ
 JUDICIAL PUBLIC STATE OF FLORIDA
 NAME: JENNIFER SANCHEZ
 MY COMMISSION EXPIRES: JUNE 11, 2024
 MY COMMISSION NUMBER IS: 13259711

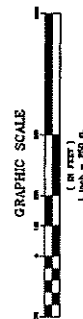
A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

General Notes

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHEASTERLY LINE OF TRACT C-4 AS SHOWN ON THE PLAT OF THE 1983/1989 ADJUDICATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM 1983/1989 NOT ADJUSTMENT.
2. THE INTENDED USE OF THESE COORDINATES IS FOR GIS BASED MAPPING PURPOSES. THE WORKING TRIANGULAR ADJUSTMENT USED FOR THESE VECTORS WAS MOQUENT GIS GROUND CONTROL SURVEY DATA. THE COORDINATES WERE DERIVED FROM THE FLORIDA STATE PLATE COORDINATES ARE BASED ON NORTH AMERICAN DATUM 1983/1989 - STATE PLATE COORDINATES - FLORIDA EAST ZONE - (U.S. FEET)

POINT #	NORTHING	EASTING	DESCRIPTION
1	2038375.50	551708.53	WEST WLY CORNER TRACT 4
2	2038179.41	553189.83	WEST SE'LY CORNER TESSO TERRACE

4. NOTES: THESE PLANTS AS RECORDED IN ITS FILING FORM IS THE OFFICIAL RECORDATION OF THE SURVEYED LANDS ACCORDING HEREIN, AND THAT THE PLANT IS NOT TO BE DELETED FROM THE PLANT LIST UNLESS THERE ARE CIRCUMSTANCES THAT WARRANT SUCH. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED HEREIN, BUT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. (FLORIDA STATUTE 172.084)
5. BEARINGS AND DISTANCES SHOWN ON CURVES REFER TO CHORD BEARINGS AND DISTANCES. CURVES THAT APPEAR ON THIS SHEET ARE NOT NECESSARILY APPLICABLE ONLY TO THE CURVES THAT APPEAR ON THE SHEET.
6. LAKES AND POND BANK ON EACH SHOWN HEREIN ARE FOR PICTORIAL PURPOSES ONLY AND DO NOT REPRESENT AN ACTUAL "AS-BUILT" SITUATION. THEY ARE BASED ON THE ENGINEERING RECORDS OF THE PROJECT AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES, SUCH AS STORMWATER MANAGEMENT PLANNING & PLANNING EASEMENT.
7. CURRENT LAW PROVIDES THAT NO CONSTRUCTION, FILLING, REMOVAL OF EXISTING, CUTTING OF TREES OR OTHER PLANTS SHALL TAKE PLACE WITHIN THE WATERSHED OF THE "WETLANDS" UNLESS THE PROJECT OWNER HAS FIRST OBTAINED A PERMIT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION. IT IS THE RESPONSIBILITY OF THE LOT OWNER, HIS AGENT AND THE ENTITY PERFORMING ANY WORK TO OBTAIN THE NECESSARY PERMIT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO THE BEGINNING OF ANY WORKING. THIS WETLAND JURISDICTIONAL LINE AND UPLAND BUFFER ARE NOT TO BE CONSIDERED REDLINED, FROM THIS DATE, BY THE APPROPRIATE GOVERNMENTAL AGENCIES.
8. CONSERVATION EASEMENT SHOWN HEREON, RECORDED IN OFFICIAL RECORDS, BEING PAGE 1148B, 1149B AND PAGE 1872Z AND 2772A, PAGE 50 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPT FOR CONSERVATION EASEMENT NO. 15 WHICH IS NOT RECORDED AT THIS TIME, THE LOT OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE LOT WITH UPLAND BUFFERIES ADJACENT TO WETLANDS ARE TO REMAIN NATURAL, VEGETATIVE, AND UPLAND BUFFERIES ADJACENT TO WETLANDS WILL HAVE A MAXIMUM LOT COVERAGE OF 50% FOR PLANNING AND BUILDING DEVELOPMENT.
9. THE PHASES OF DEVELOPMENT WILL HAVE A MAXIMUM LOT COVERAGE OF 50% FOR PLANNING AND BUILDING DEVELOPMENT.
10. ALL PORTIONS OF SERVICE FOR UTILITY SERVICE WILL BE AT THE RIGHT OF WAY LINE(S).

[illegible]

- [illegible]

COORDINATES SHOWN HEREON ARE PER ST. JOHN'S COUNTY REQUIREMENTS ONLY, AND ARE NOT WITHHELD FOR COMASTER/UTCHIN SUBPOENA.


 DENOTES UPLAND BUFFER
 (NATURAL VEGETATIVE UPLAND BUFFER)



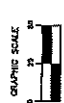
Madeira At St. Augustine Phase 1C

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

SHEET 4 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C15	200.00'	13.85'	20.43°	N11°30'31"E	12.41'
C27	200.00'	5.04'	10.15°	N02°31'09"E	5.04'
C28	200.00'	13.67'	23.34°	N12°31'14"E	13.33'
C32	200.00'	20.42'	33.55°	N08°00'11"E	20.42'
C36	200.00'	20.38'	67.00°	N04°02'49"E	20.08'
C37	433.50'	72.68'	83.84°	S13°00'11"E	72.79'
C38	432.50'	7.70'	10.15°	S08°40'08"E	7.70'
C44	200.00'	42.02'	12.02°	N13°54'11"E	41.95'
C44	25.00'	39.82'	117.83°	N04°49'57"E	39.81'
C45	400.00'	83.69'	107.74°	N07°38'38"E	83.87'
C46	25.00'	24.37'	58.00°	S30°45'17"E	24.30'
C49	25.00'	7.17'	18.18°	S15°17'18"E	7.09'
C49	25.00'	10.64'	24.50°	S04°17'04"E	10.75'
C50	300.00'	82.79'	115.97°	N17°56'54"E	82.61'
C51	300.00'	21.94'	47.19°	N05°57'39"E	21.94'
C52	53.00'	34.35'	39.03°	S43°35'27"E	33.95'
C52	25.00'	42.90'	89.18°	N07°35'25"E	42.62'
C52	25.00'	0.46'	10.15°	N07°35'25"E	0.46'
C70	200.00'	26.47'	7.91°	N02°41'32"E	26.39'
C79	25.00'	20.58'	47.09°	N03°10'00"E	20.50'
C80	210.00'	104.68'	27.50°	N11°10'11"E	105.85'
C83	22.00'	10.37'	28.55°	S07°22'11"E	10.12'
C83	22.00'	10.28'	47.32°	S44°48'16"E	17.74'
C85	83.00'	77.25'	134.97°	N00°59'55"E	80.78'
C85	83.00'	7.46'	5.09°	S09°46'42"E	7.45'
C87	83.00'	11.46'	7.93°	S16°21'22"E	11.57'
C88	67.00'	16.15'	13.78°	S15°28'32"E	16.11'
C89	83.00'	22.02'	15.72°	S14°49'31"E	21.96'
C90	485.00'	20.90'	2.34°	N04°22'42"E	20.90'
C95	25.00'	17.11'	39.19°	N17°43'37"E	16.87'
C97	25.00'	36.00'	87.00°	S00°13'11"E	34.45'
C99	75.00'	8.39'	4.81°	S09°57'32"E	8.29'
C100	75.00'	10.44'	7.98°	S16°17'22"E	10.45'
C91	75.00'	18.00'	13.48°	N13°26'52"E	18.03'
C92	200.00'	42.58'	8.92°	S02°31'17"E	42.64'
C93	200.00'	20.30'	47.14°	S08°29'25"E	20.50'
C94	200.00'	76.39'	15.40°	S18°22'28"E	76.36'
C95	220.00'	84.59'	16.49°	N09°17'21"E	84.36'
C96	220.00'	20.35'	5.95°	N05°14'00"E	20.37'
C97	220.00'	21.46'	5.95°	N00°06'33"E	21.45'
C95	75.00'	18.96'	15.12°	S14°03'31"E	18.64'

DEPOTES ARBUSTIVALES
DEPOTES URBANOS
DEPOTES URBANOS Y BUENOS
(NATURAS, VEGETACION URBANA BUENOS)

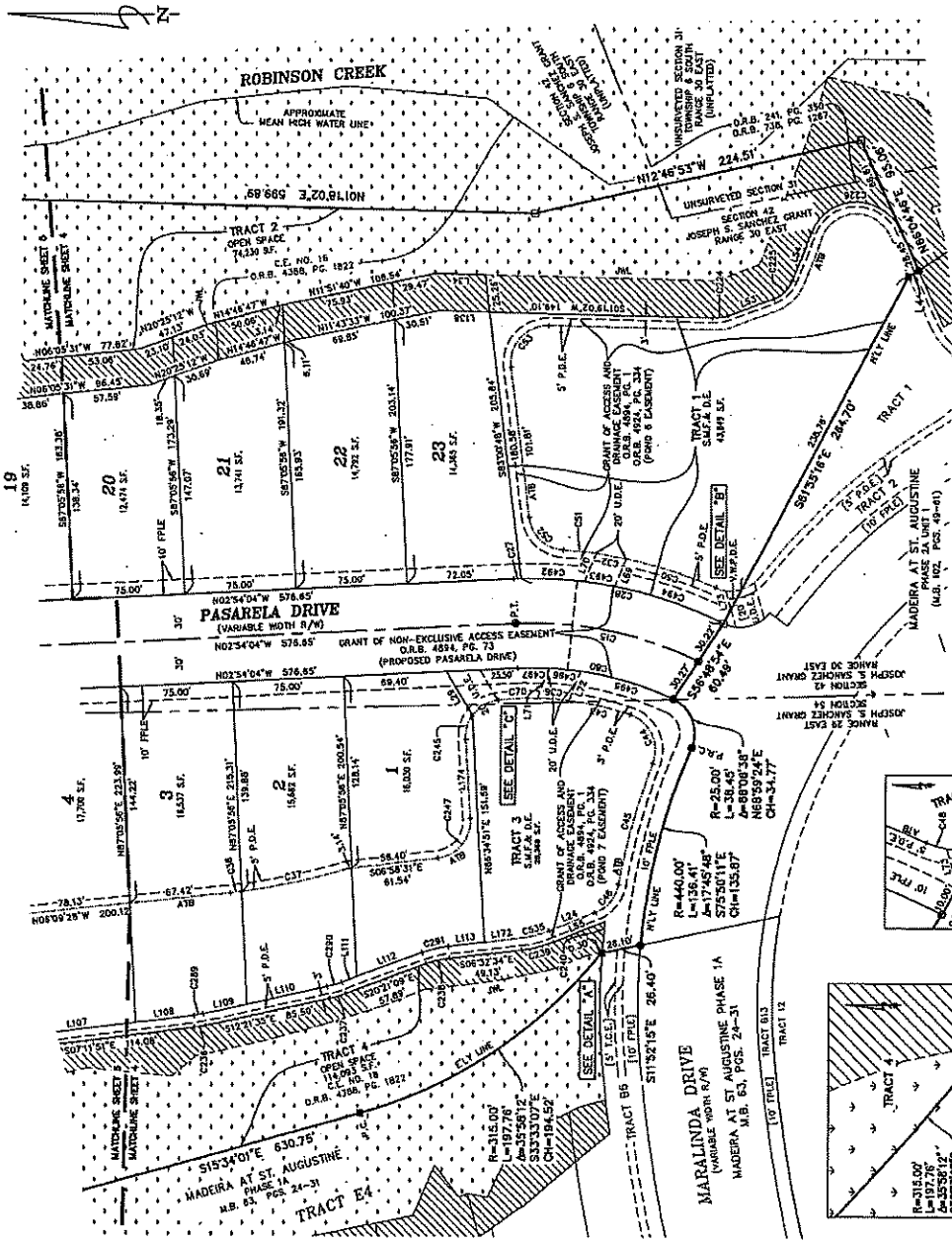
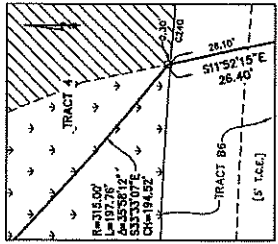
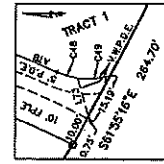
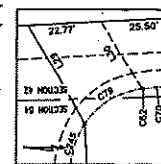


LINE	BEARING	DISTANCE
L172	S00°22'34"E	24.36'
L174	S02°35'28"W	53.69'

LINE	BEARING	DISTANCE
L108	S07°21'35"E	20.39'
L109	S12°21'35"E	20.39'
L110	S12°21'35"E	20.39'
L111	S07°09'10"E	12.88'
L112	S07°09'10"E	47.03'
L113	S07°21'35"E	24.36'
L115	N01°10'00"E	34.18'

LINE	BEARING	DISTANCE
L108	S07°21'35"E	20.39'
L109	S12°21'35"E	20.39'
L110	S12°21'35"E	20.39'
L111	S07°09'10"E	12.88'
L112	S07°09'10"E	47.03'
L113	S07°21'35"E	24.36'
L115	N01°10'00"E	34.18'

LINE	BEARING	DISTANCE
L108	S07°21'35"E	20.39'
L109	S12°21'35"E	20.39'
L110	S12°21'35"E	20.39'
L111	S07°09'10"E	12.88'
L112	S07°09'10"E	47.03'
L113	S07°21'35"E	24.36'
L115	N01°10'00"E	34.18'



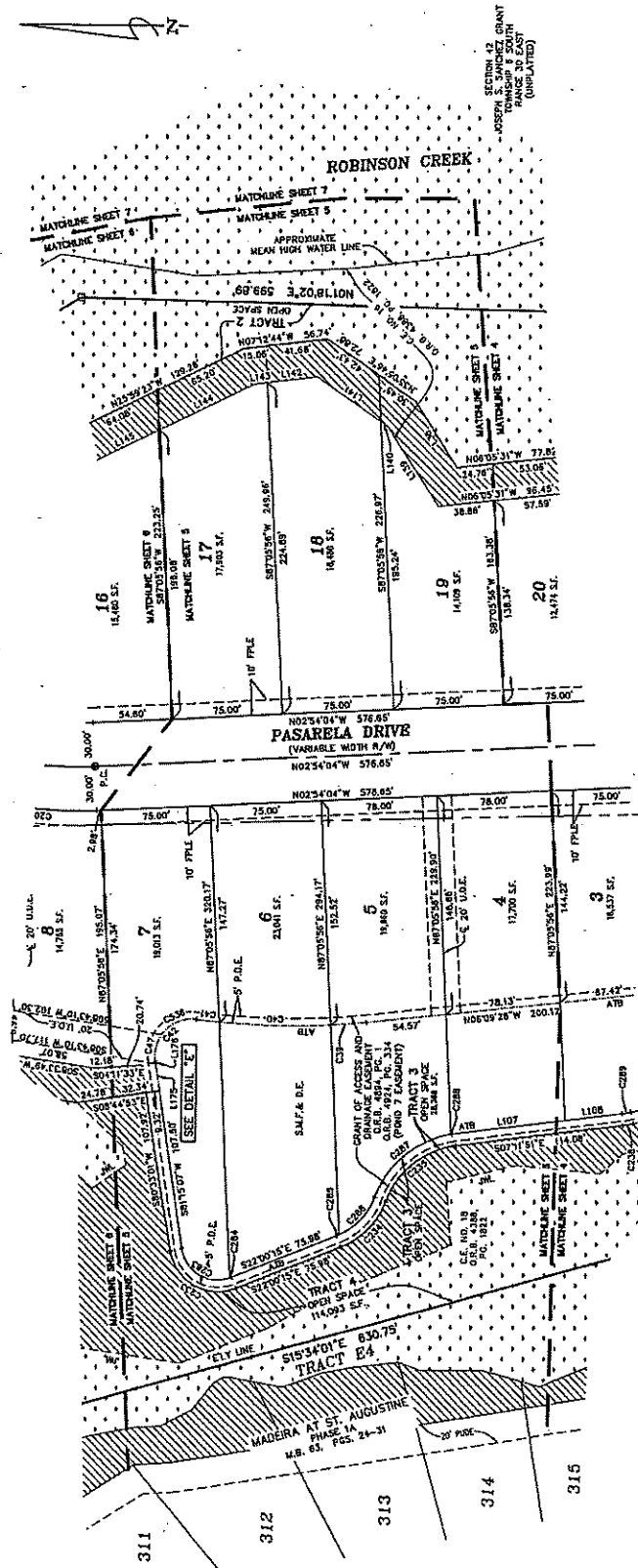
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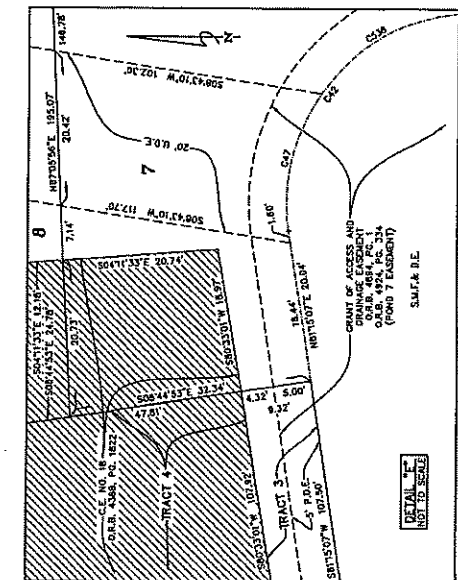
MAP BOOK PAGE

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

SHEET 5 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND



SECTION 42
JOSEPH S. SANCHEZ GRANT
RANGE 30 EAST
SECTION 54
JOSEPH S. SANCHEZ GRANT
RANGE 29 EAST



LINE TABLE

LINE	BEARING	DISTANCE
L16	N67°20'25"E	53.17
L17	S07°12'33"E	73.32
L18	S07°12'33"E	34.89
L19	N67°20'25"E	53.17
L20	N67°20'25"E	53.17
L21	N67°20'25"E	53.17
L22	N67°20'25"E	53.17
L23	N67°20'25"E	53.17
L24	N67°20'25"E	53.17
L25	N67°20'25"E	53.17
L26	N67°20'25"E	53.17
L27	N67°20'25"E	53.17
L28	N67°20'25"E	53.17
L29	N67°20'25"E	53.17
L30	N67°20'25"E	53.17

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C20	280.00	72.84	145°20'	S04°33'08"W	72.84
C21	482.50	23.33	247°20'	S04°13'30"E	23.33
C22	482.50	75.38	8°58'13"	S07°08'17"W	75.38
C23	482.50	16.33	1°52'03"	S08°00'15"W	16.33
C24	23.00	46.33	108°17'20"	N43°39'13"W	36.98
C25	23.00	15.99	42°57'28"	N77°00'09"W	15.99
C26	31.00	59.07	102°33'18"	S27°16'33"W	31.48
C27	31.00	44.44	48°02'38"	S46°01'35"E	43.19
C28	31.00	61.73	61°51'04"	N38°17'23"W	60.58
C29	31.00	7.46	5°09'44"	S09°16'43"E	7.46
C30	31.00	43.42	100°25'03"	S10°03'05"W	38.47
C31	31.00	12.31	2°48'10"	S20°33'38"E	12.31
C32	45.00	21.77	2°45'00"	S23°23'00"E	21.77
C33	45.00	35.87	45°57'10"	S47°24'20"E	34.83
C34	45.00	68.82	60°34'46"	N39°17'00"W	68.82
C35	45.00	9.90	0°46'57"	N09°07'28"W	9.90
C36	45.00	6.31	4°48'15"	S09°37'27"E	6.31
C37	23.00	27.35	82°41'31"	N25°24'29"W	26.01

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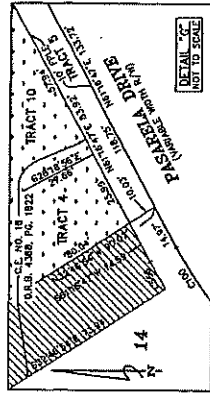
Madeira At St. Augustine Phase 1C

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

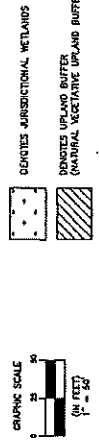
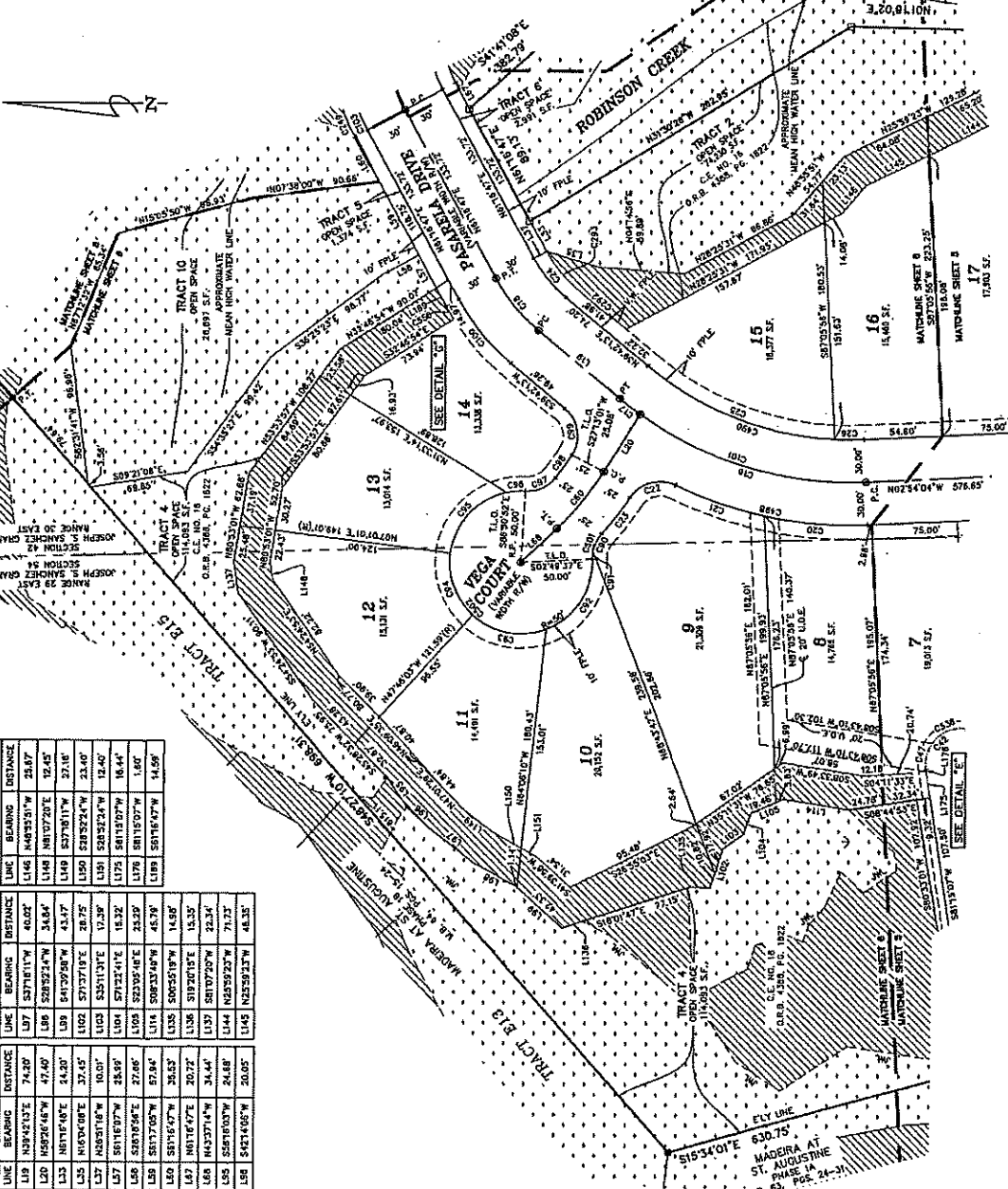
MAP BOOK PAGE

SHEET 6 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L10	N89°15'13"E	74.80'	L17	S37°16'11"W	60.00'	L106	N48°35'31"W	23.87'
L11	S58°26'46"W	47.40'	L18	S28°52'24"W	34.64'	L107	N81°07'20"E	92.45'
L12	N81°16'46"E	24.20'	L19	S41°29'58"W	33.47'	L108	S37°08'11"W	27.18'
L13	N63°04'08"E	37.45'	L20	S73°37'19"E	28.75'	L109	S28°52'24"W	23.40'
L14	N48°35'18"W	18.07'	L21	S23°11'31"E	12.39'	L110	S28°52'24"W	12.40'
L15	S81°16'07"W	23.89'	L22	S71°22'41"E	13.32'	L111	S81°16'07"W	18.44'
L16	S28°18'54"E	27.86'	L23	S23°05'48"E	23.29'	L112	S81°16'07"W	1.60'
L17	S81°16'07"W	57.84'	L24	S00°33'46"W	45.79'	L113	S81°16'07"W	14.59'
L18	S81°16'07"W	25.53'	L25	S00°35'18"W	14.98'	L114	S81°16'07"W	14.59'
L19	N81°16'47"E	20.72'	L26	S10°20'15"E	13.33'	L115	S81°16'07"W	14.59'
L20	N43°37'14"W	34.44'	L27	S81°07'20"W	23.34'	L116	N43°37'14"W	23.34'
L21	S81°16'07"W	24.88'	L28	N43°37'22"W	71.23'	L117	N43°37'22"W	71.23'
L22	S47°14'05"W	20.05'	L29	N43°37'22"W	43.35'	L118	N43°37'22"W	43.35'



CURVE TABLE			CURVE TABLE		
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C16	250.00'	188.37'	30.53100°	S10°23'17"W	188.11'
C17	250.00'	17.83'	4.92277°	S37°16'11"W	17.83'
C18	125.00'	47.07'	27.5434°	S50°29'58"W	48.78'
C19	250.00'	72.64'	14.5430°	S04°23'58"W	72.64'
C20	250.00'	66.10'	13.1131°	S18°49'05"W	65.95'
C21	250.00'	35.89'	8.29348°	N15°42'21"W	35.89'
C22	250.00'	32.19'	8.1140°	S23°05'48"E	32.19'
C23	250.00'	31.77'	8.1140°	S23°05'48"E	31.77'
C24	250.00'	143.16'	27.1039°	S21°53'44"W	140.64'
C25	250.00'	20.45'	3.7911°	S00°14'24"E	20.45'
C26	250.00'	48.33'	10.6130°	N45°39'13"W	39.88'
C27	250.00'	18.38'	4.32228°	N77°05'09"W	18.38'
C28	250.00'	51.75'	14.4923°	S10°23'17"W	51.67'
C29	250.00'	13.75'	3.12037°	N43°37'22"W	13.56'
C30	250.00'	5.48'	1.25412°	N67°52'37"W	5.47'
C31	500.00'	42.24'	7.15347°	S55°24'45"E	48.11'
C32	500.00'	25.12'	8.39347°	S10°23'17"W	25.37'
C33	500.00'	47.81'	5.44705°	S58°29'58"W	48.01'
C34	500.00'	61.81'	7.04890°	N47°14'04"W	57.83'
C35	500.00'	13.36'	1.51817°	N04°20'05"W	13.32'
C36	175.00'	19.24'	8.7748°	S54°32'37"E	19.70'
C37	175.00'	25.89'	8.22818°	N68°29'58"E	32.98'
C38	175.00'	58.37'	21.5434°	S50°29'58"W	58.02'
C39	250.00'	153.90'	42.8417°	S18°49'05"W	159.65'
C40	250.00'	13.95'	3.08681°	S47°17'17"W	13.95'
C41	140.00'	22.83'	9.1537°	S58°54'47"W	22.83'
C42	140.00'	50.29'	19.1948°	S58°54'47"W	50.28'
C43	85.00'	27.45'	18.7017°	S58°54'47"W	27.43'
C44	220.00'	153.90'	42.8417°	S18°49'05"W	159.65'
C45	250.00'	13.95'	3.08681°	S47°17'17"W	13.95'
C46	140.00'	22.83'	9.1537°	S58°54'47"W	22.83'
C47	140.00'	50.29'	19.1948°	S58°54'47"W	50.28'
C48	85.00'	27.45'	18.7017°	S58°54'47"W	27.43'
C49	220.00'	153.90'	42.8417°	S18°49'05"W	159.65'
C50	250.00'	13.95'	3.08681°	S47°17'17"W	13.95'
C51	140.00'	22.83'	9.1537°	S58°54'47"W	22.83'
C52	140.00'	50.29'	19.1948°	S58°54'47"W	50.28'
C53	85.00'	27.45'	18.7017°	S58°54'47"W	27.43'
C54	220.00'	153.90'	42.8417°	S18°49'05"W	159.65'
C55	250.00'	13.95'	3.08681°	S47°17'17"W	13.95'
C56	140.00'	22.83'	9.1537°	S58°54'47"W	22.83'
C57	140.00'	50.29'	19.1948°	S58°54'47"W	50.28'
C58	85.00'	27.45'	18.7017°	S58°54'47"W	27.43'
C59	220.00'	153.90'	42.8417°	S18°49'05"W	159.65'
C60	250.00'	13.95'	3.08681°	S47°17'17"W	13.95'



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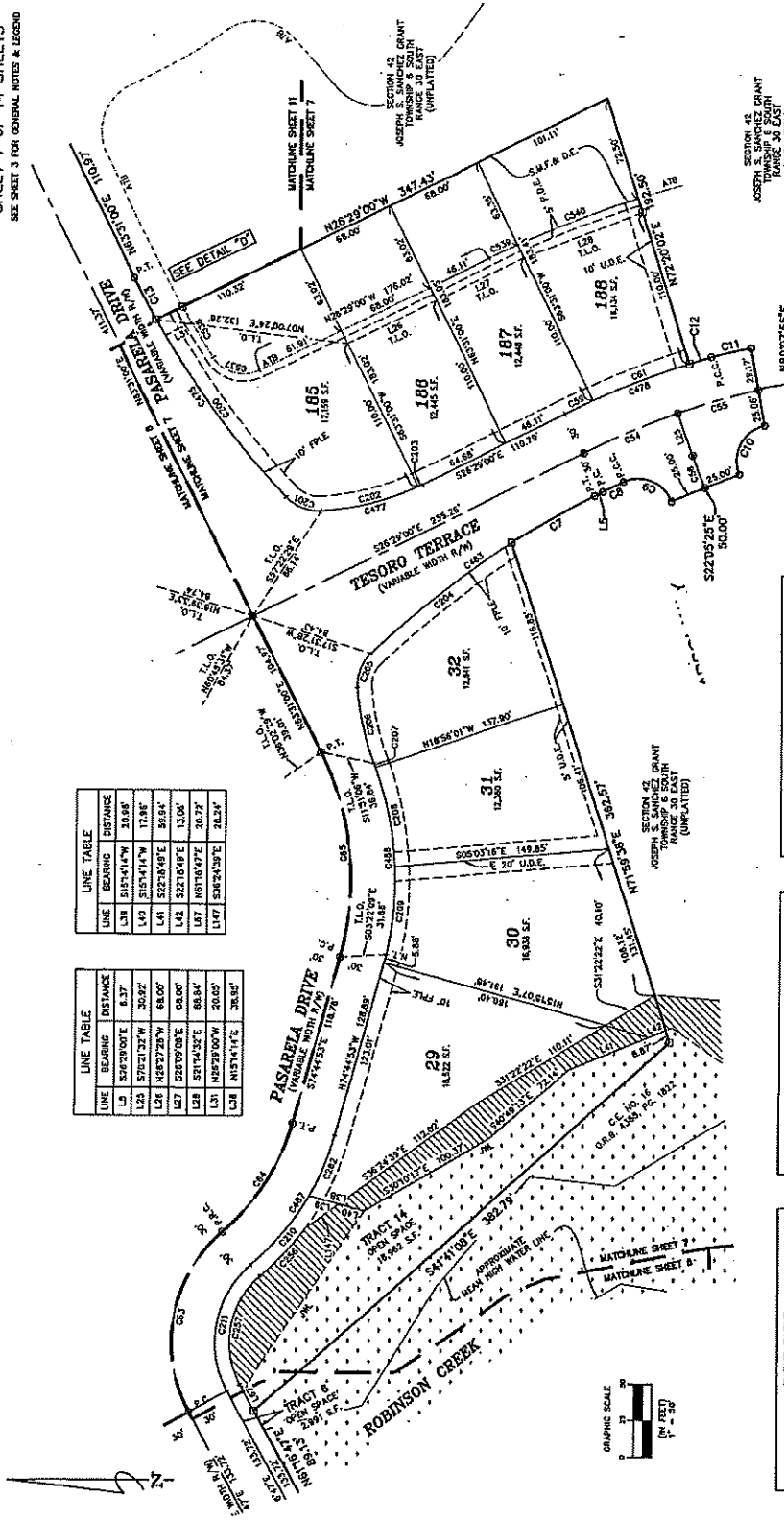
Madeira At St. Augustine Phase 1C

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 34, TOWNSHIP 6 SOUTH, RANGE 28 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSERVED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

SHEET 7 OF 14 SHEETS
SEE SHEET 3 FOR ORIGINAL NOTES & LEGEND

LINE	BEARING	DISTANCE
L38	S15°14'4" W	10.68'
L39	S2°29'00" E	8.37'
L40	S15°14'4" W	17.88'
L41	S22°18'4" E	58.84'
L42	S27°18'4" E	13.04'
L43	S27°18'4" E	20.72'
L44	S27°18'4" E	28.35'

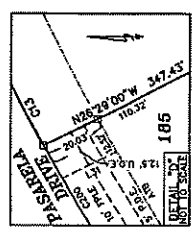
LINE	BEARING	DISTANCE
L45	S15°14'4" W	10.68'
L46	S2°29'00" E	8.37'
L47	S15°14'4" W	17.88'
L48	S22°18'4" E	58.84'
L49	S27°18'4" E	13.04'
L50	S27°18'4" E	20.72'
L51	S27°18'4" E	28.35'



CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C7	432.00'	64.57'	87°14'7"	S27°25'31" E	64.46'
C8	588.00'	11.88'	13°35'3"	S25°39'00" E	15.98'
C9	25.00'	48.34'	82°28'42"	S27°18'4" W	38.10'
C10	25.00'	42.88'	88°28'58"	S47°04'12" E	37.88'
C11	200.00'	21.32'	61°23'3"	N13°01'16" W	22.80'
C12	610.00'	12.88'	12°31'4"	N15°51'13" E	12.88'
C13	432.00'	32.40'	23°51'4"	N22°25'31" E	32.40'
C14	588.00'	71.28'	7°52'23"	N22°37'48" W	71.32'
C15	588.00'	57.36'	5°59'58"	N47°32'35" W	57.33'
C16	588.00'	23.87'	2°44'47"	S63°39'00" W	23.88'
C17	610.00'	21.88'	7°03'24"	N22°27'18" W	21.88'
C18	610.00'	71.88'	8°43'38"	N10°10'49" W	71.83'
C19	100.00'	138.51'	78°12'58"	N10°10'49" W	128.16'
C20	150.00'	86.58'	34°14'33"	S57°37'33" E	86.32'
C21	200.00'	145.68'	41°14'07"	N47°32'35" E	145.48'

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C22	411.00'	152.37'	17°18'58"	S25°40'18" W	152.02'
C23	30.00'	28.41'	30°28'28"	S12°33'31" E	25.57'
C24	182.00'	93.12'	21°42'28"	S13°33'31" E	66.71'
C25	182.00'	3.32'	1°02'46"	S12°33'31" E	3.32'
C26	432.00'	14.85'	11°17'28"	N10°09'20" W	14.39'
C27	38.00'	25.87'	50°58'58"	S67°35'19" W	25.47'
C28	182.00'	53.84'	19°58'58"	S67°35'19" W	53.85'
C29	230.00'	3.15'	0°47'01"	N65°31'20" E	3.15'
C30	430.00'	70.34'	17°31'24"	N10°40'33" E	70.07'
C31	230.00'	81.14'	13°13'48"	S44°26'31" E	80.35'
C32	182.00'	82.31'	19°48'08"	S55°24'17" E	81.89'
C33	70.00'	85.58'	78°12'58"	N10°10'49" W	88.31'
C34	182.00'	48.05'	8°20'00"	S47°17'46" E	44.84'
C35	60.00'	61.91'	78°12'58"	N10°10'49" W	75.89'
C36	182.00'	145.37'	14°25'22"	S67°31'30" E	145.22'

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C37	432.00'	184.78'	16°45'11"	S55°08'25" W	184.13'
C38	182.00'	72.44'	22°46'17"	S15°14'4" W	71.98'
C39	610.00'	189.75'	10°18'32"	S21°19'44" E	189.81'
C40	432.00'	31.00'	17°19'15"	S33°09'37" W	188.33'
C41	182.00'	187.58'	34°14'33"	N57°37'33" W	185.89'
C42	230.00'	38.25'	43°06'41"	N15°14'21" E	33.17'
C43	610.00'	41.18'	3°31'18"	N15°14'21" E	41.17'
C44	730.00'	35.88'	1°43'08"	N33°37'27" W	21.89'
C45	730.00'	80.44'	7°03'35"	N11°12'26" W	80.38'



DEVOTES ADJUDICATIONAL METLANS
DEVOTES UPLAND BUFFER
(NATURAL VEGETATIVE UPLAND BUFFER)



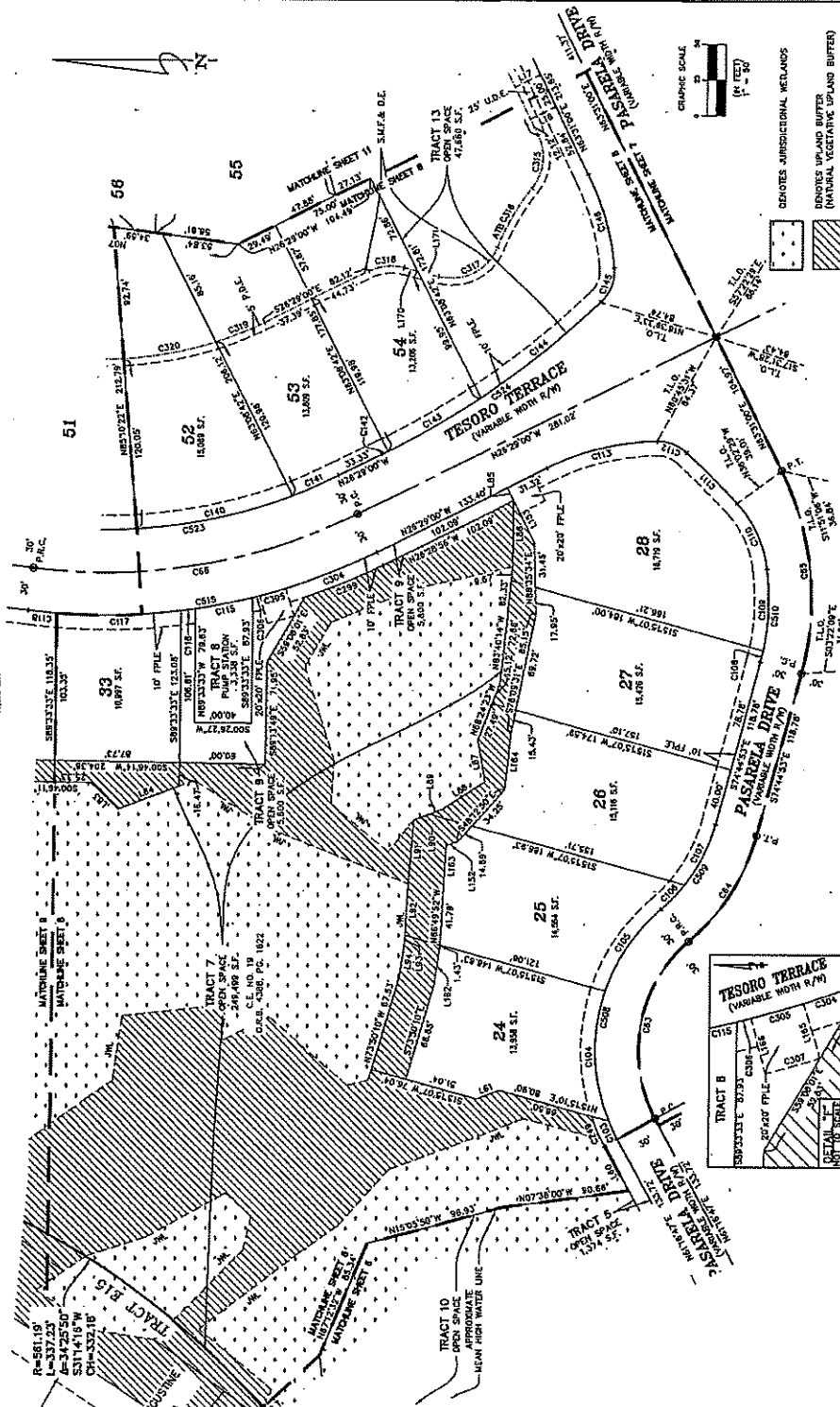
Madeira At St. Augustine Phase 1C

MAP BOOK PAGE

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

SHEET 8 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

34
NAD 83



CURVE TABLE				CURVE TABLE				CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C03	100.00'	136.37'	76.72°	N75°35'43"W	122.16'	C10	62.00'	51.82'	35°41'15"	N45°50'38"E	50.78'
C04	150.00'	86.65'	34°14'35"	S27°37'32"E	86.32'	C11	62.00'	52.20'	43°33'04"	N44°50'38"E	50.18'
C05	200.00'	143.86'	41°44'07"	N47°23'01"E	143.46'	C12	30.00'	23.88'	43°42'35"	N26°21'01"E	23.34'
C06	400.00'	235.97'	31°40'15"	S09°28'52"E	231.70'	C13	102.00'	80.50'	25°20'31"	N13°49'44"W	78.84'
C07	120.00'	15.98'	4°26'32"	S64°41'17"W	15.95'	C14	420.00'	40.87'	31°17'55"E	40.85'	31.17'
C08	150.00'	92.81'	49°26'32"	S67°34'19"W	90.84'	C15	420.00'	10.11'	1°29'48"	S07°53'02"E	10.11'
C09	150.00'	70.81'	31°07'08"	N55°03'18"W	69.74'	C16	420.00'	87.93'	11°42'57"	S07°21'16"E	87.77'
C10	150.00'	21.65'	11°17'38"	S48°59'02"E	21.81'	C17	420.00'	20.14'	2°41'03"	S09°50'44"W	20.14'
C11	150.00'	4.07'	2°27'01"	S31°42'17"E	4.25'	C18	420.00'	112.48'	17°25'04"	S27°12'47"E	112.05'
C12	170.00'	8.03'	2°42'18"	S28°40'17"E	8.08'	C19	370.00'	33.90'	5°33'34"	S13°42'17"E	33.89'
C13	170.00'	57.43'	19°21'24"	S67°34'27"E	57.16'	C20	420.00'	4.94'	0°46'19"	S08°42'08"E	4.94'

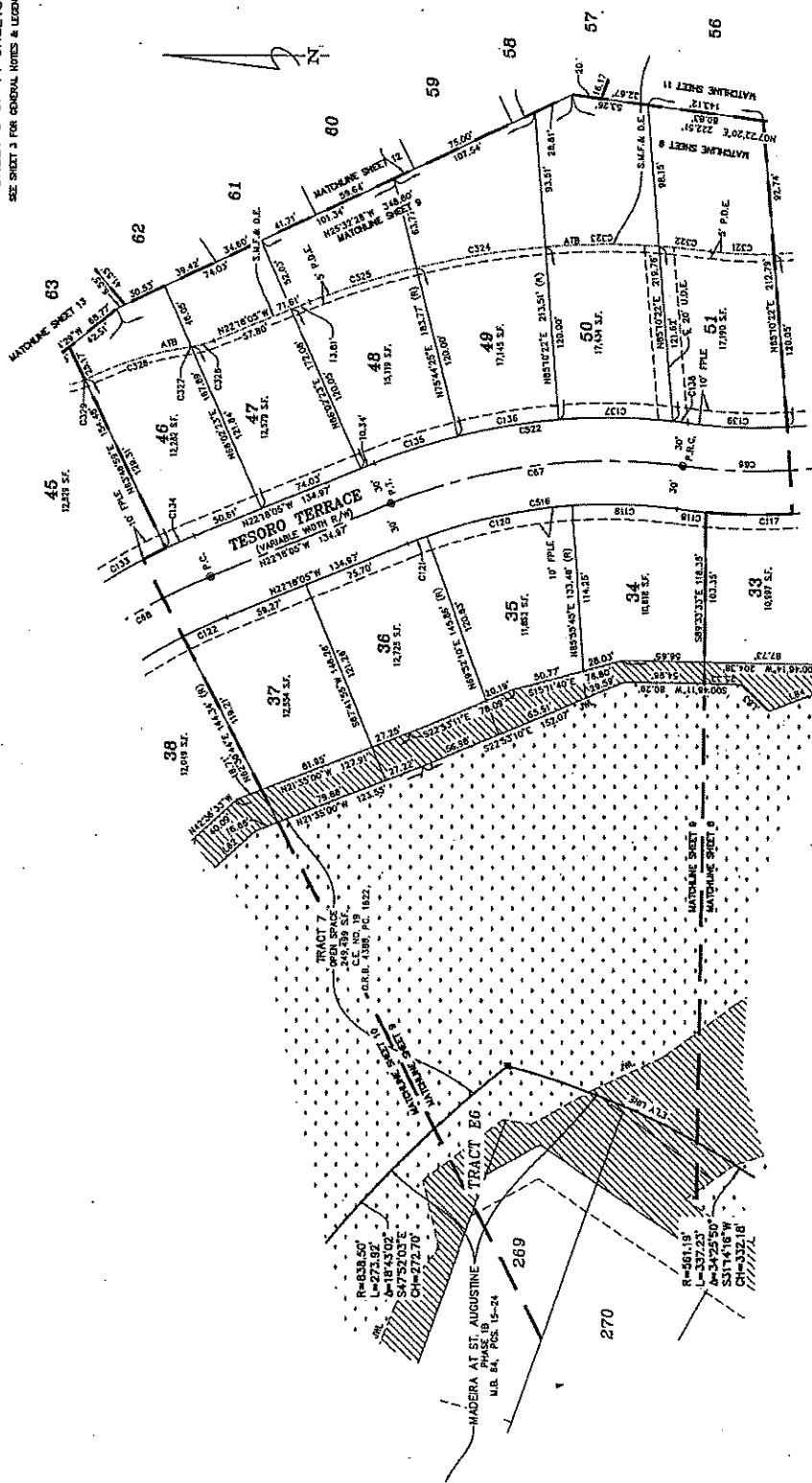


Madeira At St. Augustine Phase 1C

MAP BOOK PAGE

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 28 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 49, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

SHEET 9 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND



DENOTES JURISDICTIONAL WETLANDS
DENOTES UPLAND BUFFER
(NATURAL VEGETATION UPLAND BUFFER)

LINE TABLE		
LINE	BEARING	DISTANCE
L21	S42°12'15"E	40.00'
L23	S43°35'50"W	28.33'
L24	S20°37'01"E	46.00'

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD
C22	350.00'	78.27'	78.27'
C23	350.00'	90.55'	90.55'
C24	350.00'	71.18'	71.18'
C25	350.00'	16.42'	16.42'
C26	350.00'	78.45'	78.45'
C27	350.00'	78.45'	78.45'
C28	350.00'	78.45'	78.45'
C29	350.00'	78.45'	78.45'
C30	350.00'	78.45'	78.45'
C31	350.00'	78.45'	78.45'
C32	350.00'	78.45'	78.45'
C33	350.00'	78.45'	78.45'

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD
C13	450.00'	81.81'	81.81'
C14	450.00'	21.47'	21.47'
C15	450.00'	60.35'	60.35'
C16	450.00'	70.78'	70.78'
C17	450.00'	70.78'	70.78'
C18	450.00'	70.78'	70.78'
C19	450.00'	70.78'	70.78'
C20	450.00'	70.78'	70.78'
C21	450.00'	70.78'	70.78'
C22	450.00'	70.78'	70.78'
C23	450.00'	70.78'	70.78'
C24	450.00'	70.78'	70.78'
C25	450.00'	70.78'	70.78'
C26	450.00'	70.78'	70.78'
C27	450.00'	70.78'	70.78'
C28	450.00'	70.78'	70.78'
C29	450.00'	70.78'	70.78'
C30	450.00'	70.78'	70.78'
C31	450.00'	70.78'	70.78'
C32	450.00'	70.78'	70.78'
C33	450.00'	70.78'	70.78'

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD
C56	400.00'	235.07'	235.07'
C57	400.00'	235.07'	235.07'
C58	400.00'	235.07'	235.07'
C59	400.00'	235.07'	235.07'
C60	400.00'	235.07'	235.07'
C61	400.00'	235.07'	235.07'
C62	400.00'	235.07'	235.07'
C63	400.00'	235.07'	235.07'
C64	400.00'	235.07'	235.07'
C65	400.00'	235.07'	235.07'
C66	400.00'	235.07'	235.07'
C67	400.00'	235.07'	235.07'
C68	400.00'	235.07'	235.07'
C69	400.00'	235.07'	235.07'
C70	400.00'	235.07'	235.07'
C71	400.00'	235.07'	235.07'
C72	400.00'	235.07'	235.07'
C73	400.00'	235.07'	235.07'
C74	400.00'	235.07'	235.07'
C75	400.00'	235.07'	235.07'
C76	400.00'	235.07'	235.07'
C77	400.00'	235.07'	235.07'
C78	400.00'	235.07'	235.07'
C79	400.00'	235.07'	235.07'
C80	400.00'	235.07'	235.07'
C81	400.00'	235.07'	235.07'
C82	400.00'	235.07'	235.07'
C83	400.00'	235.07'	235.07'
C84	400.00'	235.07'	235.07'
C85	400.00'	235.07'	235.07'
C86	400.00'	235.07'	235.07'
C87	400.00'	235.07'	235.07'
C88	400.00'	235.07'	235.07'
C89	400.00'	235.07'	235.07'
C90	400.00'	235.07'	235.07'
C91	400.00'	235.07'	235.07'
C92	400.00'	235.07'	235.07'
C93	400.00'	235.07'	235.07'
C94	400.00'	235.07'	235.07'
C95	400.00'	235.07'	235.07'
C96	400.00'	235.07'	235.07'
C97	400.00'	235.07'	235.07'
C98	400.00'	235.07'	235.07'
C99	400.00'	235.07'	235.07'
C100	400.00'	235.07'	235.07'



Madeira At St. Augustine Phase 1C

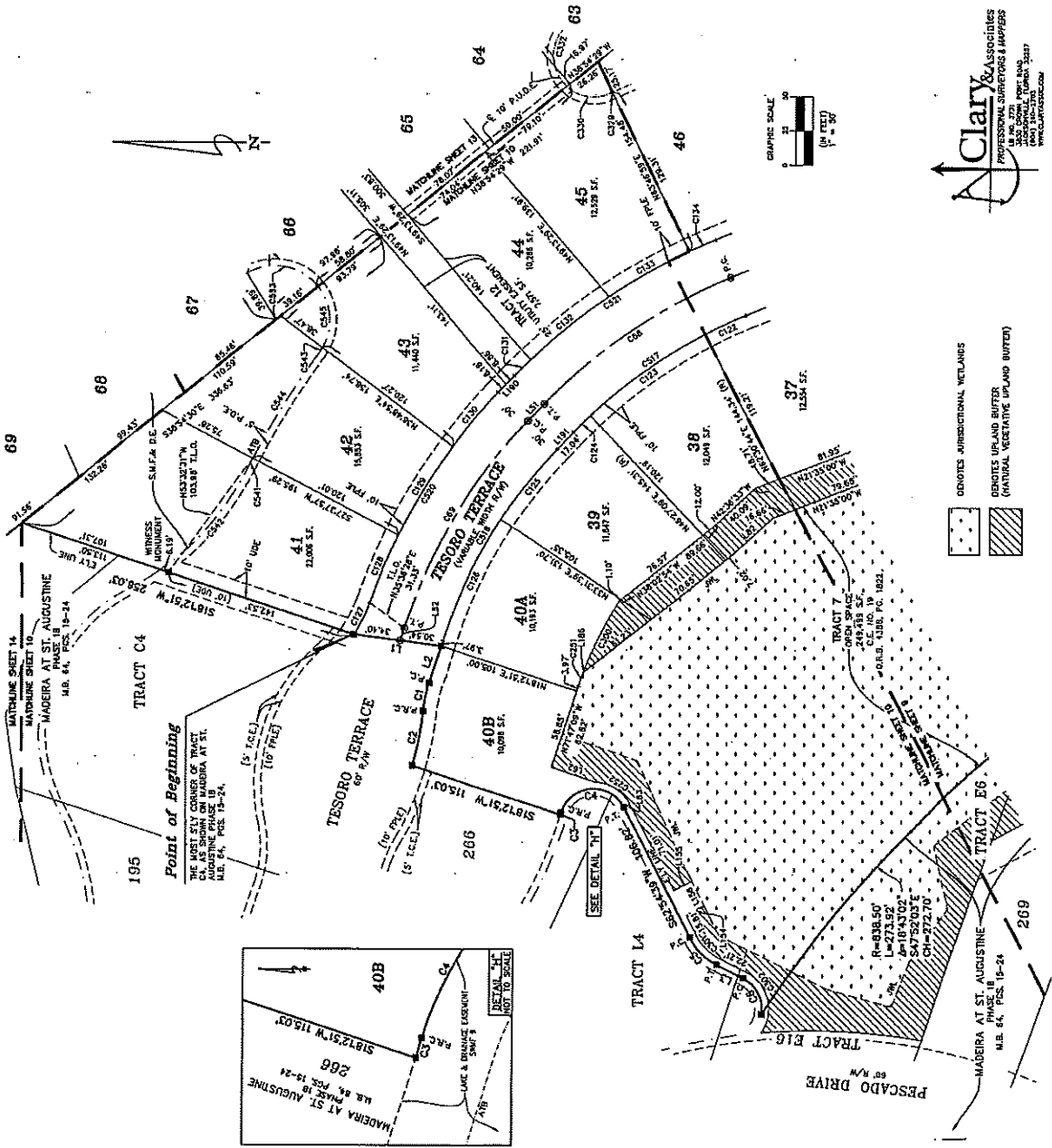
MAP BOOK PAGE

SHEET 10 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 34, TOWNSHIP 6 SOUTH, RANGE 23 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

LINE	BEARING	DISTANCE
L1	S67°23'50"W	41.94'
L2	N71°17'03"W	28.35'
L3	S53°10'00"W	22.21'
L4	S48°14'15"E	17.54'
L5	S71°47'00"E	5.71'
L6	N83°39'42"E	33.82'
L7	S27°55'44"E	5.00'
L8	S41°21'15"E	40.00'
L9	N27°23'37"W	15.02'
L10	S37°23'37"E	15.02'
L11	N62°17'25"E	20.00'
L12	S45°17'50"E	2.14'
L13	S48°41'15"E	17.64'
L14	S48°41'15"E	17.04'

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	100.00'	21.63'	123°33'36"	N77°58'58"W	31.59'
C2	312.00'	65.34'	102°17'17"	N78°43'30"W	48.48'
C3	320.00'	1.31'	0°13'37"	S20°11'11"E	1.31'
C4	25.00'	16.37'	150°39'38"	S65°07'10"E	46.37'
C5	45.00'	28.66'	264°41'31"	S44°32'24"W	64.37'
C6	25.00'	31.75'	72°40'01"	S62°23'00"W	38.65'
C7	400.00'	182.16'	238°00'00"	N53°00'00"W	384.65'
C8	400.00'	178.38'	232°23'35"	N53°00'00"W	378.88'
C9	370.00'	33.49'	51°11'15"	N63°54'34"W	33.46'
C10	370.00'	103.71'	180°33'35"	N63°54'34"W	103.37'
C11	370.00'	17.37'	2°17'23"	N44°53'32"W	17.37'
C12	370.00'	56.10'	104°00'00"	N47°11'17"W	56.01'
C13	370.00'	98.87'	151°49'47"	N40°47'45"W	98.59'
C14	100.00'	21.63'	123°33'36"	S65°07'10"E	31.59'
C15	430.00'	53.82'	71°01'15"	N68°17'08"W	53.78'
C16	430.00'	76.41'	107°05'54"	N68°17'08"W	76.31'
C17	430.00'	32.14'	89°53'37"	N49°52'40"W	32.11'
C18	430.00'	16.22'	2°09'40"	N49°52'40"W	16.25'
C19	430.00'	74.12'	89°23'39"	N39°08'11"W	74.03'
C20	430.00'	67.81'	89°23'39"	N39°08'11"W	67.74'
C21	430.00'	21.47'	25°14'05"	N25°42'54"W	21.47'
C22	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C23	265.00'	59.68'	125°41'13"	N43°08'57"W	59.35'
C24	40.00'	25.65'	35°44'31"	S44°32'24"W	25.31'
C25	30.00'	28.54'	87°24'58"	S44°32'24"W	28.39'
C26	350.00'	0.95'	0°03'37"	N20°14'09"W	0.95'
C27	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C28	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C29	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C30	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C31	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C32	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C33	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C34	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C35	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C36	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C37	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C38	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C39	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C40	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C41	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C42	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C43	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C44	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C45	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C46	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C47	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C48	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C49	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C50	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C51	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'
C52	30.00'	17.37'	2°09'40"	N49°52'40"W	17.09'
C53	30.00'	31.97'	81°03'30"	N22°15'05"E	31.97'



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Jacksonville, Florida 32207
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DOTS JURISDICTIONAL WETLANDS
HATCHED UPLAND BUFFER (NATURAL VEGETATIVE UPLAND BUFFER)



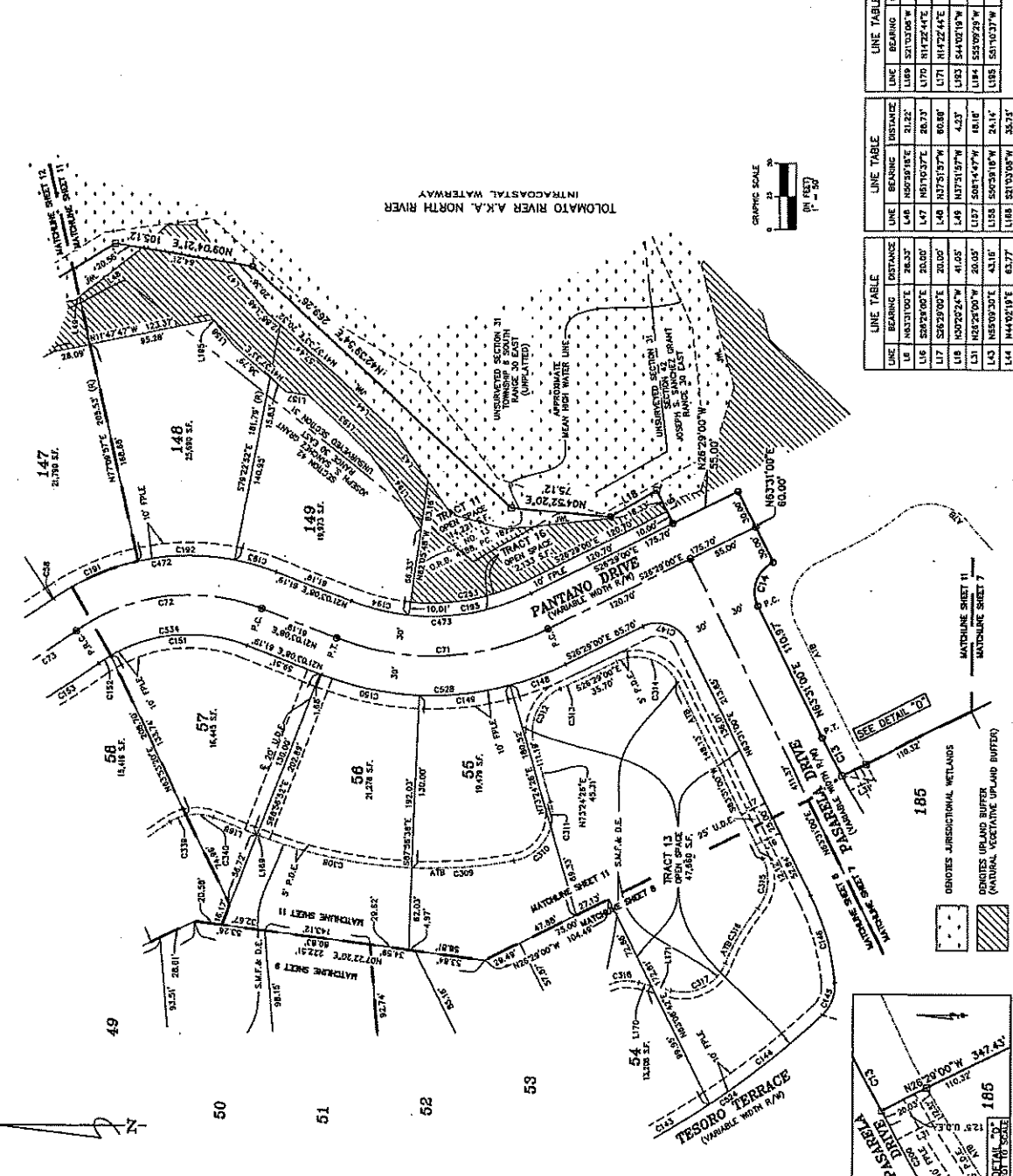
Madeira At St. Augustine Phase 1C

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSERVED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

MAP BOOK PAGE

SHEET 11 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

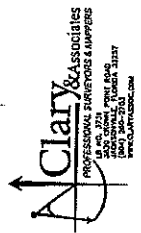
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C13	832.00'	32.40'	239.14'	N02°02'33"E	32.40'
C14	24.00'	34.37'	90°00'00"	S71°29'00"E	34.36'
C58	70.00'	1.37'	0°05'07"	S81°16'21"E	1.37'
C71	200.00'	10.87'	4°23'08"	S02°45'56"E	10.82'
C72	150.00'	14.97'	5°22'23"	N07°06'09"E	14.17'
C73	600.00'	126.53'	91°14'	S29°43'02"E	126.48'
C145	823.00'	75.15'	6°48'37"	S20°15'48"E	75.14'
C144	833.00'	108.87'	9°50'52"	S28°39'42"E	108.80'
C143	34.00'	24.07'	24°07'	S71°07'47"	24.08'
C146	182.00'	66.55'	21°34'44"	N71°16'33"E	66.14'
C147	24.00'	39.27'	90°00'00"	N02°10'00"E	39.36'
C148	200.00'	41.70'	11°00'10"	S25°45'55"E	44.83'
C149	200.00'	68.86'	17°21'11"	S28°20'44"E	69.39'
C150	200.00'	79.28'	10°54'47"	S11°33'15"W	76.91'
C151	120.00'	107.26'	5°17'29"	N64°33'11"W	103.79'
C152	120.00'	16.82'	5°02'54"	N22°44'27"E	10.81'
C153	820.00'	64.35'	4°28'12"	S23°03'15"E	64.24'
C154	180.00'	70.85'	22°29'21"	N43°04'44"W	70.20'
C155	180.00'	73.88'	22°27'11"	N07°06'27"W	73.17'
C156	180.00'	32.78'	10°26'00"	N15°06'08"E	32.73'
C157	170.00'	45.32'	19°29'28"	S12°25'54"W	45.39'
C158	170.00'	55.92'	32°11'46"	S10°23'08"E	49.37'
C159	160.34'	66.50'	33°09'07"	S02°27'18"E	66.38'
C200	360.00'	119.38'	10°58'47"	S11°33'15"W	118.81'
C201	360.00'	78.33'	12°27'58"	S04°10'28"E	76.17'
C210	35.00'	39.82'	68°04'47"	S43°00'01"E	37.60'
C211	35.00'	18.94'	31°05'10"	N68°54'31"E	18.21'
C212	35.00'	50.56'	87°46'09"	S51°10'07"E	48.30'
C213	240.00'	11.38'	2°42'35"	S22°07'47"E	11.58'
C214	35.00'	54.68'	90°00'00"	S18°31'00"W	48.50'
C215	35.00'	26.78'	68°08'58"	N42°53'22"W	27.67'
C216	187.00'	48.43'	10°27'00"	N59°40'24"W	48.26'
C217	35.00'	50.51'	87°21'45"	N02°46'00"W	46.09'
C218	35.00'	24.98'	40°51'44"	N08°03'08"W	24.44'
C219	35.00'	12.25'	21°35'17"	S23°05'45"E	13.15'
C246	35.00'	20.35'	20°39'14"	S04°23'31"W	20.07'
C472	180.00'	171.11'	56°22'53"	S07°08'06"E	170.60'
C473	170.00'	141.64'	47°32'00"	S22°42'30"E	137.03'
C204	520.00'	168.85'	17°06'08"	S10°02'04"E	167.95'
C205	230.00'	190.82'	47°35'00"	N02°42'45"W	185.39'
C234	120.00'	118.07'	58°22'33"	N07°06'08"W	113.37'



LINE	BEARING	DISTANCE
L18	N03°31'00"E	26.32'
L19	S01°03'00"W	1.68'
L20	S11°22'44"E	0.86'
L21	N14°22'44"E	13.57'
L22	S44°02'19"W	60.81'
L23	S53°09'25"W	67.77'
L24	S51°16'37"W	1.01'

LINE	BEARING	DISTANCE
L48	N05°30'15"E	21.22'
L49	S11°03'00"W	1.68'
L50	S11°22'44"E	0.86'
L51	N14°22'44"E	13.57'
L52	S44°02'19"W	60.81'
L53	S53°09'25"W	67.77'
L54	S51°16'37"W	1.01'

LINE	BEARING	DISTANCE
L18	N03°31'00"E	26.32'
L19	S01°03'00"W	1.68'
L20	S11°22'44"E	0.86'
L21	N14°22'44"E	13.57'
L22	S44°02'19"W	60.81'
L23	S53°09'25"W	67.77'
L24	S51°16'37"W	1.01'



Madeira At St. Augustine Phase 1C

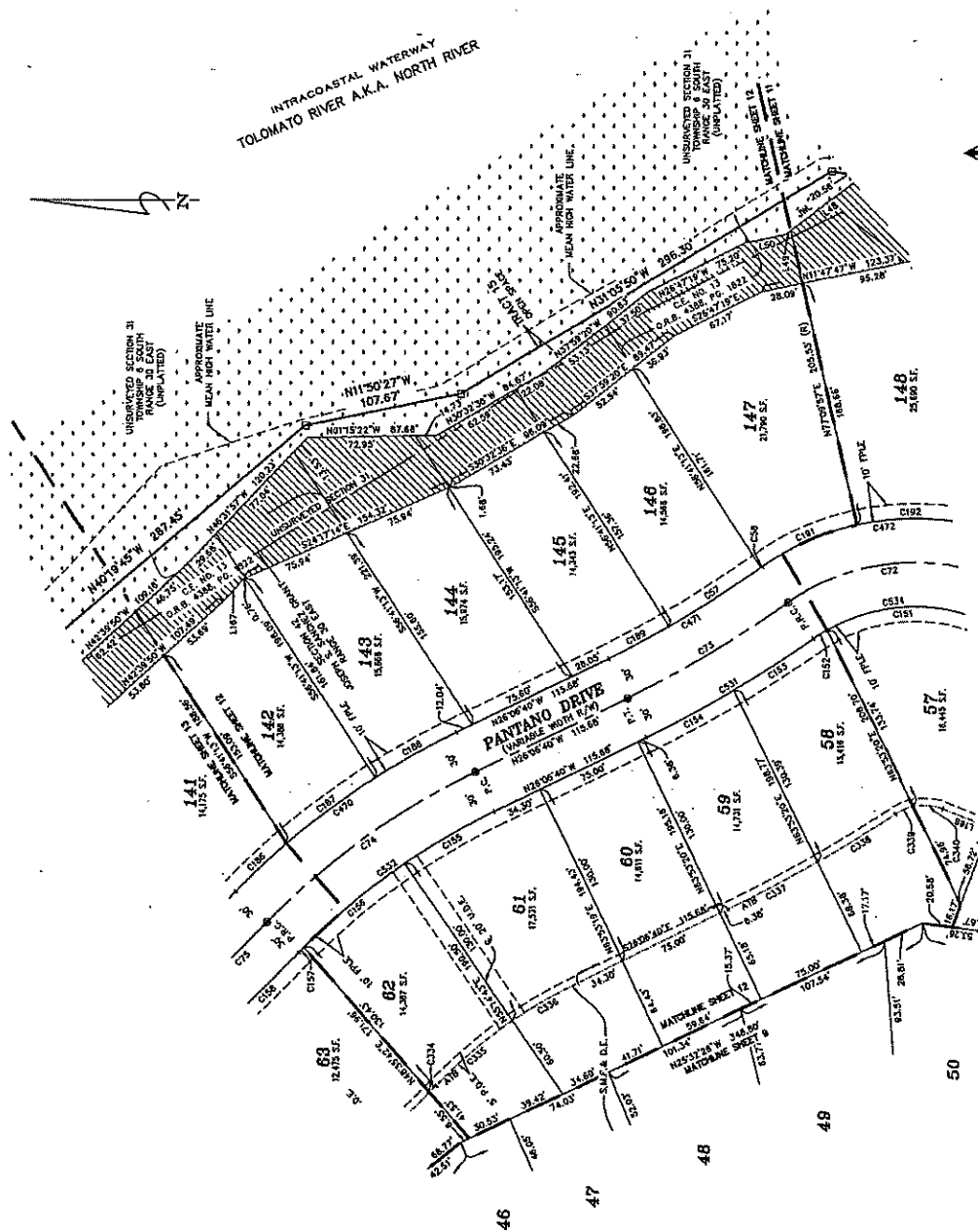
MAP BOOK PAGE

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

SHEET 12 OF 14 SHEETS
SEE SHEET 3 FOR GENERAL NOTES & LEGEND

LINE	BEARING	DISTANCE
146	N17°31'57"W	60.66'
148	N17°31'57"W	4.32'
150	N17°47'49"W	24.33'
147	S84°31'40"E	21.85'
149	S21°03'08"W	32.75'

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C57	770.00'	75.64'	5°30'00"	S32°25'47"E	75.01'
C58	770.00'	1.37'	0°00'00"	S39°15'21"E	1.37'
C72	130.00'	142.85'	56°22'33"	N07°08'05"W	141.71'
C73	800.00'	728.83'	97°21'44"	S30°43'02"E	128.49'
C74	500.00'	175.68'	20°07'55"	N38°10'30"W	174.79'
C75	1250.00'	480.88'	22°02'44"	S35°13'17"E	478.00'
C151	130.00'	107.28'	51°12'38"	N04°35'11"W	103.28'
C152	130.00'	10.82'	5°09'54"	S22°44'37"W	10.81'
C153	830.00'	84.75'	4°28'12"	S33°03'18"E	84.74'
C154	830.00'	65.70'	4°44'32"	S28°26'56"E	65.68'
C155	470.00'	70.80'	8°36'37"	N00°25'50"W	70.84'
C156	470.00'	88.81'	10°54'42"	N00°12'38"W	88.37'
C157	470.00'	4.24'	0°21'40"	N45°27'19"W	4.24'
C158	1250.00'	70.40'	3°09'01"	S44°43'07"E	70.38'
C159	530.00'	47.78'	9°09'58"	N43°39'41"W	47.77'
C160	530.00'	75.22'	8°07'54"	N37°00'45"W	73.95'
C161	530.00'	63.23'	8°50'08"	N09°31'44"W	63.19'
C162	770.00'	42.40'	3°01'34"	S27°52'08"E	42.39'
C163	160.00'	70.85'	22°22'21"	N24°04'44"W	72.89'
C164	160.00'	73.66'	23°27'11"	N01°05'27"W	73.17'
C324	1410.00'	5.36'	0°15'16"	S48°07'01"E	5.26'
C325	340.00'	68.15'	11°29'22"	S40°29'59"E	68.07'
C326	340.00'	51.24'	8°36'37"	S30°25'58"E	51.24'
C327	800.00'	88.88'	4°09'58"	S38°39'31"E	88.84'
C328	950.00'	62.22'	3°42'48"	S31°19'00"E	62.30'
C329	35.00'	13.25'	21°39'17"	S23°05'45"E	13.15'
C330	35.00'	20.35'	37°19'14"	S04°52'51"W	20.07'
C470	520.00'	165.24'	20°07'55"	S35°10'30"E	165.26'
C471	770.00'	124.87'	9°12'44"	S20°43'02"E	124.87'
C472	180.00'	177.11'	56°22'33"	S07°08'05"W	176.05'
C531	830.00'	133.45'	9°12'44"	N00°10'02"W	133.31'
C532	470.00'	154.15'	10°07'59"	N45°10'39"W	154.30'
C534	120.00'	118.07'	56°22'33"	N07°08'05"W	115.37'



Alclary & Associates
PROFESSIONAL SURVEYORS & APPRAISERS
14 NW 27th Avenue, Suite 200
St. Augustine, Florida 32057
813.226.1234
WWW.ALCLARY.COM

LEGEND:
 DENOTES ARTERIAL WETLANDS
 DENOTES UPLAND BUFFER (NATURAL VEGETATIVE UPLAND BUFFER)

GRAPHIC SCALE:
 0 20 40 FEET
 0 20 40 METERS

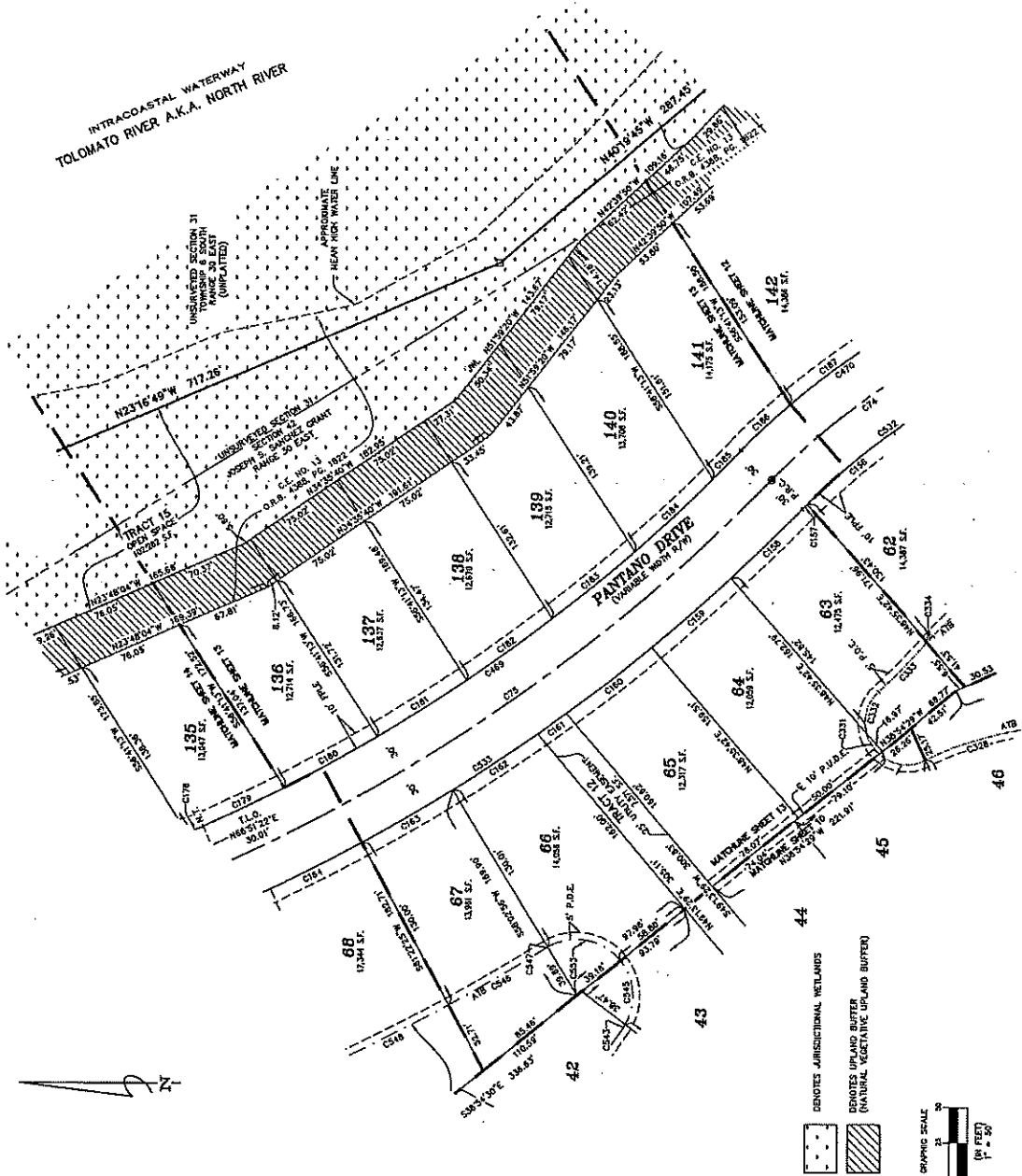
Madeira At St. Augustine Phase 1C

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSERVED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

MAP BOOK PAGE

SHEET 13 OF 14 SHEETS
SEE SHEET 3 FOR CORDIAL NOTES A LEGEND

CURVE TABLE					CHORD
CURVE	RADIUS	LENGTH	DELTA	BEARING	
C74	500.00'	178.85'	200.75°	N45°10'33"W	174.79'
C75	1520.00'	480.96'	223.04°	S35°13'17"E	478.00'
C76	1520.00'	61.51'	10°54'42"	N40°12'36"W	60.37'
C77	470.00'	43.4'	0°34'46"	N45°37'19"W	42.4'
C78	1520.00'	70.40'	3°29'04"	S44°40'07"E	70.39'
C79	1520.00'	75.01'	3°21'28"	S41°42'51"E	75.00'
C80	1520.00'	76.30'	3°25'06"	S39°10'33"E	76.37'
C81	1520.00'	26.10'	10°72'4"	S35°45'18"E	26.10'
C82	1520.00'	72.65'	3°14'32"	S33°14'18"E	72.62'
C83	1520.00'	74.27'	3°19'23"	S30°17'19"E	74.28'
C84	1520.00'	82.89'	3°42'54"	S28°46'08"E	82.89'
C85	1520.00'	12.63'	8°49'54"	S20°10'09"E	12.62'
C86	1520.00'	63.27'	2°58'18"	S23°42'39"E	63.27'
C87	1520.00'	75.25'	3°35'59"	S20°57'45"E	75.25'
C88	1520.00'	75.02'	3°31'24"	S22°29'27"E	75.01'
C89	1520.00'	75.10'	3°31'36"	S19°00'37"E	75.08'
C90	1520.00'	74.48'	3°32'38"	S33°33'04"E	75.45'
C91	1520.00'	76.12'	3°24'30"	S43°30'38"E	76.11'
C92	1520.00'	26.60'	1°20'44"	S45°51'47"E	26.61'
C93	530.00'	47.28'	5°09'37"	N45°29'41"W	47.27'
C94	530.00'	75.22'	8°07'54"	N43°00'45"W	75.16'
C95	530.00'	76.89'	17°28'09"	N17°29'56"W	76.30'
C96	530.00'	17.33'	32°08'01"	N68°55'51"E	17.00'
C97	30.00'	31.01'	61°09'34"	S71°32'52"E	30.52'
C98	110.00'	49.25'	2°00'48"	S44°58'59"E	49.24'
C99	110.00'	5.20'	0°15'18"	S46°07'01"E	5.20'
C100	1520.00'	468.86'	227°10'10"	S35°14'24"E	468.96'
C101	530.00'	186.24'	20°07'50"	S35°10'39"E	185.26'
C102	470.00'	105.19'	20°07'50"	N38°10'59"W	104.30'
C103	1520.00'	582.89'	20°05'45"	N33°11'46"W	577.86'
C104	40.00'	4.51'	8°30'12"	N58°51'37"W	4.54'
C105	40.00'	47.89'	88°44'51"	S85°27'38"W	45.17'
C106	1416.00'	81.01'	3°17'31"	S39°13'52"E	81.00'
C107	40.00'	0.60'	1°09'05"	S31°30'34"E	0.60'
C108	110.00'	92.51'	3°45'37"	S28°44'17"E	92.49'
C109	40.00'	57.15'	0°15'13"	S10°09'45"W	52.41'



Madeira At St. Augustine Phase 1C

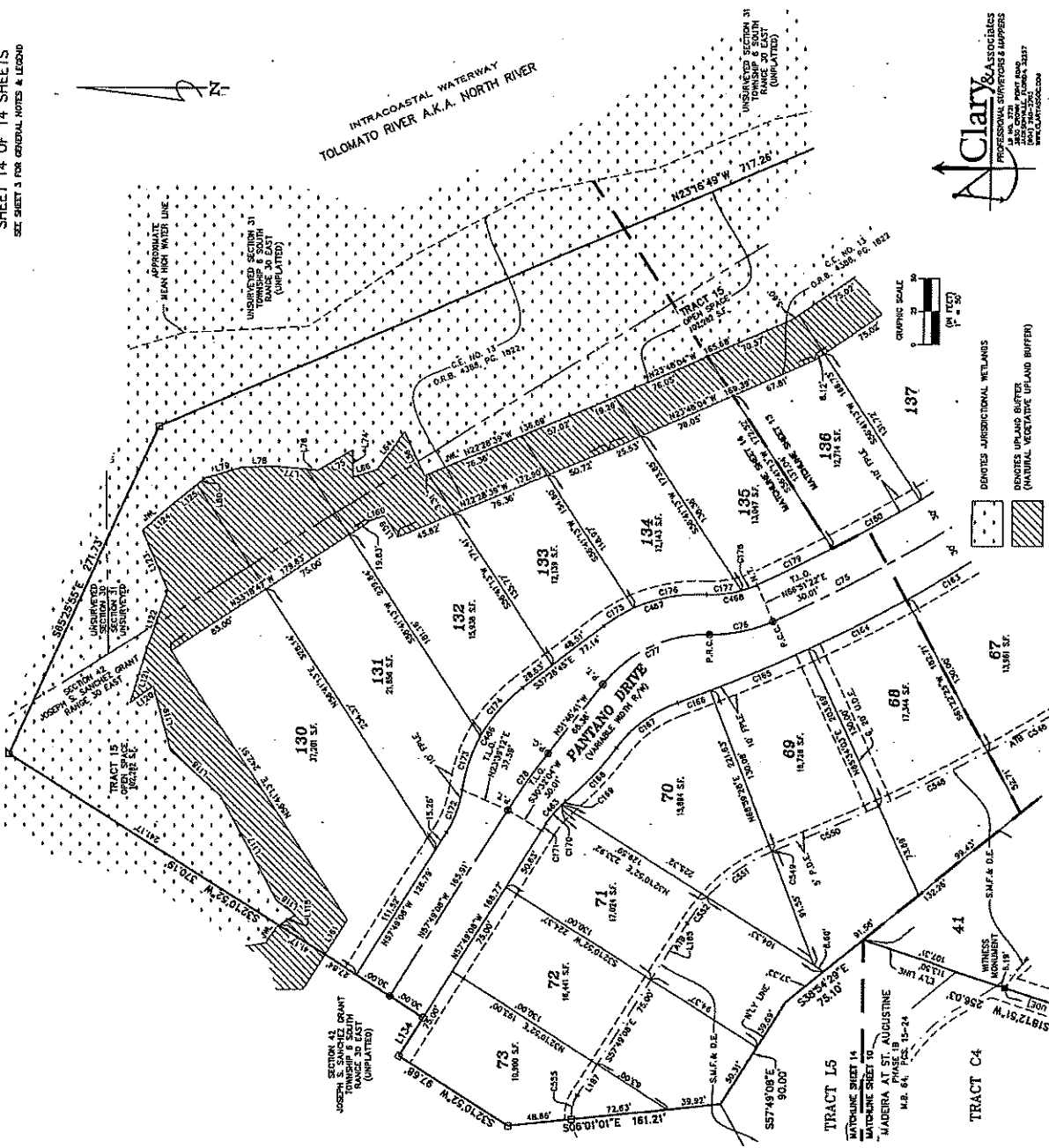
MAP BOOK PAGE

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSERVED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

SHEET 14 OF 14 SHEETS
SEE SHEET 3 FOR ORIGINAL NOTES & LEGEND

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C15	1250.00'	480.98'	2202'44"	478.00'
C16	1120.00'	493.3'	2050'00"	488.6'
C17	1100.00'	51.01'	52'39"48"	102'26"47"78"
C18	500.00'	52.72'	60'22'37"	104'47'54"78"
C19	1280.00'	72.43'	31'43'32"	133'34'19"78"
C20	1280.00'	74.57'	31'59'28"	135'07'19"78"
C21	1280.00'	82.95'	34'28'54"	138'46'08"78"
C22	1280.00'	80.18'	33'59'21"	133'07'01"78"
C23	1280.00'	86.23'	37'02'37"	140'49'00"78"
C24	1020.00'	98.16'	37'20'13"	156'49'00"78"
C25	243.00'	55.30'	12'54'23"	54'70'10"78"
C26	82.00'	4.37'	30'33'10"	44'28'09"78"
C27	82.00'	18.45'	1'33'28"	46'07'42"78"
C28	82.00'	61.2'	1'17'59"	46'71'05"78"
C29	270.00'	62.00'	34.85'	240'54'7"
C30	118.00'	42.85'	22'51'35"	107'13'07"78"
C31	118.00'	46.85'	23'37'34"	109'17'32"78"
C32	118.00'	28.69'	12'37'38"	103'52'37"78"
C33	118.00'	88.19'	27'17'00"	105'52'37"78"
C34	62.00'	38.51'	16'31'14"	58'28'44"78"
C35	62.00'	12.53'	8'19'34"	52'01'00"78"
C36	1220.00'	83.27'	3'56'18"	53'54'30"78"
C37	1220.00'	75.23'	3'31'34"	52'59'27"78"
C38	1220.00'	76.02'	3'31'34"	52'59'27"78"
C39	62.00'	22.62'	15'56'35"	48'43'21"78"
C40	62.00'	51.62'	44'25'08"	55'43'20"78"
C41	118.00'	62.46'	40'14'26"	57'12'24"78"
C42	82.00'	39.14'	27'20'46"	50'24'31"78"
C43	148.00'	91.00'	31'37'31"	50'16'30"78"
C44	148.00'	92.51'	34'57'33"	52'44'49"78"
C45	148.00'	4.59'	1'32'40"	52'23'07"78"
C46	148.00'	83.36'	3'33'15"	53'16'29"78"
C47	148.00'	39.71'	24'26'18"	53'24'30"78"
C48	148.00'	24.45'	10'01'22"	52'48'27"78"
C49	20.00'	19.17'	36'38'56"	59'07'38"78"

LINE TABLE		
LINE	BEARING	DISTANCE
L101	N 85°28'44"E	38.42'
L102	S 87°15'46"E	21.40'
L103	N 73°06'32"E	40.52'
L104	N 73°06'32"E	40.52'
L105	N 73°06'32"E	40.52'
L106	N 73°06'32"E	40.52'
L107	N 73°06'32"E	40.52'
L108	N 73°06'32"E	40.52'
L109	N 73°06'32"E	40.52'
L110	N 73°06'32"E	40.52'
L111	N 73°06'32"E	40.52'
L112	N 73°06'32"E	40.52'
L113	N 73°06'32"E	40.52'
L114	N 73°06'32"E	40.52'
L115	N 73°06'32"E	40.52'
L116	N 73°06'32"E	40.52'
L117	N 73°06'32"E	40.52'
L118	N 73°06'32"E	40.52'
L119	N 73°06'32"E	40.52'
L120	N 73°06'32"E	40.52'





Ellen Avery-Smith
Attorney at Law

904.825.1615
eaverysmith@rtlaw.com

100 Whetstone Place, Suite 200
St. Augustine, FL 32086

904.398.3911 Main
904.396.0663 Fax
www.rtlaw.com

March 3, 2022

OPINION OF TITLE

VIA ELECTRONIC MAIL

City of St. Augustine
Attn: City Attorney
75 King Street
St. Augustine, Florida 32084

**Re: Proposed Plat of Madeira at St. Augustine Phase 1C
St. Johns County, Florida
Parcel ID Number: 073430-0000
CH20-45/8883855 (67292)**

Dear Sir or Madam:

With the understanding that this Opinion of Title is furnished to City of St. Augustine as an inducement for acceptance of a proposed Plat of Madeira at St. Augustine Phase 1C, covering the real property more fully described in Exhibit "A" attached hereto and made a part hereof (the "Property"), it is hereby certified that I have examined Chicago Title Insurance Company's Plat Property Information Report, Order No. 8883855, dated with an effective date of March 2, 2022, which certified that Chicago Title Insurance Company has searched the records of St. Johns County, Florida through February 25, 2022 at 5:00 p.m.

Based solely upon the foregoing described title information provided by Chicago Title Insurance Company, it is our opinion that as of the date of February 25, 2022, the fee simple title to the above-described real property was vested in:

Ponce Associates, LLC, a Florida limited liability company, by virtue of the Special Warranty Deed recorded in Official Records Book 1836, Page 42, of the Public Records of St. Johns County, Florida; and the Madeira Community Development District, by virtue of the Special Warranty Deed recorded in Official Records Book 5085, Page 1272, as re-recorded in Official Records Book 5096, Page 1090, of the Public Records of St. Johns County, Florida.

Subject to the following encumbrances, liens and other exceptions:

1. **Filed Mortgages:**

- (a) Mortgage Deed and Security Agreement in favor of BankAtlantic dated April 26, 2006 and recorded April 28, 2006 in Official Records Book 2693, Page 222;

Assignment of Rents recorded in Official Records Book 2693, Page 259; as affected by the Mortgage Modification recorded in Official Records Book 3123, Page 160; as assigned to Faircrest Holdings, LLC, a Delaware limited liability company, by the Assignment of Mortgage recorded in Official Records Book 3400, Page 682; and as further affected by Amended and Restated Mortgage, Security Agreement and Financing Statement dated January 10, 2011 and recorded January 21, 2011 in Official Records Book 3400, Page 1381; and affected by the Subordination Agreements recorded in Official Records Book 4616, Page 1043 and Official Records Book 4692, Page 1940, as affected by that certain Joinder and Consent by Mortgagee recorded in Official Records Book 5503, Page 1638.

2. **Filed Construction Liens, Contract Liens and Judgments:** None.
3. **General Exceptions:**
 - (a) Taxes and assessments for the year 2022 and subsequent years.
4. **Special Exceptions:** See Exhibit "B" attached hereto.

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proposed Plat of Madeira at St. Augustine Phase 1C.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 3rd day of March, 2022.

Very truly yours,

ROGERS TOWERS, P.A.

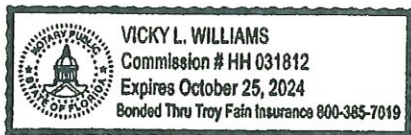
By: 

Name: Ellen Avery-Smith
Florida Bar No. 122874

City of St. Augustine
Madeira at St. Augustine Phase 1C
March 3, 2022
Page 3

STATE OF FLORIDA
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of (check one) ☒ physical presence or ☐ online notarization this 3rd day of March, 2022, by Ellen Avery-Smith, who is personally known to me.



Vicky L. Williams
Notary Public
Print Name: _____
My Commission Expires: _____

EAS/mjf

EXHIBIT "A"

Legal Description of the Property

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTIONS 30 AND 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST SOUTHERLY CORNER OF TRACT C4, AS SHOWN ON THE PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 1B, AS RECORDED IN MAP BOOK 64, PAGES 15 THROUGH 24, INCLUSIVE, OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE SOUTHERLY, WESTERLY, EASTERLY, SOUTHWESTERLY AND SOUTHEASTERLY, ALONG THE EASTERLY LINE OF SAID PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 1B, RUN THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 07°23'50" WEST, 64.94 FEET; COURSE NO. 2: NORTH 71°47'09" WEST, 28.36 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 3: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 21.63 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 77°58'58" WEST, 21.59 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 4: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 217.00 FEET, AN ARC DISTANCE OF 40.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 78°49'38" WEST, 40.48 FEET; COURSE NO. 5: SOUTH 18°12'51" WEST, 115.03 FEET, TO THE ARC OF A CURVE LEADING EASTERLY; COURSE NO. 6: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 332.00 FEET, AN ARC DISTANCE OF 1.51 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 73°01'11" EAST, 1.51 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHERLY; COURSE NO. 7: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 59.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 05°07'10" EAST, 46.37 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 8: SOUTH 62°54'39" WEST, 106.82 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHWESTERLY; COURSE NO. 9: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 45.00 FEET, AN ARC DISTANCE OF 28.86 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 44°32'24" WEST, 28.37 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 10: SOUTH 26°10'08" WEST, 22.21 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHWESTERLY; COURSE NO. 11: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 31.75 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING

AND DISTANCE OF SOUTH 62°33'09" WEST, 29.66 FEET, TO THE ARC OF A CURVE LEADING SOUTHEASTERLY; COURSE NO. 12: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 838.50 FEET, AN ARC DISTANCE OF 273.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 47°52'03" EAST, 272.70 FEET, TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; COURSE NO. 13: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 561.19 FEET, AN ARC DISTANCE OF 337.23 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 31°14'16" WEST, 332.18 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 14: SOUTH 48°27'10" WEST, 698.31 FEET, TO THE EASTERLY LINE OF THE PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 1A, AS RECORDED IN MAP BOOK 63, PAGES 24 THROUGH 31, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE SOUTHERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 15°34'01" EAST, 630.75 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; COURSE NO. 2: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 315.00 FEET, AN ARC DISTANCE OF 197.76 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 33°33'07" EAST, 194.52 FEET; COURSE NO. 3: SOUTH 11°52'15" EAST, 26.40 FEET, TO THE NORTHERLY LINE OF THE PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1, AS RECORDED IN MAP BOOK 102, PAGES 49 THROUGH 61, INCLUSIVE, OF SAID PUBLIC RECORDS, AND THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY AND SOUTHEASTERLY, ALONG LAST SAID LINE RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: EASTERLY ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 440.00 FEET, AN ARC DISTANCE OF 136.41 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 75°50'11" EAST, 135.87 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING EASTERLY; COURSE NO. 2: EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 38.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 68°59'24" EAST, 34.77 FEET; COURSE NO. 3: SOUTH 56°48'54" EAST, 60.49 FEET; COURSE NO. 4: SOUTH 61°55'16" EAST, 264.70 FEET; COURSE NO. 5: SOUTH 32°54'38" EAST, 8.10 FEET; THENCE NORTH 66°04'46" EAST, 95.06 FEET; THENCE NORTH 12°46'53" WEST, 224.51 FEET; THENCE NORTH 01°18'02" EAST, 599.89 FEET; THENCE NORTH 31°30'26" WEST, 262.95 FEET; THENCE NORTH 61°16'47" EAST, 89.13 FEET; THENCE SOUTH 41°41'08" EAST, 382.79 FEET; THENCE NORTH 71°59'38" EAST, 362.57 FEET, TO THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 632.00 FEET, AN ARC DISTANCE OF 66.51 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 29°29'53" EAST, 66.48 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 26°29'00" EAST, 6.37 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 550.00 FEET, AN ARC DISTANCE OF 15.98

FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 25°39'03" EAST, 15.98 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 40.34 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 21°24'15" WEST, 36.10 FEET; THENCE SOUTH 22°05'25" EAST, 50.00 FEET, TO THE ARC OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 42.96 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 63°10'42" EAST, 37.86 FEET; THENCE NORTH 80°07'55" EAST, 54.23 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 250.00 FEET, AN ARC DISTANCE OF 27.52 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 13°01'16" WEST, 27.50 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING NORTHERLY; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 610.00 FEET, AN ARC DISTANCE OF 15.88 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 16°55'13" WEST, 15.88 FEET; THENCE NORTH 72°20'02" EAST, 192.50 FEET; THENCE NORTH 26°29'00" WEST, 347.43 FEET, TO THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 632.00 FEET, AN ARC DISTANCE OF 32.40 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 62°02'53" EAST, 32.40 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 63°31'00" EAST, 110.97 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 39.27 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°29'00" EAST, 35.36 FEET; THENCE NORTH 63°31'00" EAST, 60.00 FEET; THENCE NORTH 26°29'00" WEST, 55.00 FEET; THENCE NORTH 63°31'00" EAST, 28.33 FEET; THENCE NORTH 30°20'24" WEST, 41.05 FEET; THENCE NORTH 04°52'20" EAST, 75.12 FEET; THENCE NORTH 42°39'54" EAST, 269.26 FEET; THENCE NORTH 09°04'21" EAST, 105.12 FEET; THENCE NORTH 31°05'50" WEST, 296.30 FEET; THENCE NORTH 11°50'27" WEST, 107.67 FEET; THENCE NORTH 40°19'45" WEST, 287.45 FEET; THENCE NORTH 23°16'49" WEST, 717.26 FEET; THENCE NORTH 65°25'55" WEST, 271.73 FEET; THENCE SOUTH 32°10'52" WEST, 370.19 FEET; THENCE NORTH 57°49'08" WEST, 33.87 FEET; THENCE SOUTH 32°10'52" WEST, 97.68 FEET; THENCE SOUTH 06°01'01" EAST, 161.21 FEET, TO THE NORTHERLY LINE OF AFORESAID PLAT MADEIRA AT ST. AUGUSTINE PHASE 1B; THENCE SOUTHEASTERLY AND SOUTHERLY, ALONG SAID NORTHERLY LINE OF SAID PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 1B, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 57°49'08" EAST, 90.00 FEET; COURSE NO. 2: SOUTH 38°54'29" EAST, 75.10 FEET; COURSE NO. 3: SOUTH 18°12'51" WEST, 256.03 FEET, TO THE POINT OF BEGINNING.

EXHIBIT "B"

Exceptions

1. Mineral Reservations recorded in Deed Book 241, Page 350; as affected by the Quit-Claim Deed recorded in Official Records Book 738, Page 1267.
2. Assignment of Development Rights recorded in Official Records Book 1836, Page 4.
3. Grant of Easement recorded in Official Records Book 2073, Page 513.
4. Terms, provisions and conditions as set forth in instrument recorded in Official Records Book 2728, Page 784, as affected by Official Records Book 2961, Page 1041 and Official Records Book 2961, Page 1052.
5. Conservation Easement recorded in Official Records Book 2778, Page 50; Official Records Book 2808, Page 1469; Amendment to Conservation Easement recorded in Official Records Book 2928, Page 1234; as affected by Amendment thereto recorded in Official Records Book 4388, Page 1822.
6. Special Assessments due Madeira Community Development District as set out in Notice of Collection Agreement for Special Assessments recorded in Official Records Book 2927, Page 703 and Lien recorded in Official Records Book 2939, Page 781 and Official Records Book 2939, Page 789 and Official Records Book 3322, Page 1786.
7. Notice of Disclosure by Madeira Community Development District as recorded in Official Records Book 3158, Page 553; Amended and Restated Disclosure as set forth by instrument recorded in Official Records Book 4711, Page 1835.
8. Notice of Environmental Resource Permit recorded in Official Records Book 4391, Page 1792.
9. Grant of Access and Drainage Easement recorded in Official Records Book 4894, Page 1.
10. Grant of Non-Exclusive Access Easement recorded in Official Records Book 4894, Page 73.
11. Grant of Access and Drainage Easement recorded in Official Records Book 4924, Page 334.

NOTE: All Taxes for the year 2021 and prior years are paid on the property described in the legal description attached to the Plat Property Information Report and on the plat.

All of the Public Records of St. Johns County, Florida.

March 2, 2022

Addressee:
Board of County Commissioners
Development Services
4020 Lewis Speedway
St. Augustine, Florida

PLAT PROPERTY INFORMATION REPORT

Proposed Plat of: Madeira At St. Augustine Phase 1C

In accordance with Section 177.041, Florida Statutes this will certify that Chicago Title Insurance Company has made a search of the Public Records of St. Johns County, Florida, through February 25, 2022 at 5:00 PM on real property described and shown on the proposed plat which description reads as follows:

See Exhibit A attached hereto for Legal Description

As of the effective date of this report, the record title to the land described and shown on the proposed plat is in the name of Ponce Associates, LLC, a Florida limited liability company by the SWD recorded in Official Records Book 1836, page 42 and Madeira Community Development District, by SWD recorded in Official Records Book 5085, page 1272 re recorded in Official Records Book 5096, page 1090.

The search has revealed the following:

1. Mineral Reservations recorded in Deed Book 241, page 350; as affected by the Quit-Claim Deed recorded in Official Records Book 738, page 1267.
2. Assignment of Development Rights recorded in Official Records Book 1836, page 4.
3. Grant of Easement recorded in Official Records Book 2073, page 513.
4. Mortgage Deed and Security Agreement recorded in Official Records Book 2693, Page 222; Assignment of Rents recorded in Official Records Book 2693, page 259; as affected by the Mortgage Modification recorded in Official Records Book 3123 page 160; as assigned by the Assignment of Mortgage recorded in Official Records Book 3400 page 682; and as further affected by Amended and Restated Mortgage, Security Agreement and Financing Statement recorded in Official Records Book 3400 page 1381 and affected by the Subordination Agreements recorded in Official Records Book 4616, Page 1043 and Official Records Book 4692, Page 1940, as affected by that certain Joinder and Consent by Mortgagee recorded in Official Records Book 5503, Page 1638.
5. Terms, provisions and conditions as set forth in instrument recorded in Official Records Book 2728, page 784 as affected by Official Records Book 2961, page 1041 and Official Records Book 2961, page 1052.
6. Conservation Easement recorded in Official Records Book 2778, page 50; Official Records Book 2808, page 1469; Amendment to Conservation Easement recorded in Official Records Book 2928, page 1234; as affected by Amendment thereto recorded in Official Records Book 4388, page 1822.

7. Special Assessments due Madeira Community Development District as set out in Notice of Collection Agreement for Special Assessments recorded in Official Records Book 2927 page 703 and Lien recorded in Official Records Book 2939 page 781 and Official Records Book 2939 page 789 and Official Records Book 3322 page 1786.
8. Notice of Disclosure by Madeira Community Development District as recorded in Official Records Book 3158, page 553; Amended and Restated Disclosure as set forth by instrument recorded in Official Records Book 4711, page 1835.
9. Notice of Environmental Resource Permit recorded in Official Records Book 4391, page 1792.
10. Grant of Access and Drainage Easement recorded in Official Records Book 4894, page 1.
11. Grant of Non-Exclusive Access Easement recorded in Official Records Book 4894, page 73.
12. Grant of Access and Drainage Easement recorded in Official Records Book 4924, page 334.

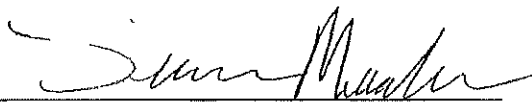
NOTE: All Taxes for the year 2021 and prior years are paid on the property described in the legal description attached to the Plat Property Information Report and on the plat.

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This report is not to be construed as an opinion, warranty, or guarantee of title or other similar assurance, nor as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the above Addressee only, and it may not be used or relied upon by any other party. This Report may not be used for the purpose of issuing a title insurance commitment or policy.

This Report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

File No.: 8883855

By: 

Authorized Signature

Madeira At St. Augustine Phase 1C

NOTES

CONTAINING 80.13 ACRES. MORE OR LESS.

_____ 2022.

LAB. NO. 3731
WYOMING CROWN POINT ROAD JACKSONVILLE FLORIDA 32257

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: March 3, 2022

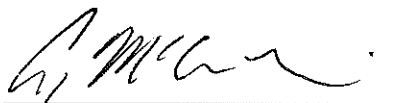
RE: **City Commission Update Regarding Short Term Rental Program**

It is my understanding that at the February 28, 2022, City Commission meeting, a citizen asked for an update of the City's Short Term Rental program specifically related to revenues and expenditures. Please see below and attached for a summary.

City staff reviewed Fiscal Year 2021, which is the timeframe between October 1, 2020 to September 30, 2021 revenues and expenditures, and determined that the Total Revenue generated by Short Term Rentals was \$202,716.92. Within this same timeframe Total Expense related to this program was \$258,168.48.

Based on these numbers for FY 2021 there was a negative difference of \$55,451.56. Additional information related to the budget analysis for this program is attached.

Please place this item on the March 14, 2022 City Commission Consent Agenda for information purposes. If you have any questions, please contact myself or Meredith Breidenstein, Assistant City Manager.



Amy McClure Skinner, AICP
Director, Planning and Building Department

Actual

# of Bedrooms	Actual Bedrooms Registered by # of Bedrooms	Base	Per Bedroom	Total Revenue	
0	31	\$ 9,128.96	\$ -	\$ 9,128.96	
1	95	\$27,975.85	\$ 7,012.06	\$34,987.91	
2	147	\$43,288.94	\$ 21,700.48	\$64,989.42	
3	119	\$35,043.43	\$ 26,350.58	\$61,394.01	
4	37	\$10,895.86	\$ 10,924.05	\$21,819.91	
5	11	\$ 3,239.31	\$ 4,059.61	\$ 7,298.92	
6	3	\$ 883.45	\$ 2,214.33	\$ 3,097.78	
		443	130,455.80	72,261.12	202,716.92

Salary & Benefit Actual	Total Costs FY21 Actual (Salary & Benefit)	Included in Base Rate	Included in Per Bedroom Rate	Program Expense
Fire Inspector	66,841	16,710	50,131	66,841
Code Enforcement	65,308	16,327	48,981	65,308
50% Code Enforc. M	82,145	41,073	-	41,073
Special Magistrate	-	-	-	-
Granicus, LLC	29,276	29,276	-	29,276
50% Admin Staff	63,642	31,821	-	31,821
15% of Director	159,000	23,850	-	23,850
	466,212	159,057	99,112	258,168

Total Revenue	202,716.92
Total Expense	258,168.48
Difference	(55,451.56)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 3, 2022

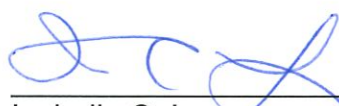
RE: **SMITH V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 02-2022-01-3029 dated March 1, 2022 from Cavendish Partners, P.A. for legal services rendered in February 2022 regarding the Philip Smith v. City of St. Augustine matter.

The amount currently due is **\$3,600.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the March 14, 2022 City Commission meeting.

*{ WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$3,600.00. }*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Richard K. Thibault, Assistant City Attorney
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 03/01/2022

Invoice #: 02-2022-01-3029

Matter: Stampedes Dance Hall Liquor License Lawsuit

File #: 3029

INVOICE TOTAL AND BALANCE DUE \$3,600.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210

St Augustine, FL 32085

Due Date: 03/30/2022

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 02/28/2022 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**