

**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, FEBRUARY 25, 2019 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ❖ Roll Call
- ❖ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

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

- ❖ **3** minutes per individual

5. CONSENT AGENDA – Modification(s); Motion to Approve

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. The Form is available at:

http://www.citystaug.com/document_center/Administration/CityClerk/PresentationSupportServicesRequest04152016.pdf

- A. GENERAL PUBLIC PRESENTATIONS
 - B. ITEMS OF GREAT PUBLIC IMPORTANCE
 - C. OTHER ITEMS REQUIRING PUBLIC HEARING
8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED
- A. ORDINANCES – SECOND READING
- 8.A.1. Ordinance 2019-02:** Amends and updates sections of Chapter 24 of the Code of Ordinances relating to personal mobility devices. (*J. Cary, Assistant City Attorney*).
- B. ORDINANCES – FIRST READING (*ONLY IF REQUIRED BY LAW*)
 - C. RESOLUTIONS – PUBLIC HEARING (*ONLY IF REQUIRED BY LAW*)
9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED
- A. ORDINANCES – FIRST READING
 - B. RESOLUTIONS
10. STAFF REPORTS AND PRESENTATIONS
- 10.A. 91-93 Coquina Avenue** due diligence findings. (*M. Cullum, Director, Public Works*).
 - 10.B. Recycling Strategy** – “Reduce and Reuse” update. (*T. Grant, Deputy Director, Public Works*).

11. ITEMS BY CITY ATTORNEY *(See Consent Agenda also)*

11.A. Sunshine, Public Records and Ethics Minute. No Presentation.
Information provided by the City Attorney's office as an on-going series to keep the Commission abreast of relevant developments.

11.B. 2018 Legislative Bill Tracking information. No Presentation.

12. ITEMS BY CITY CLERK *(See Consent Agenda also)*

13. ITEMS BY CITY MANAGER *(See Consent Agenda also)*

13.A. Updated task tracking list. *(J. Regan, 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.

CONSENT AGENDA – FEBRUARY 25, 2019

CA.1. PREVIEW OF UPCOMING COMMISSION MEETINGS.

- a) THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR 2ND READING ON MARCH 11, 2019: *NONE.*
- b) REMINDER OF UPCOMING MEETINGS:
 - March 11, 2019, 5:00 p.m., Regular Meeting
 - March 25, 2019, 5:00 p.m., Regular Meeting

CA.2. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS: *NONE.*

CA.3. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- Kenneth Wood and Gloria O'Neal – 268 JACKSON BLVD.

CA.4. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). *NONE.*

CA.5. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: *NONE.*

CA.6. Nomination of Les Thomas for the Adelaide Sanchez award for Historic Preservation and Restoration (*J. Valdes, Commissioner*).

CA.7. Invoice in the amount of \$1,537.00 dated January 31, 2019 from Cavendish Partners, P.A. for legal services regarding the Marlowe v. City of St. Augustine matter. (*I. Lopez, City Attorney*).

END OF CONSENT AGENDA

ITEM 8.A.1.

Ord. 2019-02

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: February 12, 2019

RE: **ORDINANCE 2019-02: PERSONAL MOBILITY DEVICES**

Please find attached Ordinance 2019-02, which amends, updates, or repeals multiple sections of the City's traffic code, Chapter 24 of the Code of Ordinances. This is another in a series of ordinance rewrites to modernize the Code of Ordinances, as directed by the City Commission.

The ordinance regulates shared mobility devices. The City Commission placed a moratorium on dockless mobility device sharing programs in December. This ordinance codifies that dockless shared mobility devices are not allowed unless there is a franchise agreement or other contractual relationship in place. This means that they are banned from the city until they are specifically allowed on a case-by-case basis. Furthermore, the ordinance regulates docked shared mobility devices, and charges a fee of \$25 for any shared mobility device that is left unattended in the public areas of the city, including rights-of-way.

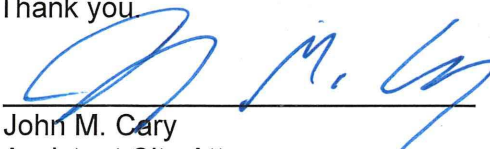
Additionally, this ordinance rewrites provisions relating to personal vehicles that travel on rights-of-way, such as bikes, skateboards, and the like. Most notably, it repeals individual provisions relating to roller skates, skateboards, and bikes, and replaces them with a more orderly scheme that applies to many types of non-automobile vehicles.

The ordinance limits most non-Florida Department of Transportation (FDOT) sidewalks to pedestrians and ADA-assistive devices, unless the sidewalk is at least 8 feet wide, in which case certain mobility devices are allowed, including Segways, bicycles, scooters, e-scooters, and rollerblades and like devices. Unless specifically for ADA purposes, no such devices are allowed on St. George Street, in the Plaza de la Constitucion, or on the seawall south of the Bridge of Lions. The ordinance also creates shared use paths that the City Manager can designate, which will be open to those restricted vehicles. And the ordinance specifically allows devices that are needed to be compliant with the Americans with Disabilities Act. In the event of lost or abandoned mobility devices, police may impound vehicles or devices that are left unattended on public property or the rights-of-way within the city.

The ordinance also limits tour groups on mobility devices. Tours with three or more people and a guide are only allowed on city streets, to the extent that the devices are allowed on the streets in accordance with state law. However, Segway tours are allowed on streets or sidewalks, consistent with state law, as long as they yield to pedestrians.

Please place Ordinance 2019-02 on the regular City Commission agenda for second reading on February 25, 2019.

Thank you



John M. Cary
Assistant City Attorney

Attachment

xc: Tim Burchfield, Assistant City Manager
Isabelle C. Lopez, City Attorney
Darlene Galambos, City Clerk

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE I OF CHAPTER 24 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING DEFINITIONS; REPEALING PROVISIONS RELATING TO RIDING OR LEADING ANIMALS; REPEALING PROVISIONS RELATING TO SKATEBOARDING AND ROLLER SKATING; AMENDING ARTICLE III OF CHAPTER 24 OF THE CODE OF THE CITY OF ST. AUGUSTINE; REPEALING PROVISIONS RELATING TO BICYCLES; RESTRICTING CERTAIN VEHICLES IN CERTAIN AREAS OF THE CITY; REPEALING PROVISIONS RELATING TO THE SALE OF ROLLER SKATES; REPEALING PROVISIONS RELATING TO THE SALE OF BICYCLES; PROVIDING REGULATIONS RELATING TO THE CITY'S PUBLIC SIDEWALKS AND OTHER NON-STREET RIGHTS-OF-WAY; PROVIDING REGULATIONS FOR SHARED MOBILITY DEVICE PROGRAMS; PROVIDING PRESUMPTIONS; PROVIDING REGULATIONS FOR SHARED MOBILITY DEVICE PROGRAM DOCKING STATIONS; PROVIDING FOR IMPOUNDING OF SHARED MOBILITY DEVICES; PROVIDING PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; 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, St. Johns County receives over 6 million visitors per year, millions of which come to downtown St. Augustine; and

WHEREAS, the City of St. Augustine's Historic Town Plan is a National Landmark listed in the Register of Historic Places, and its streetscape and sidewalks are not standardized nor capable of being modified in many areas; and

WHEREAS, the City of St. Augustine welcomes millions of visitors per year into a small and dense space with limited public space, parking, and mobility options; and

WHEREAS, the City of St. Augustine is a small city of approximately 14,000 residents with only 53 sworn police officers; and

WHEREAS, the City of St. Augustine has limited space on City rights-of-way; and

WHEREAS, the City of St. Augustine is committed to keeping the City accessible for the mobility-impaired; and

WHEREAS, the City of St. Augustine strives to keep the City rights-of-way compliant with the Americans with Disabilities Act (ADA) and other federal and state regulations; and

WHEREAS, the City committed to maintaining its historic constrained rights-of-way accessible for residents and visitors using ADA mobility devices in *Access Now Inc. v. City of St. Augustine* by keeping its infrastructure ADA accessible wherever possible; and

WHEREAS, the City of St. Augustine has created a Mobility Department to develop and oversee multi-modal mobility solutions; and

WHEREAS, the City of St. Augustine is subject to the Florida Uniform Traffic Control Law; and,

WHEREAS, the City of St. Augustine has a significant interest in ensuring the public safety and order and in promoting the free flow of pedestrian traffic in city parks, streets, and sidewalks. *Ayres v. City of Chicago*, 125 F. 3d 1010, 1015 (7th Cir. 1997); and

WHEREAS, bicycles and dockless shared mobility devices left unattended and parked or leaned on walls or left on sidewalks creates a hazard to pedestrians and individuals needing access and maneuverability for ADA mobility devices, especially in and around the City's historic Town Plan; and

WHEREAS, the City of St. Augustine desires to study the impacts of dockless shared mobility devices; and

WHEREAS, the City Commission, on December 4, 2018, declared a one-year moratorium on the rental or leasing of dockless shared mobility devices in the City; and

WHEREAS, the City of St. Augustine will use the one-year moratorium period to study and consider possible additional regulations of shared mobility devices; and

WHEREAS, the City of St. Augustine has a significant interest in promoting the safety and convenience of its citizens on public streets and rights-of-way. *Madsen v. Women's Health Center*, 512 U.S. 753, 768 (1994); and

WHEREAS, the City of St. Augustine has a significant interest in the safety and convenience of citizens using public fora such as parks, streets, and sidewalks. *Heffron v. International Soc'y for Krishna Consciousness*, 452 U.S. 640, 650 (1981); and

WHEREAS, the Florida Uniform Traffic Control Law allows municipalities to enact ordinances to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, and electric personal assistive mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law as long as such vehicles are restricted to a maximum speed of 15 miles per hour. *Section 316.008(7)(a), Florida Statutes*; and

WHEREAS, the Florida Uniform Traffic Control Law gives bicycles the same rights and duties applicable to the driver of any other vehicle on city streets, with limited exception. *Section 316.2065(1), Florida Statutes*; and

WHEREAS, the Florida Uniform Traffic Control Law gives cities the power to regulate the operation of bicycles with the reasonable exercise of police power. *Section 316.008(1)(h), Florida Statutes*; and

WHEREAS, the City of St. Augustine does not allow the use of bicycles on sidewalks, in public parks, or on St. George Street between Cathedral Place and the City Gates; and

WHEREAS, the Florida Uniform Traffic Control Law allows electric personal assistive mobility devices, also known as Segways, to operate: on streets where the speed limit is 25 miles per hour or less; on marked bicycle paths; on any street or road where bicycles are permitted; and on sidewalks, as long as the Segway operator yields to pedestrians. *Section 316.2068, Florida Statutes*; and

WHEREAS, the Florida Uniform Traffic Control Law allows municipalities to regulate the operation of Segways on any road, street, sidewalk, or bicycle path under its jurisdiction if the governing body of the municipality determines that the regulation is necessary in the interest of safety; *Section 316.2068, Florida Statutes*; and

WHEREAS, the City of St. Augustine finds that the operation of Segways on narrow sidewalks hinders ADA mobility and the potential for collisions or accidents caused by people attempting to avoid collisions can be unsafe for pedestrians and those who rely on ADA devices for mobility; and

WHEREAS, in *Bates v. City of St. Augustine*, the court agreed that maintaining the free-flow of pedestrians in busy, compact, and constrained historic pedestrian sidewalks and walkways was a legitimate time, place, and manner restriction; and

WHEREAS, the City of St. Augustine finds that abandoned shared mobility devices in the public areas of the city presents a serious threat to the public health, safety, or welfare of the visitors and residents of 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 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. Amendment to Chapter 24, Article I, Section 24-1. Chapter 24, Article I, Section 24-1 is hereby amended, as follows:

Sec. 24-1. - Definitions.

The following words and phrases, when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section. The definitions in F.S. ch. 316 apply to this chapter and are hereby incorporated by reference.

(a) Curb or curbline. The lateral boundaries of that portion of the street designated for the use of vehicles, whether marked by concrete curbing or curbstones, or not so marked.

(b) Pedestrian only shall be defined as including:

(1) Pedestrians, which shall include people using wheelchairs or other ADA-compliant devices;

(2) Authorized government personnel vehicles;

(3) Devices utilized to provide mobility assistance to handicapped or disabled persons consistent with the Americans with Disabilities Act (ADA); or

(4) Permitted construction or maintenance vehicles as necessary.

(c) Shared mobility device. A vehicle other than a motor vehicle, as defined by ch. 316, F.S., such as, but not limited to, a bicycle, motorized or electronic scooters (e-scooters), or another similar device, which may be colloquially known as a micro-mobility device, that is owned by a person other than the person that is utilizing the device, and intended for rental on a short-term, per-ride basis, as part of a shared mobility device program.

(d) Shared mobility device program. A program in which shared mobility devices are made available for shared use to individuals on a short-

term, per ride basis at no cost or for a fee. This definition does not include rentals that are rented from a fixed location where the renter signs a lease for use of a vehicle for a fixed term.

Section 2. Amendment to Chapter 24, Article I, Section 24-3. Chapter 24, Article I, Section 24-3 is hereby amended, as follows:

Sec. 24-3. - Applicability to animals and animal-drawn vehicles.

Every person driving an animal-drawn vehicle upon a roadway is subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions of this chapter which by their nature can have no application. ~~The provisions of this chapter applicable to pedestrians apply to any person riding or leading an animal upon a roadway or the shoulder thereof.~~

Section 3. Repeal of Chapter 24, Article I, Section 24-9. Chapter 24, Article I, Section 24-9 is hereby repealed, as follows:

~~Sec. 24-9. -- Roller skating, skateboarding restricted.~~

- ~~(a) It shall be unlawful for any person to roller skate, skateboard, roller blade/in-line skate, or ride a push scooter or bicycle, on the roadway or on any sidewalk which is a part of that portion of St. George Street north of Cathedral Place and south of the City Gates.~~
- ~~(b) (1) It shall be unlawful for any person to skateboard in the Plaza de la Constitution, or the City Commons or on any sidewalk located in any commercial or historically zoned areas.~~
 - ~~(2) It shall be unlawful for any person to do any of the activities described above on, in or upon the Santo Domingo Redoubt or any historic or re-created historic structure or monument.~~
- ~~(c) Every person engaged in the business of renting or selling roller skates within the boundaries of the city shall keep posted in a conspicuous place or places in and about his place or places of business typewritten or printed notices in substantial compliance with the form prescribed herein eight and one-half inch by eleven-inch paper or cardboard stock which shall be headed "Warning: \$5.00 fine, \$15.00 fine" in letters not less than three-quarter inch high:~~
 - ~~— Warning: Roller skating on any roadway, except while crossing a street on a crosswalk, may constitute a violation of F.S. § 316.2065 and subject the violator to a \$5.00 fine. Obstruction of traffic or endangering the safe movement of vehicles or pedestrians may constitute a violation of F.S. § 316.2045 and subject the violator to a \$15.00 fine. Skating on~~

~~St. George north of Cathedral Place constitutes a violation of City Ordinance No. 80-5 and may subject the violator to a \$15.00 fine.~~

- ~~(d) Violation of subsection (a) or (b) above shall constitute a traffic infraction punishable as provided by F.S. § 318.18(2). Violations of the provisions of subsection (c) hereof shall be punishable as provided in section 1-8 of this Code.~~

Section 4. Amendment to Chapter 24, Article III, Sections 24-106 through 24-111.

Chapter 24, Article III, Sections 24-106 through 24-111 are hereby amended, as follows:

ARTICLE III. – PEDESTRIANS, BICYCLES, AND VEHICLES

Sec. 24-106. - Traffic laws apply to persons riding bicycles Use of sidewalks and certain other rights-of-way.

~~Every person riding a bicycle shall obey the instructions of all traffic control devices and shall be subject to all of the duties of the driver of a vehicle as imposed by this chapter, except as to those provisions of this chapter which by their nature have no application.~~

- (a) All public sidewalks, pedestrian pathways, courtyards, arcades, promenades, seawalls, and boardwalks shall be pedestrian-only except for the following:

(1) Those areas under the control of the federal government or the state of Florida, Department of Transportation (FDOT), in which cases, those regulations shall apply;

(2) Shared use paths, as designated by the City Manager, and marked by signage, shall be open to all restricted vehicles or devices; and

(3) Sidewalks that are at least 8 feet wide, unless such sidewalk is:

a. An internal walkway of the Plaza de la Constitucion, whereby internal walkways do not include the perimeter sidewalk immediately adjacent to, and encircling, the Plaza;

b. Any walkways on or adjacent to St. George Street between Orange Street and Cathedral Place; and

c. The seawall along Avenida Menendez.

- (b) Restricted vehicles or devices shall include:

(1) Electronic Personal Assistive Mobility Devices, regulated pursuant to s. 316.2068, F.S., colloquially known as Segways;

- (2) Bicycles, including, but not limited to, electric bicycles or motorized bicycles;
- (3) Push scooters, roller skates, rollerblades, inline skates, skateboards, and other similar devices without any motorized parts; and
- (4) Electronic or motorized scooters (hereinafter referred to as e-scooters), as defined by the Florida Uniform Traffic Control Law.

(c) Prohibited vehicles or devices shall include:

- (1) Shared mobility devices that have not entered into a valid franchise agreement or other contractual arrangement with the city; and
- (2) Any restricted device when used with a tour guide and at least 3 restricted devices travelling in a group, except:
 - a. On motor vehicle traffic lanes where allowed by the Florida Uniform Traffic Control Law; or
 - b. Consistent with s. 316.2068, F.S., Segways may operate on sidewalks. However, they must yield to pedestrians and allow sufficient space on the sidewalk for pedestrian passage.

(d) If any restricted vehicle or device is specifically permitted to be used on sidewalks or other rights-of-way controlled by the state or federal government and allowed by the Florida Uniform Traffic Control Law (FUTCL), it shall not be a violation of this chapter to do so, notwithstanding the above provisions. Individuals utilizing mobility devices pursuant to the Americans with Disabilities Act (ADA) may operate those devices on any city street, sidewalk, or walkway.

(e) Any restricted vehicles or devices left unattended on public property, including in parks and rights-of-way of the FDOT or the City of St. Augustine may be impounded by the Chief of Police or his or her designee. A restricted vehicle or device is not considered unattended if it is secured in a designated parking area, rack, docking station, or another location or device intended for the purpose of securing such devices.

Sec. 24-107. - Riding on sidewalks prohibited. Operation of a shared mobility device program.

~~No person shall ride or use any bicycle upon any sidewalk upon any of the streets or lanes within the corporate limits of the city.~~

- (a) As used in this article, the "operator" of a shared mobility device program is the owner or the owner's agent of a shared mobility program. No operator of a shared mobility device program shall display, offer, or

make available for rent any shared mobility device within the city, unless the person has a validly-executed franchise or contractual agreement with the city.

- (b) The operator of a shared mobility device program is responsible for maintenance of each shared mobility device.
- (c) Each shared mobility device shall prominently display the operator's company name and contact information, which may be satisfied by printing the company's Uniform Resource Locator (URL) or providing a code to download the company's mobile application.

Sec. 24-108. - ~~Riding in parks or on seawall prohibited.~~ Presumptions.

~~Riding or using any bicycle by any person within, upon, or through any of the public parks of this city, or upon the seawall of the city, is hereby prohibited.~~

- (a) Shared mobility devices that contain a company name or other informal moniker, or a company logo, or a shared color scheme, or any other consistent markings that indicate that the vehicles are a part of a shared mobility device program, are presumed to be the property of the shared mobility device program.
- (b) If two or more shared mobility devices from an operator are found at a particular location within the city, it is presumed that they have been deployed by that operator.
- (a)(c) If the conditions in subsection (a) are met, it is presumed that the operator operates a shared mobility device program.

Sec. 24-109. - ~~Sale — To be sold only by owner or authorized agent.~~ Docking Stations.

~~It shall be unlawful for any person to purchase, sell, barter or trade any bicycle, or any part thereof, in the city, except that such barter, sale or trade of such bicycle or parts thereof may be made and done by the owner or his agent, or some person duly and legally authorized so to do.~~

- (a) The operator shall be responsible for ensuring that docking stations are in working condition.
- (b) Shared mobility devices must be placed in a dock at all times when not in use. No shared mobility device shall be left unattended on public property or rights-of-way except when engaged at a designated parking area, rack, or docking station unless the operator and the City of St. Augustine have specifically provided for a dockless system through the terms of a validly-executed franchise or contractual agreement.
- (c) No shared mobility device docking stations shall be placed in the public areas and/or rights-of-way of the City of St. Augustine except in

locations agreed to by the City Manager or his or her designee, unless locations are specified provided by either a franchise or contractual agreement.

Sec. 24-110. — ~~Same~~ — Statement required; information to be shown. Impounding.

~~It shall be unlawful for any person doing or carrying on a bicycle business, or conducting a junk or secondhand business for the purchase and sale of secondhand bicycles and parts, or other vehicles, to buy, trade, barter or accept any bicycle or part of a bicycle within the corporate limits of the city, without first having obtained from the owner or the duly authorized agent of the owner, a written statement, signed by the owner or the owner's agent, or some person authorized so to do by the owner, such statement shall state how the seller possessed the bicycle, or parts of the bicycle, offered for sale, the date of the sale, the number and make of the bicycle, the color of the bicycle and shall specify any special identification marks on such bicycle. Such statement shall show that the person so selling the bicycle, or part of the bicycle, is duly authorized so to do, as the owner or agent thereof. Any such sale made without such statement is hereby declared a violation of this section and shall be unlawful.~~

- (a) Any shared mobility device left unattended on public property, including in parks and rights-of-way of the FDOT or the City of St. Augustine may be impounded by the Chief of Police or his or her designee. A shared mobility device is not considered unattended if it is secured in a designated parking area, rack, docking station, or another location or device intended for the purpose of securing such devices.
- (b) The owner of the shared mobility device or the operator shall pay a \$25 fee to the St. Augustine Police Department to retrieve the device, in order to offset the administrative expense of impounding and storing the device. This fee is in addition to any other fee or penalty that may be applied for any underlying violation of this article.
- (c) The city shall comply with the lost or abandoned property provisions found in ch. 705, F.S. Additional courtesy holds may be granted at the discretion of the Chief of Police.

Sec. 24-111. - Enforcement and penalties.

- (a) Enforcement. Violations of ~~this article sections 24-106, 24-107 and 24-108~~ shall be enforced as non-criminal infractions of city ordinances.
- (b) Penalties.

- (1) The amount of penalties for violations of ~~sections section 24-106, 24-107 and 24-108~~ shall be as provided for in F.S. § 318.18(3) F.S. § 318.18(1), as amended from time to time.
- (2) Violations of Section 24-107 shall be fined \$250 for an initial offense, and \$500 for any repeat offenses within one year of the last offense by the same operator. Each day of non-compliance shall be a separate offense.
- (3) Violations of Section 24-109 shall be fined \$50 per offense. Each day of non-compliance shall be a separate offense, unless the violation is for an undocked, unattended shared mobility device, in which case each incident is a separate offense, and the shared mobility device may be impounded in accordance with Section 24-110.

Section 5. 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 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 6. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Severance of Invalid Provisions. In the event that any section, subsection, sentence, clause, phrase, word, term or provision of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly invalid, unconstitutional or unenforceable or involved for any reason whatsoever, any such invalidity, unconstitutionality, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, unconstitutional, illegal, or unenforceable section, subsection, sentence, clause, phrase, word, term or provision did not exist.

Section 8. Effective Date. This Ordinance shall become effective immediately upon passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2019.

Nancy E. Shaver, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk

(SEAL)

ITEM 10.A.

Presentation: Due Diligence

CITY OF ST. AUGUSTINE

MEMORANDUM

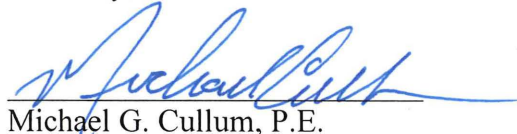
TO: John P. Regan, P.E.
City Manager

DATE: February 19, 2019

RE: Agenda Item for February 25, 2019 City Commission Meeting;
Update of Due Diligence Evaluation for the Purchase of 91 and 93
Coquina Avenue

I would like to present an update on the Due Diligence Evaluation for the Purchase of 91 and 93 Coquina Avenue and request time be allotted for my presentation at the February 25, 2019 meeting, under Item 10, Staff Reports and Presentations

Sincerely,



Michael G. Cullum, P.E.
Public Works Director

cc: COSA Directors

ITEM 10.B.

Presentation: Recycling

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan
City Manager

DATE: February 14, 2019

RE: Agenda Item for February 25, 2019 City Commission Meeting;
Staff Presentation – Solid Waste Services Update

I would like to update the City Commission on the past and current operational changes within the Solid Waste Division.

The presentation will give a brief historical overview of the municipal solid waste and recycling practices, current state of the industry and how the City has adapted to ensure operational expenses have been addressed.

Attached, is a copy of the presentation. Please contact me if you have any questions or need more information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd Grant", is written over a horizontal line.

Todd Grant, P.G.
Public Works Deputy Director

Attachment: Solid Waste Update

cc: COSA Directors



CoSA City Commission

Solid Waste Services Past, Present & Future

February 25, 2019



Collections – 2008-2015



\$16.61/month



**Contracted
Recycling**



**Same Rate
2008-2017**



**Customer
Service ***



Challenges/Accomplishments



Recycling = \$125,000/year

Customer Service vs. Additional City Labor

Tonnage decreasing over 5 year period

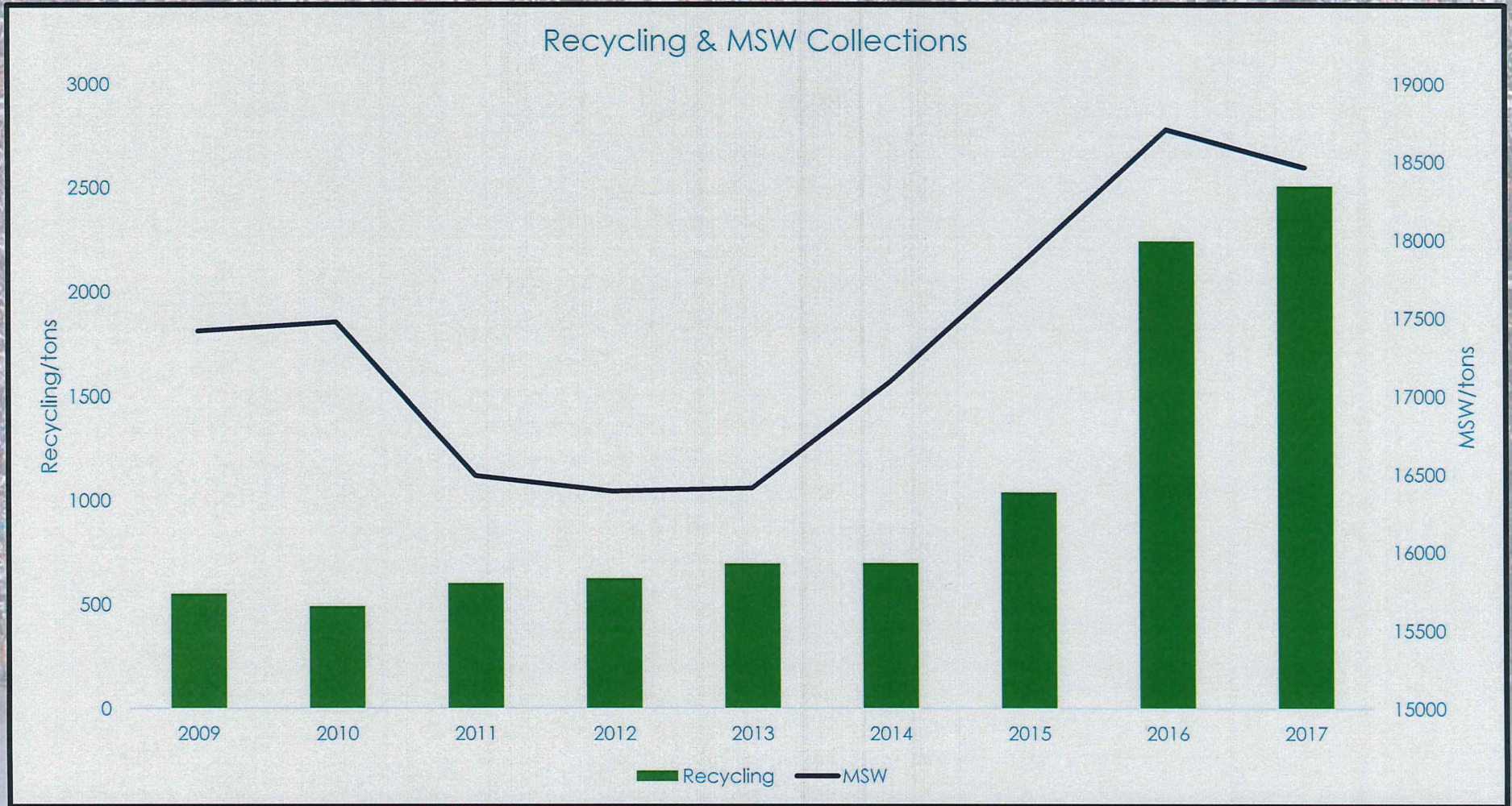
Recycling Coordinator (July 2014)

Pilot Studies = March 2014 - 2015

Public Outreach

December 1, 2015 = 1 x 1 x 1

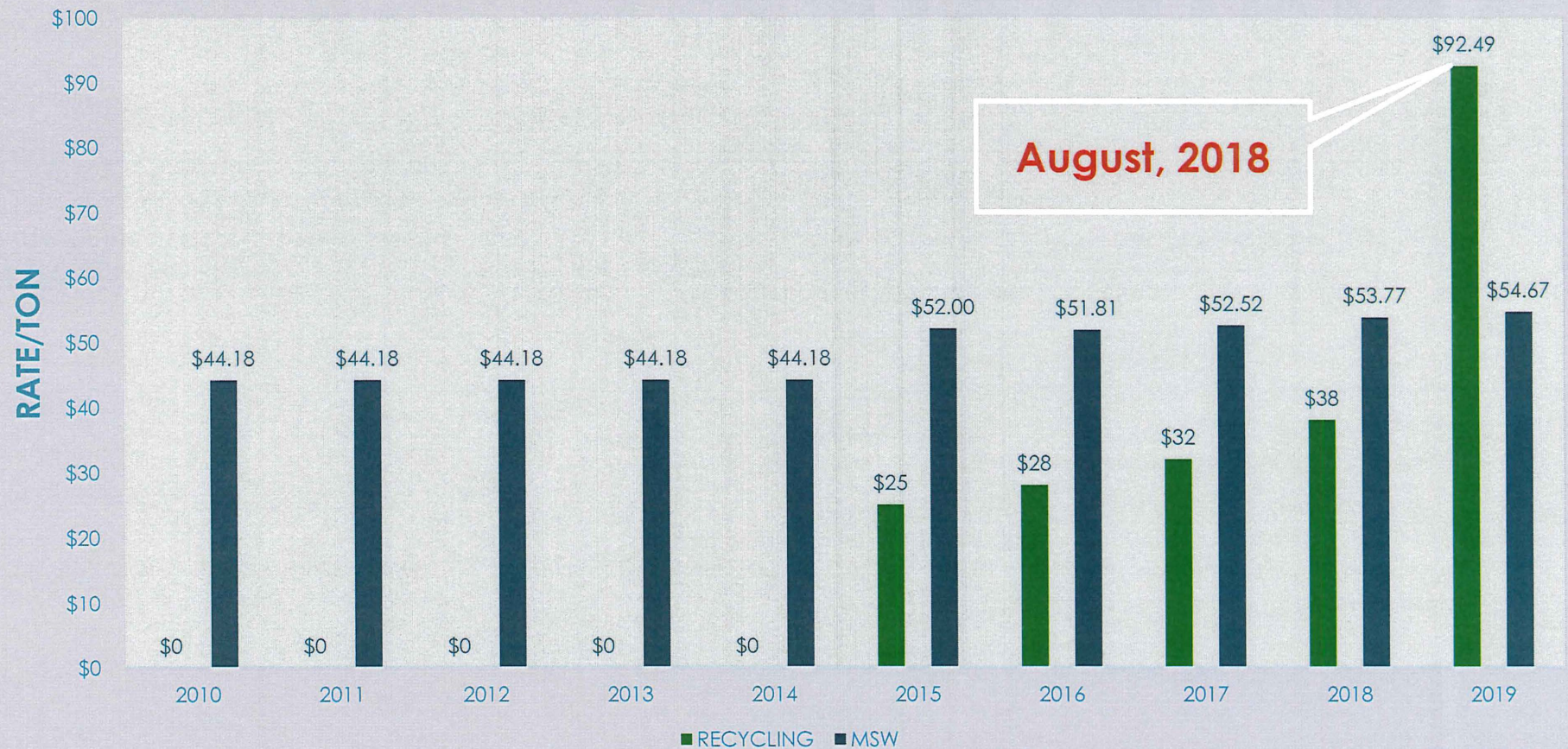
Annual Tonnages



Annual Rates



RECYCLING & MSW RATES



Why the \$ Increase?



**1 Material Recovery Facility – No Contract
Commodity Driven Product**

China is largest consumer

0.5 % Contamination Rule

Impact felt globally

2 Hurricanes

Reserves depleted

2017 - \$0.83/month rate increase

So what are we doing?

**Recycling = 225 tons/month
= \$20,810/month**

**MSW = 440 tons/month
= \$24,000/month**

Exploring Alternative Disposal Site

*** Recycling = \$10,125/month**

*** MSW = \$19,360/month**

*** Annual Savings = ~\$180,000**

Customer Service – No Rate Increase



CITY OF
ST. AUGUSTINE
EST. 1565

The Future

Customer Service
No Rate Increase

Operational Changes
Automated Collection



Organic Waste Collection
Reduction in MSW tonnage
↓ tipping fees



Limit/Eliminate certain recyclables
Suspend recycling collection
Re-educate/public outreach



CITY OF
ST. AUGUSTINE
EST. 1565

Solid Waste Services Past, Present & Future

Comments/Questions



CITY OF
ST. AUGUSTINE.
EST. 1565

ITEM 11.A.
Ethics Minute

Senator Hutson has filed a bill that would allow the Attorney General to investigate whether certain official actions of a City Commission violated state law or the constitution, and file suit if she finds that a violation occurred or is likely to have occurred. This presumably is intended to provide an incentive for local governments to not pass ordinances that are preempted by state law.

Essentially, the bill provides that a state legislator can compel the AG to investigate any ordinance, regulation, order, or other official action taken by the Commission which impacts commerce if the action violates state law or the state Constitution. The bill requires the AG to initiate a civil action in the Circuit Court if she finds a violation occurred or is likely to have occurred. If the Circuit Court issues an order finding a violation, then the city would have 30 days to correct the violation. If it does not do so, then the Department of Revenue would withhold the city's share of state revenues. If the city subsequently complied with the court order, it could then petition the circuit court for an order to restore the funding.

The bill does not yet have a House companion. The City Attorney's office will continue to track this and other legislation that impacts the city throughout the legislative session.

By Senator Hutson

7-00568A-19

2019594__

1 A bill to be entitled
2 An act relating to state shared revenues; creating s.
3 16.63, F.S.; requiring the Attorney General, at the
4 request of one or more members of the Legislature, to
5 investigate whether a certain official action of the
6 governing body of a county or municipality violated
7 state law or the State Constitution; requiring the
8 Attorney General to report his or her findings and
9 conclusions to the Governor, the Legislature, and the
10 Secretary of State; providing requirements if no
11 violation is found; requiring the Attorney General to
12 initiate a civil action for specified relief in the
13 appropriate circuit court against the county or
14 municipality if it finds a violation occurred or is
15 likely to have occurred; requiring, if the circuit
16 court issues an order finding a violation, the
17 governing body of the subject county or municipality
18 timely remedy the violation as provided in the order;
19 authorizing the county or municipality to seek
20 judicial review and a stay of the order; requiring the
21 Attorney General to petition for, and the circuit
22 court to issue, an order directing the Department of
23 Revenue to withhold the share of revenues apportioned
24 to the county or municipality under the Revenue
25 Sharing Act of 1972 and from local government half

26 cent sales tax proceeds if the county or municipality
27 fails to timely comply with the order; providing an
28 exception; authorizing the county or municipality to
29 petition the court for an order to restore amounts
30 withheld under certain circumstances; amending s.
31 218.23, F.S.; specifying requirements for the
32 department in redistributing Revenue Sharing Act of
33 1972 moneys withheld from a county or municipality;
34 amending s. 218.26, F.S.; conforming provisions to
35 changes made by the act; amending s. 218.63, F.S.;
36 specifying requirements for the department in
37 redistributing local government half-cent sales tax
38 moneys withheld from a county or municipality;
39 providing an effective date.
40

41 Be It Enacted by the Legislature of the State of Florida:
42

43 Section 1. Section 16.63, Florida Statutes, is created to
44 read:

45 16.63 Investigation of certain county or municipality
46 official actions for state law or State Constitution violations;
47 process; withholding of certain shared revenues.—

48 (1) At the request of one or more members of the
49 Legislature, the Attorney General shall investigate any
50 ordinance, regulation, order, or other official action adopted
51 or taken by the governing body of a county or municipality which
52 impacts commerce and which the member or members allege violates
53 state law or the State Constitution.

54 (2) Within 30 days after receipt of the request, the
55 Attorney General shall make a written report of findings and
56 conclusions from the investigation and provide a copy of the
57 report to the Governor, the President of the Senate, the Speaker
58 of the House of Representatives, the member or members
59 requesting the investigation, and the Secretary of State. If the
60 Attorney General finds that the official action of the county or
61 municipality did not violate state law or the State

62 Constitution, he or she must close the investigation and may not
63 take further action.

64 (3) If the Attorney General finds that a violation under
65 this section occurred or likely occurred, he or she must
66 initiate a civil action for declaratory or injunctive relief in
67 the circuit court in the circuit in which the county or
68 municipality is located.

69 (4) If the circuit court issues an order finding that a
70 violation of this section occurred, the governing body of the
71 subject county or municipality must remedy the violation within
72 30 days as directed by the order. The county or municipality may
73 seek judicial review and a stay of the order in the district
74 court of appeal having jurisdiction over the circuit court.

75 (5) (a) If the governing body fails to timely remedy the
76 violation as directed by the order or timely appeal the order,
77 the Attorney General shall petition for, and the circuit court
78 shall issue, an order directing the Department of Revenue to
79 withhold the share of revenues apportioned to the county or
80 municipality under parts II and VI of chapter 218. However, if
81 the governing body certifies to the circuit court that any
82 amount withheld is necessary to make any required deposits or
83 payments for debt service on bonds or other long-term
84 obligations of the county or municipality which were issued or
85 incurred before the violation was committed, the order must
86 exempt such amount from the withholding.

87 (b) Upon receiving an order issued under paragraph (a) to
88 withhold a share of revenues apportioned to a county or
89 municipality, the Department of Revenue shall withhold and
90 redistribute state shared revenues as provided in ss. 218.23(5)
91 and 218.63(4).

92 (c) After complying with the order to remedy the violation,
93 the governing body of the county or municipality may petition
94 the circuit court for an order to restore the amounts withheld
95 from the county or municipality.

96 Section 2. Section 218.23, Florida Statutes, is amended to
97 read:

98 218.23 Revenue sharing with units of local government;
99 withholding.—

100 (1) To be eligible to participate in revenue sharing beyond
101 the minimum entitlement in any fiscal year, a unit of local
102 government is required to have:

103 (a) Reported its finances for its most recently completed
104 fiscal year to the Department of Financial Services, pursuant to
105 s. 218.32.

106 (b) Made provisions for annual postaudits of its financial
107 accounts in accordance with provisions of law.

108 (c) Levied, as shown on its most recent financial report
109 pursuant to s. 218.32, ad valorem taxes, exclusive of taxes
110 levied for debt service or other special millages authorized by
111 the voters, to produce the revenue equivalent to a millage rate
112 of 3 mills on the dollar based on the 1973 taxable values as
113 certified by the property appraiser pursuant to s. 193.122(2)
114 or, in order to produce revenue equivalent to that which would
115 otherwise be produced by such 3-mill ad valorem tax, to have
116 received a remittance from the county pursuant to s.
117 125.01(6)(a), collected an occupational license tax or a utility
118 tax, levied an ad valorem tax, or received revenue from any
119 combination of these four sources. If a new municipality is
120 incorporated, the provisions of this paragraph shall apply to
121 the taxable values for the year of incorporation as certified by
122 the property appraiser. This paragraph requires only a minimum
123 amount of revenue to be raised from the ad valorem tax, the
124 occupational license tax, and the utility tax. It does not
125 require a minimum millage rate.

126 (d) Certified that persons in its employ as law enforcement
127 officers, as defined in s. 943.10(1), meet the qualifications
128 for employment as established by the Criminal Justice Standards
129 and Training Commission; that its salary structure and salary
130 plans meet the provisions of chapter 943; and that no law
131 enforcement officer is compensated for his or her services at an
132 annual salary rate of less than \$6,000. However, the department
133 may waive the minimum law enforcement officer salary requirement

134 if a city or county certifies that it is levying ad valorem
135 taxes at 10 mills.

136 (e) Certified that persons in its employ as firefighters,
137 as defined in s. 633.102, meet the qualification for employment
138 as established by the Division of State Fire Marshal pursuant to
139 ss. 633.408 and 633.412 and that s. 633.422 has been met.

140 (f) Certified that each dependent special district that is
141 budgeted separately from the general budget of the local
142 governing authority has met the provisions for annual postaudit
143 of its financial accounts in accordance with the provisions of
144 law.

145

146 Additionally, to receive its share of revenue sharing funds, a
147 unit of local government shall certify to the Department of
148 Revenue that the requirements of s. 200.065, if applicable, were
149 met. The certification shall be made annually within 30 days
150 after ~~of~~ adoption of an ordinance or resolution establishing a
151 final property tax levy or, if no property tax is levied, not
152 later than November 1. The portion of revenue sharing funds
153 which, pursuant to this part, would otherwise be distributed to
154 a unit of local government which has not certified compliance or
155 has otherwise failed to meet the requirements of s. 200.065
156 shall be deposited in the General Revenue Fund for the 12 months
157 after ~~following~~ a determination of noncompliance by the
158 department.

159 (2) Any unit of local government which is consolidated as
160 provided by s. 9, Art. VIII of the State Constitution of 1885,
161 as preserved by s. 6(e), Art. VIII, 1968 revised constitution,
162 shall receive an annual distribution from the Revenue Sharing
163 Trust Fund for Counties equal to \$6.24 times its population.

164 (3) The distribution to a unit of local government under
165 this part is determined by the following formula:

166 (a) First, the entitlement of an eligible unit of local
167 government shall be computed on the basis of the apportionment
168 factor provided in s. 218.245, which shall be applied for all
169 eligible units of local government to all receipts available for

170 distribution in the respective revenue sharing trust fund..

171 (b) Second, revenue shared with eligible units of local
172 government for any fiscal year shall be adjusted so that no
173 eligible unit of local government receives less funds than its
174 guaranteed entitlement.

175 (c) Third, revenues shared with counties for any fiscal
176 year shall be adjusted so that no county receives less funds
177 than its guaranteed entitlement plus the second guaranteed
178 entitlement for counties.

179 (d) Fourth, revenue shared with units of local government
180 for any fiscal year shall be adjusted so that no unit of local
181 government receives less funds than its minimum entitlement.

182 (e) Fifth, after the adjustments provided in paragraphs
183 (b), (c), and (d), and after deducting the amount committed to
184 all the units of local government, the funds remaining in the
185 respective trust funds shall be distributed to those eligible
186 units of local government which qualify to receive additional
187 moneys beyond the guaranteed entitlement, on the basis of the
188 additional money of each qualified unit of local government in
189 proportion to the total additional money of all qualified units
190 of local government.

191 (4) Notwithstanding the provisions of paragraph (1)(c), no
192 unit of local government which was eligible to participate in
193 revenue sharing in the 3 years before ~~prior to~~ initially
194 participating in the local government half-cent sales tax shall
195 be ineligible to participate in revenue sharing solely due to a
196 millage or utility tax reduction afforded by the local
197 government half-cent sales tax.

198 (5) Notwithstanding any provision to the contrary, a unit
199 of local government which is subject to an order withholding an
200 entitlement to shared revenues under s. 16.63(5) is ineligible
201 to participate in revenue sharing under this part, except as
202 otherwise provided in s. 16.63(5)(a), until its eligibility is
203 restored by an order issued under s. 16.63(5)(c). The department
204 shall redistribute the moneys withheld as follows:

205 (a) If the unit of local government is a county, by

206 redistributing its entitlement among all other eligible counties
207 according to the apportionment factor under s. 218.245(1).

208 (b) If the unit of local government is a municipality, by
209 redistributing its entitlement among all other eligible
210 municipalities according to the apportionment factor under s.
211 218.245(2).

212 Section 3. Subsection (3) of section 218.26, Florida
213 Statutes, is amended to read:

214 218.26 Administration; distribution schedule.—

215 (3)(a) Except as provided under s. 218.23(5), the
216 department shall compute the apportionment factors once each
217 fiscal year for use during the fiscal year. The computation
218 shall be made before ~~prior to~~ July 25 of each fiscal year and
219 must ~~shall~~ be based upon information submitted and certified to
220 the department before ~~prior to~~ June 1 of each year.

221 (b) Except in the case of error and except as provided
222 under s. 218.23(5), the apportionment factors must ~~shall, except~~
223 ~~in the case of error,~~ remain in effect for the fiscal year.

224 Section 4. Section 218.63, Florida Statutes, is amended to
225 read:

226 218.63 Participation requirements; withholding.—

227 (1) Only those units of local government which meet the
228 eligibility requirements for revenue sharing pursuant to s.
229 218.23 shall participate in the local government half-cent sales
230 tax. However, a municipality incorporated subsequent to the
231 effective date of chapter 82-154, Laws of Florida, which does
232 not meet the applicable criteria for incorporation pursuant to
233 s. 165.061 shall not participate in the local government half
234 cent sales tax. In either case, distributions to eligible units
235 of local government in that county shall be made as though the
236 nonparticipating municipality had not incorporated.

237 (2) The moneys which otherwise would be distributed
238 pursuant to this part to a unit of local government failing to
239 certify compliance as required by s. 218.23(1) or having
240 otherwise failed to meet the requirements of s. 200.065 shall be
241 deposited in the General Revenue Fund for the 12 months

242 following a determination of noncompliance by the department.

243 (3) A county or municipality may not participate in the
244 distribution of local government half-cent sales tax revenues
245 during the 12 months following a determination of noncompliance
246 by the Department of Revenue as provided in s. 200.065(13)(e).

247 (4) Notwithstanding any provision to the contrary, a unit
248 of local government which is subject to an order withholding an
249 entitlement to shared revenues issued under s. 16.63(5) is
250 ineligible to participate in revenue sharing under this part,
251 except as otherwise provided in s. 16.63(5)(a), until its
252 eligibility is restored by an order issued under s. 16.63(5)(c).
253 The department shall redistribute the moneys withheld as
254 follows:

255 (a) If the unit of local government is a county, by
256 redistributing its portion among all other eligible county
257 governments according to the distribution formula under s.
258 218.62(2).

259 (b) If the unit of local government is a municipality, by
260 redistributing its portion among all other eligible municipal
261 governments according to the distribution formula under s.
262 218.62(3).

263 Section 5. This act shall take effect July 1, 2019.

2018 Florida Legislative Session Bill Tracking

Information provided by
City Attorney's Office
2/15/2019 8:11 AM

Sponsor	Bill Number	Title	Subject	STATUS UPDATES			
Brandes	SB 542	Microbability Devices and Motorized Scooters	Micromobility Devices and Motorized Scooters; Defining the term "micromobility device"; revising the definition of the term "motorized scooter"; authorizing a county or municipality to regulate the operation of micromobility devices and for-hire motorized scooters, subject to certain restrictions; authorizing a county or municipality to require that a person offering micromobility devices or for-hire motorized scooters be licensed; exempting a micromobility device or motorized scooter from certain registration, insurance, and licensing requirements, etc.				
Toledo	HB 453	Micromobility Devices and Motorized Scooters	Micromobility Devices and Motorized Scooters; Authorizes county or municipality to regulate operation of micromobility devices & for-hire motorized scooters; authorizes county or municipality to require licensure; requires proof of certain insurance coverage; provides that regulation of micromobility devices & for-hire motorized scooters is controlled by state & federal law; provides that operator has all rights & duties applicable to rider of bicycle; exempts micromobility device or motorized scooter from certain requirements; provides that person is not required to have valid driver license to operate micromobility device or motorized scooter; authorizes parking on sidewalk; removes requirements for sale of motorized scooters; exempts micromobility devices & motorized scooters from certain emblem requirements.				
Hutson	SB 594	State Shared Revenues	State Shared Revenues; Requiring the Attorney General, at the request of one or more members of the Legislature, to investigate whether a certain official action of the governing body of a county or municipality violated state law or the State Constitution; requiring the Attorney General to report his or her findings and conclusions to the Governor, the Legislature, and the Secretary of State; providing requirements if no violation is found, etc.				
Hutson	SB 350	Impact Fees	Impact Fees; Prohibiting local governments from charging impact fees for certain developments, etc.				
Perry	SB 602	Public Records	Public Records; Prohibiting an agency that receives a request to inspect or copy a record from responding to such request by filing a civil action against the individual or entity making the request, etc.				

2018 Florida Legislative Session Bill Tracking

Information provided by
City Attorney's Office
2/15/2019 8:11 AM

Sponsor	Bill Number	Title	Subject	STATUS UPDATES			
HB 407	HB 407	Public Records	Public Records; Prohibits agency that receives request to inspect or copy record from responding to such request by filing civil action against individual or entity making request.				
Rader	SB 518	Public Meetings	Public Meetings; Specifying that a board or commission of any entity created by general or special law is subject to public meetings requirements; specifying that such a board's or commission's adoption of an ordinance or a code is not binding unless public meetings requirements are met; revising notice requirements applicable to public meetings of such a board or commission, etc.				
Newton	HB 265	Public Meetings	Public Meetings; Specifies that certain boards & commissions are subject to public meetings requirements; revises public meeting notice requirements; provides that member of public has right to speak at public meeting; requires members of board or commission to respond to questions made at public meetings within a specified timeframe; repeals provision relating to reasonable opportunity to be heard at public meetings; provides penalties.				
Gruters	SB 144	Impact Fees	Impact Fees; Revising the minimum requirements for impact fees adopted by a local government; exempting water and sewer connection fees from the Florida Impact Fee Act, etc.				
Donalds	HB 207	Impact Fees	Impact Fees; Revises minimum requirements for adoption of impact fees by specified local governments; authorizes prevailing party to recover attorney fees under certain circumstances; exempts water & sewer connection fees from Florida Impact Fee Act.				
Rouson	SB 54	Possession of Real Property	Possession of Real Property; Repealing provisions relating to a governmental entity's establishment of recreational customary use on a portion of a beach above the mean high-water line on private property, etc.				

2018 Florida Legislative Session Bill Tracking

Information provided by
City Attorney's Office
2/15/2019 8:11 AM

Sponsor	Bill Number	Title	Subject	STATUS UPDATES			
Bradley	SB 82	Vegetable Gardens	Vegetable Gardens; Prohibiting local governments from regulating vegetable gardens on residential properties except as otherwise provided by law; specifying that such regulations are void and unenforceable, etc.				
Local, Federal and Veterans Affairs Subcommitt ee ; Fetterhoff ; (CO- INTRODUCER S) Sabatini	HB 145	Vegetable Gardens	Vegetable Gardens; Prohibits local governments from regulating vegetable gardens on residential properties except as otherwise provided by law; specifies that such local regulations are void & unenforceable.				
Baxley	SB 288	Monuments and Memorials	Monuments and Memorials; Citing this act as the "Soldiers' and Heroes' Monuments and Memorials Protection Act"; revising the definition of "veteran" to include additional periods of military service; prohibiting specified activities concerning remembrances on public property; prohibiting damage to or removal of certain remembrances, etc.				
Hill	HB 97	Monuments and Memorials	Monuments and Memorials; Designates act "Soldiers' and Heroes' Monuments and Memorials Protection Act"; defines "remembrance"; prohibits damage to or removal of certain remembrances; prohibits removal or other specified activities concerning remembrances on public property; grants certain persons standing for enforcement.				
Mayfield	SB 70	State Funds	State Funds; Exempting the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the Legislature, in the General Appropriations Act, to transfer unappropriated cash balances from specified trust funds to the Budget Stabilization Fund and the General Revenue Fund, etc.				

2018 Florida Legislative Session Bill Tracking

Information provided by
City Attorney's Office
2/15/2019 8:11 AM

Sponsor	Bill Number	Title	Subject	STATUS UPDATES			
Governmental Oversight and Accountability ; Hooper	SB 246	Public Construction	Public Construction; Revising the amounts of retainage that local governmental entities and contractors may withhold from progress payments for any construction services contract; revising requirements for Department of Management Services rules governing certain contracts; revising the amounts of retainage that certain public entities and contractors may withhold from progress payments for any construction services contract, etc.				
Andrade	HB 101	Retainage	Retainage; Revises amounts that public entity may withhold from progress payment to contractor as retainage until & after 50-percent completion of construction services; provides that contractor may elect to withhold retainage from payments to its subcontractors at higher rate after 50-percent completion of construction services.				
	SB						
Brandes	SB 622	Traffic Infraction Detectors	Traffic Infraction Detectors; Repealing provisions relating to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations; repealing provisions relating to the authorization to use traffic infraction detectors, etc.				

2018 Florida Legislative Session Bill Tracking

Information provided by
City Attorney's Office
2/15/2019 8:11 AM

Sponsor	Bill Number	Title	Subject	STATUS UPDATES			
Sabatini	HB 6003	Traffic Infraction Detectors	Traffic Infraction Detectors; Repeals provisions relating to Mark Wandall Traffic Safety Program & authorization to use traffic infraction detectors; repeals provisions relating to distribution of penalties, transitional implementation, & placement & installation; conforms cross-references & provisions to changes made by act.				
Flores	SB 426	Firefighters	Firefighters; Granting certain benefits to a firefighter upon receiving a diagnosis of cancer if certain conditions are met; requiring an employer to make certain disability payments to a firefighter in the event of a total and permanent disability; providing for death benefits to a firefighter's beneficiary if a firefighter dies as a result of cancer or cancer treatments, etc.				
	HB						
Gruters	SB 432	Employment Conditions	Employment Conditions; Prohibiting a political subdivision from establishing, mandating, or otherwise requiring an employer to offer conditions of employment not otherwise required by state or federal law; specifying that certain requirements related to minimum wage and other conditions of employment are expressly preempted to the state, etc.				
Albritton	SB 628	Water Resources	Water Resources; Revising requirements for the Office of Economic and Demographic Research's annual assessment of this state's water resources and conservation lands; requiring the office to consult with the Department of Environmental Protection; requiring the assessment to be submitted to the Legislature by a specified date, etc.				

2018 Florida Legislative Session Bill Tracking

Information provided by
City Attorney's Office
2/15/2019 8:11 AM

Sponsor	Bill Number	Title	Subject	STATUS UPDATES			
Gruters	SB 216	Water Quality Improvements	Water Quality Improvements; Providing an appropriation for certain projects related to the Indian River Lagoon Comprehensive Conservation and Management Plan; requiring each wastewater facility that unlawfully discharges sewage into a waterway or aquifer to notify its customers within a specified period; providing penalties for wastewater treatment facilities that unlawfully discharge sewage into designated areas, etc.				
Fine	HB 141	Water Quality Improvements	Water Quality Improvements; Provides appropriation for certain projects related to Indian River Lagoon Comprehensive Conservation & Management Plan; authorizes DEP, with other specified entities, to provide grants for such projects; directs DEP to submit an annual report; requires each wastewater facility that unlawfully discharges sewage into waterway or aquifer to notify its customers; provides penalties.				
Hutson	SB 588	Single-use Plastic Straws	Single-use Plastic Straws; Providing that a food service establishment may distribute a single-use plastic straw to a customer only if requested to do so by the customer; providing exceptions; providing that a food service establishment may make single-use plastic straws available through self-serve straw dispensers, etc.				
Sabatini	HB 603	Single-use Plastic Straws	Single-Use Plastic Straws; Authorizes food service establishments to distribute single-use plastic straw to customers upon request & to make single-use plastic straws available through self-serve straw dispensers; preempts regulation of single-use plastic straws to state.				
Book	SB 240	Sexual Harassment	Sexual Harassment; Creating the Task Force on the Prevention of Sexual Harassment and Misconduct; prohibiting public officers, qualified candidates, agency employees, and lobbyists from sexually harassing any person; providing penalties for lobbyists who violate the prohibition against sexual harassment, etc.				
	SB						

ITEM 13.A.
Task Tracking

CITY OF ST. AUGUSTINE
COMMISSION MEETING TASK TRACKING LIST
AS OF 2/25/2019

Date	Requestor	Request/Comment	Assigned	Comments	Anticipated Completion Date
4/9/2018	Commission	Free parking for residents	Reuben Franklin	Establishment and promotion of free parking in downtown to be coordinated with new parking technology	4/1/2019
8/13/2018	Comm. Sikes-Kline	Thank you to the Contextualization Committee	Darlene Galambos	Staff to determine a proper thank you to the committee	3/1/2019
9/24/2018	Mayor Shaver	Underground electrical utilities update	Mike Cullum	Presentation by FPL on current policies	4/1/2019
9/24/2018	Mayor Shaver	Recycling strategy - Reduce and Reuse programming	Mike Cullum	Initiative to reduce recycled material tonnage - rescheduled	2/25/2019
10/22/2018	Commission	CONTINUING Strategy discussion on Air B&B	Birchim/Lopez	Monthly updates will be provided	5/1/2019
10/22/2018	Commission	Charter amendment review	Darlene Galambos	Workshop scheduled	4/3/2019
12/10/2018		HARB/PZB education of sea level rise	David Birchim	Ongoing process through various programs and workshops	6/1/2019
12/10/2018	Commission	UF/COSA partnership for Colonial Quarter review	John Regan	Completed	2/11/2019
1/14/2019	Comm. Sikes-Kline	Vehicle for Hire	Admin	Review of franchise options	4/1/2019
1/15/2019	Mayor Shaver	Greenspace inventory	David Birchim	Review of greenspace and parks located within the City	4/22/2019
1/14/2019	Comm. Sikes-Kline	Schedule Workshop on Adaptation Plan	Mike Cullum	Workshop scheduled	3/13/2019
2/11/2019	Comm. Valdes	Discussion of noise ordinance and hours of operation	Barry Fox	Review of current ordinance regulations	3/11/2019
1/28/2019	Comm. Sikes-Kline	"Ban the Box"	John Regan	Policy discussion with the Commission	4/8/2019
1/28/2019	Commission	Resolution of support for Operation New Hope	Darlene Galambos	Completed	2/11/2019

**CONSENT
AGENDA**

CONSENT AGENDA – FEBRUARY 25, 2019

CA.1. PREVIEW OF UPCOMING COMMISSION MEETINGS.

- a) THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR 2ND READING ON MARCH 11, 2019: *NONE*.
- b) REMINDER OF UPCOMING MEETINGS:
- March 11, 2019, 5:00 p.m., Regular Meeting
 - March 25, 2019, 5:00 p.m., Regular Meeting

CA.2. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS: *NONE*.

CA.3. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- Kenneth Wood and Gloria O'Neal – 268 JACKSON BLVD.

CA.4. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). *NONE*.

CA.5. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: *NONE*.

CA.6. *Nomination* of Les Thomas for the Adelaide Sanchez award for Historic Preservation and Restoration (*J. Valdes, Commissioner*).

CA.7. *Invoice in the amount* of \$1,537.00 dated January 31, 2019 from Cavendish Partners, P.A. for legal services regarding the Marlowe v. City of St. Augustine matter. (*I. Lopez, City Attorney*).

END OF CONSENT AGENDA

ITEM CA.3.
Release of Lien

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: February 13, 2019

RE: **SATISFACTION AND RELEASE OF MORTGAGE – 268 JACKSON BOULEVARD**

Enclosed is a Satisfaction and Release of Mortgage for 268 Jackson Boulevard regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine, Kenneth Wood, and Gloria O'Neal. The mortgage was recorded in the Public Records of St. Johns County on November 21, 2017. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the February 25, 2019 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

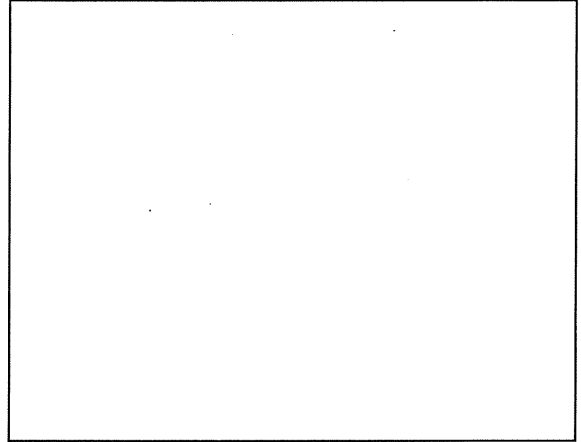
A handwritten signature in black ink, appearing to read 'Isabelle C. Lopez', written over a horizontal line.

Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **KENNETH WOOD and GLORIA O'NEAL**, whose address is 268 Jackson Boulevard, St. Augustine, Florida 32095, their heirs, assigns or successors in title (hereinafter referred to as "Mortgagor"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated October 26, 2017, recorded at Official Records Book 4466, Page 459, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described as follows, to-wit:

DESCRIPTION: **LOTS 1 AND 2, BLOCK 25, JACKSON PARK SUBDIVISION, AS PER PLAT OR MAP RECORDED IN MAP BOOK 3, PAGE 51, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.**

PARCEL ID: **081680-0000**

ADDRESS: **268 JACKSON BOULEVARD, ST. AUGUSTINE, FLORIDA 32095**

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 4466, Page 459, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

***** SIGNATURES APPEAR ON THE FOLLOWING PAGE *****

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this _____ day of _____, 2019.

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

By: _____
Nancy E. Shaver, Mayor

ATTEST:

Darlene Galambos, City Clerk

(S E A L)

.....

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Nancy E. Shaver**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that she executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2019.

Notary Public, State of Florida

(S E A L)

**UNIT CONNECTION FEE
MORTGAGE**

Public Records of St. Johns County, I
Clerk number: 2017079331
BK: 4466 PG: 459
11/21/2017 4:17 PM
Recording \$61.00
Doc M: \$15.75
Int. Tax \$8.90

THIS MORTGAGE, by and between **Kenneth Wood & Gloria O'Neal** whose address is 268 Jackson Blvd. St. Augustine, FL 32095 (hereinafter called "Mortgagor") and **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of \$45.84 for 120 months, with the first payment due December 15, 2017

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this 26th day of October, 2017.

Signed, sealed and delivered in the presence of:

Maxwell Moulton
Witness

Printed Name: Maxwell Moulton

Cori A. Wiles

Witness

Printed Name: Cori A. Wiles

BY:

Kenneth Wood
(Printed Name) Kenneth Wood
(Address) 268 Jackson Blvd.
(Telephone) 904-342-5609

BY:

Gloria O'Neal
(Printed Name) Gloria O'Neal
(Address) 268 Jackson Blvd.
(Telephone) 904-342-5609

* * * NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE * * *

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

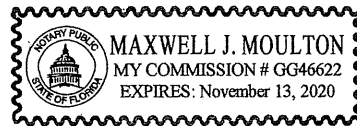
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Gloria O'Neal**, who is personally known to me or who has produced FL Drivers License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 26th day of October, 2017.


Notary Public, State of Florida

STATE OF Florida

COUNTY OF St. Johns



I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Kenneth Wood**, who is personally known to me or who has produced FL Drivers License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 26th day of October, 2017.


Notary Public, State of Florida

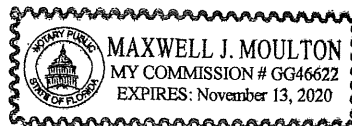


Exhibit "A"

LEGAL DESCRIPTION

Lots 1 and 2, Block 25, JACKSON PARK SUBDIVISION, as per plat or map recorded in Map Book 3, page 51, public records of St. Johns County, Florida.

Strap: 0816800000

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: Kenneth Wood & Gloria O'Neal
ADDRESS: 268 Jackson Blvd.
St. Augustine, FL 32095

\$4,451.60

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at **268 Jackson Blvd. St. Augustine, FL 32095**, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **4,451.60 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **4.36 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **45.84 Dollars**, commencing on **December 15, 2017** and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

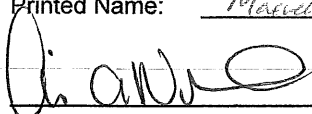
Note: Fl. Stat. 159.17 – Lien of services charges – any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

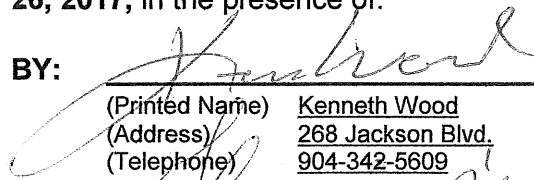
Exhibit "B"

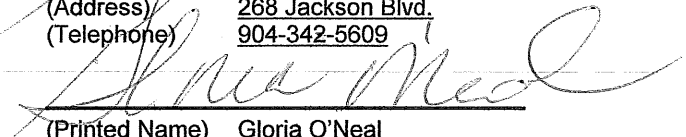
This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of October 26, 2017**, in the presence of:


Witness
Printed Name: Marshall Meulken


Witness
Printed Name: Cori Anniles

BY: 
(Printed Name) Kenneth Wood
(Address) 268 Jackson Blvd.
(Telephone) 904-342-5609

BY: 
(Printed Name) Gloria O'Neal
(Address) 268 Jackson Blvd.
(Telephone) 904-342-5609

* * * NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE * * *

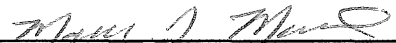
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

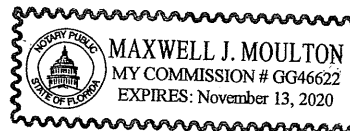
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Gloria O'Neal**, who is personally known to me or who has produced FL Drivers License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 26th day of October, 2017.


Notary Public, State of Florida

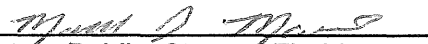
STATE OF Florida

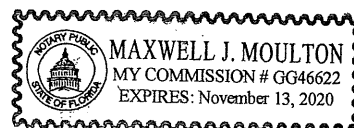
COUNTY OF St. Johns



I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Kenneth Wood**, who is personally known to me or who has produced FL Drivers License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 26th day of October, 2017.


Notary Public, State of Florida



ITEM CA.6.
Nomination of Les Thomas

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, City Manager

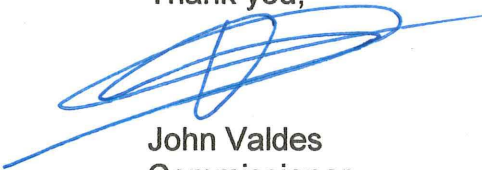
RE: Nomination for the 2019 Adelaide Sanchez Award
for Historic Preservation, Restoration, Education and Interpretation

DATE: February 19, 2019

I am honored to nominate Les Thomas for the Adelaide Sanchez Award for Historic Preservation and Restoration.

In accordance with the process proscribed in Resolution 2017-08, I ask that this nomination be placed on the consent agenda for the February 25 City Commission meeting for consideration and the presentation be scheduled for the first meeting in May, 2019.

Thank you,



John Valdes
Commissioner

LES THOMAS ARCHITECT, INC.
32 CORDOVA ST.
ST. AUGUSTINE, FL 32084
(904)824-9508

RESUME

LES THOMAS, PRINCIPAL

Les Thomas Architect, Inc., established 1984. General architectural practice located in downtown St. Augustine. Emphasis on residential and commercial projects within the Historic District of the City of St. Augustine, St. Johns County, Florida.

EXPERIENCE

Extensive experience in design and all aspects of construction document preparation and construction supervision. Firm includes two CAD operators/draftspersons, administrative assistant, full service professional consultants, including civil, structural, mechanical and electrical engineering. Of particular note is the firm's work in the historically significant city of St. Augustine where projects must comply with strict design and zoning ordinances, meet with the approval of civic review boards as well as public consensus.

COMMUNITY INVOLVEMENT

Member, City of St. Augustine Historic Architectural Review Board
Architect, Vilano Town Center Architectural Review
Past member, past chairman, City of St. Augustine Planning and Zoning Board
Past Member, St. Johns County Cultural Council Board of Directors
Past President, Life Member, St. Augustine Art Association
Member, St. Augustine Historical Society
Past member, Board of Trustees The Whitney Lab, University of Florida
Officer, Model Land Company Neighborhood Association
Founding member, Save Our Bridge Committee
Member, Florida Trust for Historic Preservation

EDUCATION

BACHELOR OF ARCHITECTURE **1970**
University of Florida, Gainesville, Florida
Graduate studies, University of Florida, Venice, Italy

CERTIFICATION

REGISTERED ARCHITECT
NCARB Certificate No. 53644
State of Florida No. AR9242

LES THOMAS ARCHITECT, INC.
32 CORDOVA ST.
ST. AUGUSTINE, FL 32084
(904)824-9508



FLORIDA CRACKER CAFÉ
RESTAURANT AND RETAIL SHOP IN THE STYLE OF
THE 1ST SPANISH PERIOD



HISTORIC DOWN TOWN PARKING FACILITY
Multi-modal Transportation Facility

COMMERCIAL

St. Augustine Pirate & Treasure Museum
City Gates Plaza Retail Complex
St. Augustine Art Association Addition
Moultrie Commons Retail & Warehouse
Sleep-Inn Motel

RESTAURANTS

Mojo's Restaurant
Rhett's Piano Bar
Gypsy Bar and Grille
A1A Ale Works

RESIDENTIAL

Giombetti Residence
Graybeal Residence
Kidd Residence
Pellicer Residence

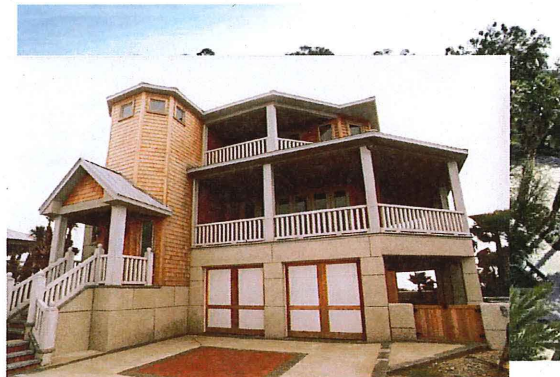


CITY GATES PLAZA
THREE SECOND SPANISH PERIOD BUILDINGS
DESIGNED AROUND A COURTYARD

Mickler Residence
Lohman Residence
Dobes Residence

MULTI FAMILY HOUSING

Waves's Z-Islander, Bryan, Texas
Cabana South Beach, Bryan, Texas
Sportsman's Lodge Condominiums,
Welaka, FL
Inlet Sunrise Condominiums,
Seaside at Anastasia Condominiums



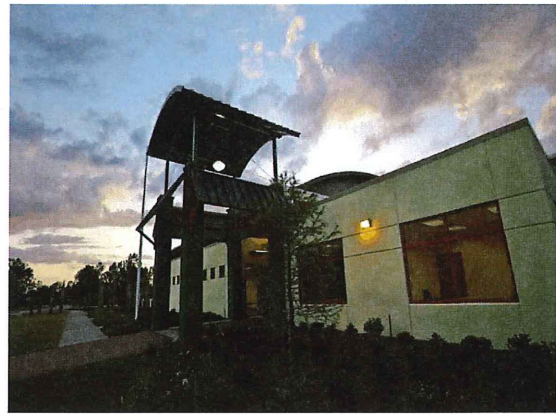
ST. AUGUSTINE VISITOR HOME
INFORMATION CENTER
Remodel and Expansion of WPA building
from 1930s

LES THOMAS ARCHITECT, INC.
32 CORDOVA ST.
ST. AUGUSTINE, FL 32084
(904)824-9508

RECENT PROJECTS



BISHOP BAKER PARISH CENTER
CATHOLIC CHURCH MULTI-PURPOSE HALL



SOLOMON CALHOUN COMMUNITY CENTER
*Recreation center with large multi-purpose room,
offices and study areas and swimming pool*

CHURCHES

Bishop Baker Parish Center
Our Lady of Good Counsel Catholic Church
Trinity Episcopal Church Parish Hall
Destiny Baptist Church and Day Care Center
Mt. Olive Baptist Church and Fellowship Hall

HISTORIC PROJECTS

Colonial Quarter of St. Augustine
Mala Compra Plantation Ruins
Preservation
Santo Domingo Redoubt
Florida Ag Museum, Caldwell Dairy Barn
Old Hastings High School Community
Center
City Gates Plaza and Inn
Old City House Inn and Restaurant

PUBLIC

Solomon Calhoun Community Center
St. Augustine Parking Garage
Visitors Information Center
St. Augustine Amphitheater
St. Johns County Equestrian Center

EDUCATIONAL

Cathedral Parish School addition
Fullerwood School
Ketterlinus Gymnasium
Whitney Laboratory, University of Florida

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: February 4, 2019

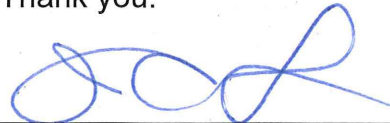
RE: **MARLOWE V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 2-2019-01-1743 dated January 31, 2019, from Cavendish Partners, P.A. for legal services rendered in January 2019, regarding the Craig A. Marlowe v. City of St. Augustine matter.

The amount currently due is **\$1,537.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the February 25, 2019 City Commission meeting.

*WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEYS'
FEES AND COSTS ON THIS MATTER EQUALS: **\$4,998.43**.*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Tim Burchfield, Assistant City Manager
John M. Cary, Assistant City Attorney
Darlene Galambos, City Clerk
Mark Litzinger, Financial Services
Meredith Breidenstein, Budget & Performance

CAVENDISH PARTNERS P.A.

25 N Market Street
Jacksonville, FL 32202

INVOICE

Date: 01/31/2019
Invoice #: 2-2019-01-1743
Matter: Marlowe
File #: 1743

INVOICE TOTAL AND BALANCE DUE \$1,537.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085

Due Date: 02/28/2019

Please Remit Payment To:

Cavendish Partners. P.A.
25 N Market Street
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 02/01/2019 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**

2.25.19 COSA

BJ KALAI DI
B NEWCOMB J

ON FEB. 15 2019 THERE WAS A CEREMONY AT THE PEDRO MENENDEZ MONUMENT. TAX PAYERS PAID FOR THE FREE CAKE. IF MEMORY SERVES ME HE KILLED PEOPLE. IT'S INTERESTING THE LORING MEMORIAL, WHICH THIS PHOTO DOES NOT ACCURATELY SHOW HOW PLANTS HAVE BEEN ALLOWED TO GROW TO COVER IT, HAS BEEN USED TO CREATE DIVISION IN THIS ALLEGED COMPASSIONATE CITY.

THE CHIEF FOX AND A COMMISSIONER ARE IN PENN. AT A SUMMIT, DISCUSSING NIGHTLIFE AKA ALCOHOL DISTRICTS. SOME BELIEVE CITY EMPLOYEES AND POLITICIANS HAVE FAILED TO PROTECT THE HEALTH, SAFETY & WELFARE OF THIS CITY, AS THEY ARE MANIPULATED BY THE ALMIGHTY DOLLAR AND CRONIES. CUINA ST. AND 12 AVENIDA MENENDEZ WAS DISCUSSED AT THE JAN. 28, 2019 COSA MEETING BY A DEVELOPER, WHO GAVE DOLLARS TO MR VALDES AND MS. SHAVER'S CAMPAIGNS. THERE IS NO CYB OR LEGITIMATE REASON TO HAVE 2 PZB MEETINGS IN MARCH. THOSE SCHEDULED FOR THE MARCH 7TH MEETING (IE 2 LUWANNA CIRCLE SOLD BY THE BUSHELL'S IN THE COQUINA PARK DAVIS SHORES AREA) CAN BE SCHEDULED IN APRIL. THE BUILDING DEPT. CONTINUES TO BE MANIPULATED BY DEVELOPERS AND SELFISH INDIVIDUALS WHO HAVE NO RESPECT FOR THE ZONING THAT'S SUPPOSE TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE ENTIRE CITY. I REMEMBER IN OCT 2018 THERE WERE MEETINGS WITH MR. CULLUM - NOT IN CITY HALL - SO EIGHT CHOSEN DEVELOPERS AKA CRONIES COULD MANIPULATE IN ~~SURE~~ SECRET. FRIDAY REVIEWS ARE ENTERTAINING. GOING BEFORE PZB IS A "WRINKLE" TO SOME DEVELOPERS. CITY HALL WILL SOON BE A SANCTUARY BUILDING. ONLY CRONIES AKA LAWYERS, DEVELOPERS, THOSE WHO PAID POLITICIANS AND EXPECT ROI WILL ROAM THE HALLS WHILE CITY TAX PAYERS WILL CONTINUE TO BE IGNORED, DISMISSED AND GIVEN THE ROYAL RUNAROUND.

2.25.19
COSA

BJ KALADI
8 NEW COMB ST.

(2)

WARNING: DO NOT PURCHASE A HOME IN THE CITY LIMITS OF ST. AUGUSTINE. THE ZONING ORDINANCES AND LAWS ARE SELECTIVELY ENFORCED CREATING AN UNSAFE TRASHY CITY.

MR. DANIEL IS CORRECT- "SO MANY THINGS THAT HAD GIVEN LIFE AND BEAUTY TO THE CITY OF ST. AUGUSTINE ARE BEING BOILED AWAY." THE TALE ABOUT A FROG THAT BOILED TO DEATH, UNFORTUNATELY DESCRIBES THE CITY OF ST. AUGUSTINE.

KNOWLEDGE IS POWER:

1. GUN INCIDENT IN PARK WEST OF DOWNTOWN GARAGE. (SWING)
2. GUN INCIDENT AT CATHEDRAL FESTIVAL-SAN MARCO.
3. NOT CREDIBLE HOAX/THREAT AT CATHEDRAL FESTIVAL
4. TAXI DRIVER PISTOL WHIPPED-OGLETHORPE PARK.

2.25.19 COSA

B.J. KALAI DI
8 NEWCOMB ST.

LET'S NOT WASTE MORE TIME ON THE CORVINA PARK
SHENANIGANS. IT'S A 3-1 VOTE, THIS IS JUST LIKE
THE ROOSTER SHENANIGAN AND THE NIGHT LIFE
SHENANIGAN THAT'S IN PROGRESS. FOLLOW THE MONEY.

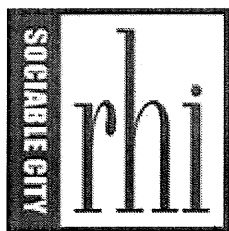
AGAINST WASTE OF TAX DOLLARS.

University of Florida plans to add context to site of Confederate monument



▲ HIDE CAPTION

A memorial to Confederate general William Wing Loring sits on the Plaza de la Constitución in St. Augustine between Government House and Flagler College. Loring's cremated ashes are buried under the monument. [PETER WILLOTT/THE RECORD]



Responsible Hospitality Institute

Like This PagePage Liked · January 11 ·

How can policing models like SARA and CPTED be applied to nightlife districts? Find out how at #RHISummit
#SociableCity http://bit.ly/RHI_Summit_cpted

Top of Form

Nancy Sikes-Kline, JC Diaz, Kathie Bean Durbin and 2 others like this.

Bottom of Form

Commissioners: By now, I am sure that you understand my stand on the 91-93 Coquina Avenue issue. But let me reiterate, just in case. This item was brought forward as urgent, when it is not. Because of that, it has bypassed all protocols, to include vetting and discovery. Staff had little information about this purchase and what they did have was inaccurate. As citizens we were misled, as Commissioners, you were also misled and You made decisions based on a false narrative.

Good Leaders would acknowledge this and take a step back to readdress this issue. Let the people speak, all the people, not just those privy to Ms. Freeman's Facebook posts. Require the City to make a complete presentation of their due diligence to include:

1. A discussion of current easements and rights of way, and past methods of access;
2. A budget for post-purchase park improvements including such things as grading, benches, sidewalks, playground equipment, etc., and a renovation budget for the building at the site that has flooded 2x and has already been approved for demolition –
3. The loss of tax revenues for the property.
4. An explanation of why Mr. Cullum in his October 22nd, presentation to Commissioners said that the Coquina Outfall had been completed on September 2017 yet, on January 14th he stated that purchasing the property would allow for this work, which is in direct conflict with his previous statement.

Stop the purchase of parcels 91-93 Coquina Avenue for a neighborhood park.



susan Rathbone started this petition to [city commission](#) and [1 other](#)

Petition to Stop the City from Purchasing parcels 91-93 on Coquina Avenue and to demand for this item to be re-addressed to allow Public Comment. Why? The City presented this purchase as necessary and vital to work on flooding mitigation, highly desired by the South Davis Shores residents who were flooded in the last two hurricanes. This is not the case. The City can address all flooding items without spending \$459,000 to purchase the property and then more to create and maintain a park. What we need to discuss is if we the St. Augustine citizens believe a park in South Davis Shores is the best use of our money. Now that we know this is just a park, for a park's sake, we need to be heard! Make Public Comment at the next meeting, on February 25.

84 have signed. Let's get to 100!



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Stop the purchase of parcels 91-93 Coquina Avenue for a neighborhood park.



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Signatures

Name	Location	Date
susan Rathbone	St Augustine, FL	2019-02-15
MICHAEL GOLD	SAINT AUGUSTINE, FL	2019-02-15
Earl Stratton	Saint Augustine, FL	2019-02-16
David Lowther	st augustine, FL	2019-02-16
Ruth Ruthfandrich@msn.com	Saint Augustine, FL	2019-02-16
Laurie Ridolph	Saint Augustine, FL	2019-02-16
Kimberlee Boen	St. Augustine, FL	2019-02-16
Valerie Day	Orange Park, FL <i>St. Aug</i>	2019-02-16
Tom Day	Orange Park, FL <i>St. Aug</i>	2019-02-16
Peggy Hatton	Saint Augustine, FL	2019-02-16
Christopher Guillet	St Augustine, FL	2019-02-16
Charlie Adams	US	2019-02-17
Anne Galloway	Saint Augustine, FL	2019-02-17
Michael Chamberlain	Bridge City, US	2019-02-17
Diana Hogge	Montpelier, US	2019-02-17
shane church	Maiden, US	2019-02-17
dana taylor	Saint Augustine, FL	2019-02-18
Jill Pacetti	Saint Augustine, FL	2019-02-18
doug russo	st. augustine, FL	2019-02-18
Susan Williams	St Augustine, FL	2019-02-18

Name	Location	Date
tedd filae	Joliet, US	2019-02-18
Red Mage Cole	yre, US	2019-02-18
Ayden Mays	Angleton, US	2019-02-18
Obaida Mohy	Fort Worth, US	2019-02-18
Brandon Guy	US	2019-02-18
Debbie Matthews	Wheeling, US	2019-02-19
Celestial Wallace	winter park, US	2019-02-19
Barbara Brottman	Jacksonville, FL	2019-02-19
Shirl Paw	Gulf Breeze, US	2019-02-19
Kim Taylor	St Augustine, FL	2019-02-19
Lisamarie Antonicelli	Dallas, US	2019-02-20
Shane Carman	Geneseo, NY	2019-02-20
Steven Bridewell	St. Augustine, FL	2019-02-20
Susan Kelley	St. Augustine, FL	2019-02-20
Dilara Hafiz	Saint Augustine, FL	2019-02-20
Jennifer Baya	Saint Augustine, FL	2019-02-20
Mark Tolzmann	St. Augustine, FL	2019-02-20
Angela Foreacre	Saint Augustine, FL	2019-02-20
Anne Challis	Brentwood, TN	2019-02-20
Wade Ross	St. Augustine, FL	2019-02-21
MIke M.	New York, US Saint Augustine	2019-02-21
Mary beth Kelly	Saint Augustine, FL	2019-02-21

Name	Location	Date
Kasie Saunders	Saint augustine, FL	2019-02-21
Roger McDonald	Hastings, FL	2019-02-21
Jonathan Kelso	Saint Augustine, FL	2019-02-21
Christina Mariani	Tampa, FL	2019-02-21
Phyllis McIntyre	Saint Augustine, FL	2019-02-21
Laurie Johnson	St Augustine, FL	2019-02-21
Candi Eldridge	St. Augustine, FL	2019-02-21
Isabelle Wahlmann	Chicago, IL	2019-02-22
John Gregory II	Saint Augustine, FL	2019-02-22
Melissa Pitcock	St Augustine, FL	2019-02-22
Pamela Farnsworth	Saint Augustine, FL	2019-02-23
Lynn Willis	US	2019-02-23
Christine Montufar	Jacksonville, FL	2019-02-23
Patricia Martin	Jacksonville, FL	2019-02-23
Sonda Gabriel	St. Augustine, FL	2019-02-23
Mercedes Eguizabal	St Augustine, FL	2019-02-23
karen zander	st augustine, FL	2019-02-23
John Gysbers	Saint Augustine, FL	2019-02-23
Peter Gugisberg	Saint Augustine, FL	2019-02-23
Kathryn Schirmacher	St. Augustine, FL	2019-02-23
Richard Bozung	Jacksonville, FL	2019-02-23
Christopher Williams	Sanford, US	2019-02-23

Name	Location	Date
Peter Lepera	Elkton, FL	2019-02-23
William Fries	Saint Augustine, FL	2019-02-23
Isabel Dickson	Saint Augustine, FL	2019-02-23
Diane Dicecco	St Augustine, FL	2019-02-24
Billie Wilson	Fort Walton Beach, US	2019-02-24
Elizabeth Turner	Kokomo, US	2019-02-24
Cynthia Reagor	St. Augustine, FL	2019-02-24
Deborsh Mcguire	St Augustine, FL	2019-02-24
Kaitlyn Corbin	Houston, US	2019-02-24
Shannon Donn	charleston, SC	2019-02-24
paul crousillac	prairieville, US	2019-02-24
Nancy Thomas	Saint Augustine, FL	2019-02-25
Michael Sowell	Ocala, US	2019-02-25
Lisa McAdams-Melton	St. Augustine, FL	2019-02-25
kirsten miller	ST. AUGUSTINE, FL	2019-02-25
Lori Kafel	St. Augustine, FL	2019-02-25